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OFFICIAL REPORTS  
OF THE  
DEBATES  
OF THE  
HOUSE OF COMMONS  
OF THE  
DOMINION OF CANADA.

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FIRST SESSION—FIFTH PARLIAMENT.

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46 VICTORIÆ, 1883.

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VOL. XIII.

COMPRISING THE PERIOD FROM THE EIGHTH DAY OF FEBRUARY TO THE  
NINETEENTH DAY OF APRIL, 1883.

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*Edited and Indexed by J. CHARLES BOYCE, Assistant to Chief Reporter.*

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1883.

# MEMBERS OF THE GOVERNMENT

OF THE

# RT. HON. SIR JOHN A. MACDONALD, K.C.B.

AT THE OPENING OF THE 1st SESSION OF THE 5th PARLIAMENT, 1883.

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Minister of Interior (Premier).....Right Hon. Sir JOHN A. MACDONALD, K.C.B., P.C.  
Minister of Finance.....Sir S. L. TILLEY, K.C.M.G., C.B.  
Minister of Railways and Canals.....Sir CHARLES TUPPER, K.C.M.G., C.B.  
Postmaster General.....HON. JOHN CARLING.  
Minister of Justice.....Sir ALEXANDER CAMPBELL, K.C.M.G.  
Minister of Public Works.....Sir HECTOR LANGEVIN, K.C.M.G., C.B.  
President of the Council.....HON. FRANK SMITH.  
Minister of Agriculture.....HON. JOHN HENRY POPE.  
Minister of Customs.....HON. MACKENZIE BOWELL.  
Minister of Militia and Defence.....HON. J. P. R. ADOLPHE CARON.  
Secretary of State.....HON. JOSEPH A. CHAPLEAU.  
Minister of Marine and Fisheries.....HON. ARCHIBALD W. MCLELAN.  
Minister of Inland Revenue.....HON. JOHN COSTIGAN.  
Speaker of the Senate.....HON. D. L. MACPHERSON.

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## OFFICERS OF THE HOUSE OF COMMONS.

HON. GEORGE AIREY KIRKPATRICK..... Speaker.  
JOHN G. BOURINOT, Esq.....Clerk of the House.  
DONALD W. MACDONELL, Esq.....Sergeant-at-Arms.  
FRANÇOIS FORTUNAT ROULEAU, Esq.....Clerk Assistant.

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## OFFICIAL REPORTERS.

GEORGE B. BRADLEY.....Chief Reporter.  
STEPHEN A. ABBOTT.....  
JOSEPH C. DUGGAN.....  
GEORGE EYVEL.....  
ALBERT HORTON.....  
J. O. MARCEAU.....  
F. R. MARCEAU.....  
JOHN A. LUMSDEN.....  
J. CHAS. BOYCE.....Assistant to Chief Reporter.

} Reporters.

LIST OF MEMBERS  
OF THE  
**HOUSE OF COMMONS**

IN THE

FIRST SESSION OF THE FIFTH PARLIAMENT OF THE DOMINION OF CANADA.

(Members names in *Italic* were not in the last Parliament.)

<b>ADDINGTON</b> — <i>John W. Bell.</i>	<b>DIGBY</b> — <i>Hon. William B. Vail.</i>
<b>ALBERT</b> — <i>John Wallace.</i>	<b>DORCHESTER</b> — <i>Charles Alexander Lesage.</i>
<b>ALGOMA</b> —Simon J. Dawson.	<b>DRUMMOND AND ARTHABASKA</b> — <i>Désiré Olivier Bourbeau.</i>
<b>ANNAPOLIS</b> — <i>William Henry Ray.</i>	<b>DUNDAS</b> — <i>Charles Erastus Hickey.</i>
<b>ANTIGONISH</b> — <i>Angus McIsaac.</i>	<b>DURHAM, E. Riding</b> — <i>Arthur T. H. Williams.</i>
<b>ARGENTEUIL</b> — <i>Hon. J. J. C. Abbott.</i>	<b>DURHAM, W. Riding</b> — <i>Hon. Edward Blake.</i>
<b>BAGOT</b> — <i>Flavien Dupont.</i>	<b>ELGIN, E. Riding</b> — <i>John H. Wilson.</i>
<b>BEAUCE</b> — <i>Joseph Bolduc.</i>	<b>ELGIN, W. Riding</b> — <i>George Elliott Casey.</i>
<b>BEAUHARNOIS</b> — <i>Joseph Gédéon Horace Bergeron.</i>	<b>ESSEX, N. Riding</b> — <i>James Colebrooke Patterson.</i>
<b>BELLECHASSE</b> — <i>Guillaume Amyot.</i>	<b>ESSEX, S. Riding</b> — <i>Lewis Wigle.</i>
<b>BERTHIER</b> — <i>E. Octavian Cuthbert.</i>	<b>FRONTENAC</b> — <i>Hon. George Airey Kirkpatrick.</i>
<b>BONAVENTURE</b> — <i>L. J. Riopel.</i>	<b>GASPE</b> — <i>Pierre Fortin.</i>
<b>BOTHWELL</b> — <i>John Joseph Hawkins.</i>	<b>GLENGARRY</b> — <i>Donald Macmaster.</i>
<b>BRANT, N. Riding</b> — <i>James Somerville.</i>	<b>GLOUCESTER</b> — <i>Kennedy F. Burns.</i>
<b>BRANT, S. Riding</b> — <i>William Paterson.</i>	<b>GRENVILLE, S. Riding</b> — <i>William Thomas Benson.</i>
<b>BROCKVILLE</b> — <i>John Fisher Wood.</i>	<b>GREY, E. Riding</b> — <i>Thomas S. Sproule.</i>
<b>BROME</b> — <i>Sydney Arthur Fisher.</i>	<b>GREY, N. Riding</b> — <i>Benjamin Allen.</i>
<b>BRUCE, E. Riding</b> — <i>Rupert Mearse Wells.</i>	<b>GREY, S. Riding</b> — <i>George Landerkin.</i>
<b>BRUCE, N. Riding</b> — <i>Alexander McNeill.</i>	<b>GUYSBOROUGH</b> — <i>John A. Kirk.</i>
<b>BRUCE, W. Riding</b> — <i>James Somerville.</i>	<b>HALDIMAND</b> — <i>David Thompson.</i>
<b>CAPE BRETON</b> — { <i>William McDonald.</i> { <i>Murray Dodd.</i>	<b>HALIFAX</b> — { <i>Matthew H. Richey.</i> { <i>Malachy Bowes Daly.</i>
<b>CARDWELL</b> — <i>Thomas White.</i>	<b>HALTON</b> — <i>William McCraney.</i>
<b>CARLETON, (N.B.)</b> — <i>David Irvine.</i>	<b>HAMILTON</b> — { <i>Francis Eldwin Kilvert.</i> { <i>Thomas Robertson.</i>
<b>CARLETON, (O.)</b> — <i>Right Hon. Sir J. A. Macdonald, K.C.B.</i>	<b>HANTS</b> — <i>W. Henry Allison.</i>
<b>CARIBOO</b> — <i>James Reid.</i>	<b>HASTINGS, E. Riding</b> — <i>John White.</i>
<b>CHAMBLY</b> — <i>Pierre Basile Benoit.</i>	<b>HASTINGS, N. Riding</b> — <i>Hon. Mackenzie Bowell.</i>
<b>CHAMPLAIN</b> — <i>Hippolyte Montplaisir.</i>	<b>HASTINGS, W. Riding</b> — <i>Alexander Robertson.</i>
<b>CHARLEVOIX</b> — <i>Simon Xavier Cimon.</i>	<b>HOCHELAGA</b> — <i>Alphonse Desjardins.</i>
<b>CHARLOTTE</b> — <i>Arthur Hill Gillmor.</i>	<b>HUNTINGTON</b> — <i>Julius Scriver.</i>
<b>CHATEAUGUAY</b> — <i>Edward Holton.</i>	<b>HURON, E. Riding</b> — <i>Thomas Farrow.</i>
<b>CHICOUTIMI AND SAGUENAY</b> — <i>Jean Alfred Gagné.</i>	<b>HURON, S. Riding</b> — <i>John McMillan.</i>
<b>COLCHESTER</b> — <i>Hon. Archibald Woodbury McLelan.</i>	<b>HURON, W. Riding</b> — <i>Malcolm Colin Cameron.</i>
<b>COMPTON</b> — <i>Hon. John Henry Pope.</i>	
<b>CORNWALL AND STORMONT</b> — <i>Darby Bergin.</i>	
<b>CUMBERLAND</b> — <i>Hon. Sir Charles Tupper, K.C.M.G.</i>	

LIST OF MEMBERS OF THE HOUSE OF COMMONS.

**IBERVILLE**—François Béchard.

**INVERNESS**—Hugh Cameron.

**JACQUES-CARTIER**—Désiré Girouard.

**JOLIETTE**—Edouard Guilbault.

**KAMOURASKA**—Charles Bruno Blondeau.

**KENT, (N.B.)**—Gilbert Anselme Girouard.

**KENT, (O.)**—Henry Smyth.

**KING'S, (N.B.)**—George E. Foster.

**KING'S, (N.S.)**—Douglas B. Woodworth.

**KING'S, (P.E.I.)**— $\left\{ \begin{array}{l} \text{Peter Aldolphus McIntyre.} \\ \text{Augustine Colin Macdonald.*} \\ \text{James Edwin Robertson.*} \end{array} \right.$

**KINGSTON**—Alexander Gunn.

**LAMBTON, N. Riding**—J. H. Fairbank.

**LAMBTON, W. Riding**—James Frederick Lister.

**LANARK, N. Riding**—Joseph Jamieson.

**LANARK, S. Riding**—John Graham Haggart.

**LAPRAIRIE**—Alfred Pinsonneault.

**L'ASSOMPTION**—Hilaire Harteau.

**LAVAL**—Joseph Aldéric Ouimet.

**LEEDS AND GRENVILLE, N. Riding**—Charles F. Ferguson.

**LEEDS, S. Riding**—George Taylor.

**LENOX**—Right Hon. Sir John A. Macdonald, K.C.B.

**LEVIS**—Hon. Joseph Goderic Blanchet.

**LINCOLN AND NIAGARA**—John Charles Rykert.

**LISGAR**—Arthur Wellington Ross.

**L'ISLET**—Philippe Baby Casgrain.

**LONDON**—Hon. John Carling.

**LOTBINIERE**—Côme Isaïe Rinfret.

**LUNENBURG**—Thomas T. Keefer.

**MARQUETTE**—Robert Watson.

**MASKINONGÉ**—Frédéric Houde.

**MEGANTIC**—Louis J. Côté, *alias* Fréchette.

**MIDDLESEX, E. Riding**—Duncan Macmillan.

**MIDDLESEX, N. Riding**—Timothy Coughlin.

**MIDDLESEX, S. Riding**—James Armstrong.

**MIDDLESEX, W. Riding**—George William Ross.

**MISSISQUOI**—George Barnard Baker.

**MONCK**—Lauchlan McCallum.

**MONTCALM**—Firmin Dugas.

**MONTMAGNY**—Auguste C. P. R. Landry.

**MONTMORENCY**—Pierre Vincent Valin.

**MONTREAL, Centre**—John Joseph Curran.

**MONTREAL, East**—Charles Joseph Coursol.

**MONTREAL, West**—Matthew Hamilton Gault.

**MUSKOKA**—William Edward O'Brien.

**NAPIERVILLE**—Médéric Catudal.

**NEW WESTMINSTER**—Joshua Attwood R. Homer.

**NICOLET**—François Xavier Ovide Méthot.

**NORFOLK, N. Riding**—John Charlton.

**NORFOLK, S. Riding**—Joseph Jackson.

**NORTHUMBERLAND, (N.B.)**—Hon. Peter Mitchell.

**NORTHUMBERLAND, (O.) E. Riding**—Edward Cochrane.

**NORTHUMBERLAND, (O.) W. Riding**—George Guillet.

**ONTARIO, N. Riding**—Alexander Peter Cockburn.

**ONTARIO, S. Riding**—Francis Wayland Glen.

**ONTARIO, W. Riding**—George Wheler.

**OTTAWA, (City)**  $\left\{ \begin{array}{l} \text{Charles H. Mackintosh.} \\ \text{Joseph Tassé.} \end{array} \right.$

**OTTAWA, (County)**—Alonzo Wright.

**OXFORD, N. Riding**—James Sutherland.

**OXFORD, S. Riding**—Archibald Harley.

**PEEL**—James Fleming.

**PERTH, N. Riding**—Samuel Rollin Hesson.

**PERTH, S. Riding**—James Trow.

**PETERBOROUGH, E. Riding**—John Burnham.

**PETERBOROUGH, W. Riding**—George Hilliard.

**PICTOU**— $\left\{ \begin{array}{l} \text{Charles H. Tupper.} \\ \text{John McDougald.} \end{array} \right.$

**PONTIAC**—John Bryson.

**PORTNEUF**—Joseph E. A. De St. Georges.

**PRESCOTT**—Simon Labrosse.

**PRINCE, (P. E. I.)**— $\left\{ \begin{array}{l} \text{Edward Hackett.} \\ \text{James Yeo.} \end{array} \right.$

**PRINCE EDWARD**—John Milton Platt.

**PROVENCHER**—Joseph Royal

**QUEBEC, Centre**—Joseph Guillaume Bossé.

**QUEBEC, East**—Hon. Wilfred Laurier.

**QUEBEC, West**—Hon. Thos. McGreevy.

**QUEBEC, (County)**—Hon. J. P. René Adolphe Caron.

**QUEEN'S, (N.B.)**—George Gerald King.

**QUEEN'S, (N.S.)**—James F. Forbes.

**QUEEN'S, (P.E.I.)**— $\left\{ \begin{array}{l} \text{Louis Henry Davies.} \\ \text{John Theophilus Jenkins.†} \\ \text{Friederick de St. Croix Brecken.} \end{array} \right.$

**RENFREW, N. Riding**—Peter White.

**RENFREW, S. Riding**—Robert Campbell.

**RESTIGOUCHE**—George Moffat.

**RICHELIEU**—Louis Huet Massue.

**RICHMOND, (N.S.)**—Henry N. Paint.

**RICHMOND AND WOLFE, (Q.)**—William Bullock Ives.

**RIMOUSKI**—Louis Adolphe Billy.

**ROUVILLE**—George Auguste Gigault.

**RUSSELL**—Moses Kent Dickinson.

**ST. HYACINTHE**—Michel E. Bernier.

**ST. JOHN, (N.B.) City**—Hon. Sir Leonard Tilley, K.C.M.G.

**ST. JOHN, (N.B.) City and County**— $\left\{ \begin{array}{l} \text{Hon. Isaac Burpee.} \\ \text{Charles W. Weldon.} \end{array} \right.$

**ST. JOHN, (Q.)**—François Bourassa.

**ST. MAURICE**—Louis Léon L. Desaulniers.

**SELKIRK**—Hugh Sutherland.

\* Double return; ref. to Com. on Priv. and Elec., and Mr. A. C. Macdonald declared the sitting Member.

† Sat as Member for fifteen days; unseated by Supreme Court on a recount, and Mr. Brecken sat for balance of Session.



# House of Commons Debates

FIRST SESSION, FIFTH PARLIAMENT.

THE FOURTH PARLIAMENT of the Dominion, which had been prorogued from the 17th day of May, 1882, and thence from time to time, was dissolved by Proclamation on the 18th day of May, 1882; and, Writs having been issued and returned, a new Parliament was summoned to meet for the Despatch of Business, on Thursday, the 8th day of February, 1883, and did accordingly meet on that day.

## HOUSE OF COMMONS,

THURSDAY, 8th February, 1883.

On which day, being the first day of the meeting of the First Session of the Fifth Parliament, for the Despatch of Business,—John George Bourinot, Esquire, Clerk of the House of Commons, Donald William Macdonell, Gustavus William Wicksteed, Henry Hartney, and François Fortunat Rouleau, Esquires, Commissioners appointed by *Dedimus Potestatem* for administering the Oath to Members of the House of Commons, all attending according to their duty;—Richard Pope, Esquire, Clerk of the Crown in Chancery, delivered to the said John George Bourinot a book containing a list of the names of the Members returned to serve in his Parliament.

The aforesaid Commissioners did administer the Oath to the Members who were present, which being done and the Members having subscribed the Roll containing the Oath, they repaired to their seats.

A Message was delivered by René Edouard Kimber, Esquire, Gentleman Usher of the Black Rod:

*Gentlemen,*

The Honorable Sir William Johnstone Ritchie, Deputy Governor, desires the immediate attendance of this Honorable House in the Senate Chamber.

Accordingly, the House went up to the Senate, when the Speaker of the Senate said:

*Honorable Gentlemen of the Senate, and*

*Gentlemen of the House of Commons:*

The Honorable Sir William Johnstone Ritchie, Deputy Governor, does not see fit to declare the causes of summoning the present Parliament until a Speaker of the House of Commons shall have been chosen according to law, but to-morrow, at three o'clock in the afternoon, the causes of calling this Parliament will be declared.

And the House being returned,

## ELECTION OF A SPEAKER.

Sir JOHN A. MACDONALD, addressing himself to the Clerk, said: Mr. BOURINOT, I have the honor to propose that George Airey Kirkpatrick, Esq., the member representing the Electoral District of the County of Frontenac, do take the Chair as Speaker of this House. To those of this House who sat in former Parliaments I need say very little about the qualifications of the hon. member for Frontenac for this important position. He has been in Parliament since 1870. He succeeded my revered friend, his own father, who sat in Parliament until his death, and he has represented that county ever since. Four times he has received the confidence of the electors of Frontenac, and I believe, indeed I know and am well assured, that his conduct during the period he has been in Parliament has

gained for him the esteem, I might almost say the affection, of his brother members. He has been an active member of Parliament since 1870; he has paid great attention to the business of the House, in the House and in Committee; he is, I believe, thoroughly versed in the practice of Parliament, and in every respect, Mr. Bourinot, I do not think I can present any name more acceptable to this House than that of George Airey Kirkpatrick, Esq., the hon. member for Frontenac.

Sir HECTOR LANGEVIN (Translation). Mr. BOURINOT,—I have much pleasure in seconding the motion of the hon. Premier of the Government for the election of Mr. George Kirkpatrick as Speaker of this House. As my hon. colleague has just said, those who have sat with Mr. Kirkpatrick during the last ten or twelve years know how useful a member of this House he has been, and especially as member of the leading committees in which the affairs of the country are considered before being submitted to this House. I should say that after the hon. gentleman who has, during the last Parliament, presided over the proceedings of this House with so much dignity and honor for himself as well as for this House, which had elected him, we could scarcely have found a member who would have presided over this House with greater dignity than the hon. member whom we now propose. It is true that the hon. gentleman, Mr. Kirkpatrick, is not as conversant with the French as with the English language; nevertheless, I think I may state that the hon. gentleman understands French well enough to follow the debates, and, when occasion occurs, to decide questions of order which may present themselves. I am convinced that the hon. member, who received part of his education in the Province of Quebec, will be happy to avail himself of this opportunity of acquainting himself with the elegant French language, which we speak freely, and that before long he will be able to express himself in French as we, the French members of this House, express ourselves in English. I hope, Mr. Bourinot, that this motion, will receive the unanimous concurrence of this House.

Mr. BLAKE. Ten years ago it was the duty of the hon. gentleman who is the leader of the Government—filling the same situation which he now fills—to discharge the same duty, which he has just now discharged, in proposing the selection of a Speaker to preside over our deliberations. It was his duty to perform that office under circumstances very similar to those under which he has discharged it to-day. As First Minister of the preceding Parliament, he was called upon to ask the House to assent to the election of a Speaker. Having obtained the confidence of the country at the preceding election, he felt called upon to move that Parliament should elect the old Speaker, to advise the House as to the course it should pursue. His opening remarks to-day were so very similar to those with which he had opened his address on that former occasion that I supposed we were to have the same speech altogether; but the conclusion differs. Allow me to recall the attention of those few of us who sat here then to what the hon. gentleman said, and the rule of conduct which he proposed to lay down. He said:

“To those hon. gentlemen who had sat under his (Mr. Cockburn's) guidance, as Speaker of the House, during the last Parliament, he (Sir John) need not address any arguments to press his claims for that important office. Five years ago he was elected to fill it, and he (Sir John) believed that during that time he had performed his duties in a manner acceptable to the House and to the country. He might say

to those hon. members who occupied seats on the floor of the House for the first time, that the hon. gentleman whose name he had mentioned, had had a long experience in Parliament and in official life; that in both positions he had performed his duties honorably and well, and that during his term of office as Speaker, none of his decisions had ever been reversed. Like all other Speakers, he might have given decisions that were not acceptable to individual members. Mr. Walford, speaking on this subject in the British Parliament, had said that during his long experience he had never known a Speaker whose decisions had not been objected to on both sides of the House: among his own party, from a feeling that perhaps from fear of seeming to lean towards his friends, he had given decisions adverse to them; and by his opponents, from a belief that he had been partial to his friends. On the whole, and after all, the general tenor of a Speaker's conduct should be the guide as to whether he was fit for re-election or not. He (Sir John) was now trying to introduce the system that had obtained in England and had worked well.—That after a Speaker had served well, he should not be changed capriciously at the beginning of each Parliament."

Well, sir, the hon. gentleman who spoke a moment ago, pointed out to us the difficulty of finding, after our experience of last Parliament, a gentleman who would preside over our deliberations with equal dignity, courtesy and impartiality as had presided the late Speaker of this House. This hon. gentleman has not had the misfortune to lose his election. He is present amongst us, and I am glad to see him present in health and vigor, in the full maturity of his powers, but yet he does not receive the honor of the application of the rule which the hon. gentleman, the First Minister, propounded for our guidance in 1872. The hon. gentleman has laid down a different rule. He now says that the rule which he laid down on the occasion to which I have referred—that the general tenor of a Speaker's conduct should be the guide as to whether he was fit for re-election—that a Speaker who had served well in that capacity should not be capriciously dismissed at the commencement of a new Parliament—shall not be observed on this occasion. What is the reason for the change? Is my hon. friend in ill health? Are the rumors true that we have sometimes heard, that after all the reverses and successes which have attended his Parliamentary career, he is about to leave us for a sphere in which he will at least enjoy a measure of ease and retirement, even if it does not possess all the attractions of a Parliamentary life? Why is it that the hon. gentleman does not apply the same rule with regard to the hon. member, whose laudations we have just heard, as he laid down ten years ago? It cannot be that the hon. Minister intends to imply that the hon. member for Lévis (Mr. Blanchet) is not well suited for the office—that he does not in every respect meet the views of the hon. gentleman as to what a Speaker of the House should be. At all events, I suppose we may now understand that the principle of action which the hon. gentleman followed on a previous occasion is now abrogated for some cause or other, and that another principle of action which prevailed formerly in the old Provincial Parliament is to be the one in vogue. With reference to the choice which the hon. gentleman has submitted to the House, I was glad to learn from the Minister that the hon. member for Frontenac (Mr. Kirkpatrick) possesses one qualification of importance to his office, and that is, a sufficient conversance with the language which is spoken by a number of the members of this House; and I am glad to re-echo the observations of the First Minister as to the attention which my hon. friend from Frontenac (Mr. Kirkpatrick) has paid to his Parliamentary duties, the important part which, as a private member, he has taken in many important portions of our deliberations, and the unvarying courtesy and kindness with which he has conducted his share in our debates. I have no doubt that he will in all these respects adequately fulfil the great trust which it is proposed to repose in him. I hope, too, that in addition to the observance of perfect impartiality as presiding officer of this Chamber, he will endeavor to maintain the dignity of this House by some more active steps, on certain occasions, than former Speakers have taken, by the repres-

NT. JIAKF.

sion, at the earliest moment, of incidents, which, when prolonged only become more lamentable; and in doing so I can assure him that he will receive the most cordial support from this side of the House that we can give him. I may add my personal congratulation to the hon. member as an old friend—upon the honor which it is proposed to bestow upon him—our friendship having commenced before we entered the stormy scene and having continued unbroken ever since.

Mr. MACKENZIE. Mr. BOURINOT, I am sorry to disturb in the least the amicable arrangements that appear to exist between the two sides of the House by saying a word which would jar upon the feelings of anyone. I cordially agree with what has been stated as to the excellent personal qualities of the proposed Speaker, and the pleasure I have enjoyed in my intercourse with him in the work of the House, and in the committees of the House. All that is perfectly true. But an occurrence took place on a former occasion which leads me to a different conclusion as to one point. If there is one thing more than another which it is the duty of the Speaker to do, it is to maintain the balance fairly between the two parties—irrespective of party proclivities or party leanings—to see that ample justice is done to every member, and that every member is sufficiently protected under all existing circumstances. On the 12th of May, 1879, a person, well known to hon. gentlemen in this House, wantonly insulted a prominent member of Parliament—though I attach no importance to his prominence, as the humblest member is equally entitled to protection with the most prominent. That case was brought before the House by myself, and I recollect, with some pain, that the hon. member for Frontenac (Mr. Kirkpatrick) and the hon. member for North Simcoe (Mr. McCarthy), and one or two other hon. gentlemen on that side, did everything but excuse the wanton insult committed against that member. I allude to the late member for Shefford (Mr. Huntington). Now, sir, while I have no desire at all to say one word disparaging to the candidate for the Speakership, I am bound to say this: that it would have been far more acceptable to me—entirely acceptable indeed—but for the events of that unfortunate occasion. Having thus entered my protest against what I conceived to be a wanton violation of the duties of this House towards a brother member, I say no more on the subject.

Motion agreed to.

Mr. BOURINOT. I declare Mr. Kirkpatrick duly chosen to occupy the Chair of this Honorable House as its Speaker.

Mr. KIRKPATRICK was conducted from his place to the Chair by Sir John A. Macdonald and Sir Hector Langevin.

Mr. SPEAKER, ELECT, standing on the upper step, said: I beg to tender my grateful acknowledgments to the House for the honor it has conferred upon me, in electing me to be its Speaker. It will be always my desire to deserve the confidence reposed in me. I am sensible of my unfitness for the position; but relying upon the kindness and co-operation of hon. gentlemen on both sides of the House, I shall endeavor to do my duty to the best of my ability, and to discharge the functions of the Chair with fairness and impartiality. I hope the House will sustain me in vindicating our rights and privileges, in maintaining our Rules and Orders, and in securing the freedom of debate, according to our established usages.

And the Mace, which before lay under the Table, was laid upon the Table.

Sir JOHN A. MACDONALD. Mr. Speaker, I beg to move that the House do now adjourn.

Motion agreed to; and (at 3:30 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 9th February, 1883.

The SPEAKER Elect having taken the Chair,

## PRAYERS.

A Message was delivered by René Edouard Kimber, Esquire, Gentleman Usher of the Black Rod :

MR. SPEAKER,

His Excellency the Governor General desires the immediate attendance of this Honorable House in the Senate Chamber.

Accordingly, Mr. Speaker Elect, with the House went up to the Senate Chamber ;

Then the HONORABLE GEORGE AIREY KIRKPATRICK, SPEAKER ELECT, said :

MAY IT PLEASE YOUR EXCELLENCY :

The House of Commons have elected me as their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am, and who through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of Speech in their Debates, access to Your Excellency's person at all reasonable times, and that their proceedings may receive from Your Excellency the most favorable consideration.

The Honorable the SPEAKER of the Senate then said :

MR. SPEAKER,

I am commanded by His Excellency the Governor General to declare to you that he freely confides in the duty and attachment of the House of Commons to Her Majesty's Person and Government, and not doubting that their proceedings will be conducted with wisdom, temper and prudence, he grants, and upon all occasions will recognize and allow, their constitutional privileges.

I am commanded also to assure you, that the Commons shall have ready access to His Excellency upon all reasonable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favorable construction.

Then His Excellency the GOVERNOR GENERAL was pleased to open Parliament by a Speech from the Throne.

And the House being returned,

MR. SPEAKER. I have the honor to state that the House having attended on His Excellency the Governor General in the Senate Chamber, I informed His Excellency that the choice of Speaker had fallen on me, and, in your names and on your behalf, I made the usual claim for your privileges, which His Excellency was pleased to confirm to you.

## CONTROVERTED ELECTIONS.

MR. SPEAKER informed the House that the Clerk of the House had received from the Hon. Mr. Justice Weldon, one of the Judges selected for the trial of Election Petitions, pursuant to The Dominion Controverted Elections Act, 1874, Certificate and Report in the matter of the Election for the Electoral District of King's, N.B., declaring the Election of G. E. Foster, Esq., null and void.

Also, Certificate and Report from the Hon. Mr. Justice Mathieu, in the matter of the Election for the Electoral District of Joliette, declaring the Election of E. Guibault, Esq., null and void.

He also informed the House, that in conformity with the Act 37 Victoria, Chapter 10, Sections 5 and 36, the Clerk of the House had issued his Warrants to the Clerk of the Crown in Chancery to make out new Writs of Election for the said Electoral Districts, respectively.

MR. SPEAKER further informed the House that the Clerk of the House had received from the Hon. Mr. Justice Chag-

non, one of the Judges selected for the trial of Election Petitions, pursuant to The Dominion Controverted Elections Act, 1874, Certificate and Report in the matter of the Election for the Electoral District of Napierville, declaring M. Catudal, Esq., duly elected.

Also, Certificate and Report from the Hon. Mr. Justice Mathieu, in the matter of the Election for the Electoral District of Terrobonne, declaring the Hon. J. Chapleau duly elected.

Also, Certificate and Report from the Hon. Mr. Justice Patterson, in the matter of the Election for the Electoral District of the South Riding of Norfolk, declaring J. Jackson, Esq., duly elected.

Also, Copy of Certificate and Report in the matter of the Election for the Electoral District of Verchères, declaring the Hon. F. Geoffrion duly elected.

## NEW MEMBERS.

MR. SPEAKER further informed the House, that the Clerk of the House had received from the Clerk of the Crown in Chancery, Certificates of the Election and Return of the following members, viz:—

Of the Hon. JOSEPH ADOLPHE CHAPLEAU, for the Electoral District of Terrebonne;  
Of FLAVIEN DUPONT, Esq., for the Electoral District of Bagot ;  
Of EDWARD GUILBAULT, Esq., for the Electoral District of Joliette ;  
Of GEORGE R. L. G. H. S. DE BEAUJEU, Esq., for the Electoral District of Soulanges ; and  
Of GEORGE E. FOSTER, Esq., for the Electoral District of King's, New Brunswick.

## ADMINISTRATION OF OATHS OF OFFICE.

SIR JOHN A. MACDONALD introduced Bill (No. 1) respecting the Administration of Oaths of Office.

Bill read the first time.

## SPEECH FROM THE THRONE.

MR. SPEAKER. I have the honor to inform this House that when the House attended His Excellency the Governor General this day, in the Senate Chamber, His Excellency was pleased to make a Speech to both Houses of Parliament, and, to prevent mistakes, I have obtained a copy of the Speech, which is as follows:—

*Honorable Gentlemen of the Senate :*

*Gentlemen of the House of Commons :*

It is my pleasing duty, on the opening of a new Parliament, to congratulate you on the auspicious circumstances under which you will begin your labors.

Canada is in the enjoyment of peace and prosperity, and all her industries, agricultural, manufacturing and commercial, are in a healthy and improving condition.

Following the example of my distinguished predecessor, I paid a visit of some length to British Columbia last season. The great natural resources of that Province promise that as soon as the Pacific Railway is completed, an impulse to its prosperity, commensurate with the progress made elsewhere, will be assured. Meanwhile, the disposal of the lands set aside in aid of the Railway to actual settlers will add to the importance and wealth of the Province.

While passing through the United States I was rejoiced to observe many evidences of regard for the Empire of which this country forms so large a portion. May this friendship, which is so fully returned by us, be as enduring as it is natural and advantageous to the mutual interests of both great nations.

The steady flow of settlers into Manitoba and the North-West Territories last year, and the assurances received of an increased immigration during the coming season, promise well for the early development of those fertile and salubrious regions.

It is important that the laws relating to the representation of the people in Parliament should be amended, and the electoral franchises existing in the several Provinces assimilated. A measure for this purpose will be submitted for your consideration.

I am advised that the Judgment of the Lords of the Judicial Committee of the Privy Council, delivered last June on the appeal of *Russell versus the Queen*, goes to show, that in order to prevent the unrestrained sale of intoxicating liquors, and for that purpose to regulate the granting of shop, saloon and tavern licenses, legislation by the Dominion Parliament will be necessary. Your earnest consideration of this important subject is desired.

Your attention is specially invited to a measure regulating Factory Labor and the protection of the workingman and his family.

Bills for the consolidation and amendment of the laws relating to the Customs, the Militia, and the Public Lands, will be laid before you.

Among other measures, Bills will be presented to you respecting the Civil Service, the Acts relating to Banking, and the examination of Masters and Mates of vessels navigating our inland waters.

I am glad to be able to inform you that the progress of the Canadian Pacific Railway has been quite unprecedented. Traffic can now be carried on the main line from Thunder Bay to within fifty miles of the crossing of the South Saskatchewan, a distance of over one thousand miles. It is confidently expected that the Rocky Mountains will be reached during the present year, and that within the same period substantial progress will be made on the Lake Superior Section of the Railway, and the track laid upon a large portion of the road now under contract in British Columbia.

I have also pleasure in stating that the traffic on the Intercolonial Railway is largely in excess of any former year, and that the balance in favor of the road shows a gratifying increase.

*Gentlemen of the House of Commons:*

The accounts of the last fiscal year will be laid before you.

You will be pleased to learn that, notwithstanding the expenditure on Capital Account amounted to more than seven millions of dollars, the surplus of the Consolidated Revenue, together with the proceeds of the sales of the lands in the North-West during the year, were more than sufficient to cover that expenditure, and that the net debt at the close of the year and the amount of interest paid thereon were less than for the year previous.

The Estimates for the ensuing year will also be submitted. They have been prepared with all due economy consistent with the necessary development of the varied resources of the Dominion.

On the first January, 1885, the large 5 per cent. loan will mature. A Bill will be submitted authorizing the issue of Debentures bearing a rate of interest not exceeding 4 per cent. for the redemption of this loan.

*Honorable Gentlemen of the Senate:*

*Gentlemen of the House of Commons:*

The subjects I have mentioned to you are of much importance, and I commend them to your consideration, with full confidence in your discretion and patriotism.

Sir JOHN A. MACDONALD moved that the Speech of His Excellency the Governor General be taken into consideration on Monday next.

Motion agreed to.

#### SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD moved:

That Select Standing Committees of this House, for the present Session, be appointed for the following purposes:—1. On Privileges and Elections.—2. On Expiring Laws.—3. On Railways, Canals and Telegraph Lines.—4. On Miscellaneous Private Bills.—5. On Standing Orders.—6. On Printing.—7. On Public Accounts.—8. On Banking

Mr. SPEAKER,

and Commerce.—9. On Immigration and Colonization,—which said Committees shall severally be empowered to examine and enquire into all such matters and things as may be referred to them by the House; and to report from time to time their observations and opinions thereon; with power to send for persons, papers and records.

Motion agreed to.

#### REPORT.

Mr. SPEAKER laid before the House the Report of the Librarian on the state of the Library of Parliament.

#### ADJOURNMENT.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Mr. CASGRAIN. I desire to call the attention of the House to a matter which occurred yesterday. Of course the ceremony in which we took part yesterday, is one which many of us have witnessed on many previous occasions, but I think the time of members of this House is sufficiently valuable to enable us to dispense with very much of what we went through yesterday. It is true the custom is an old one, and at one time it had its *raison d'être*. Its origin was such that it is valuable for us to keep it in mind. At the same time I cannot see any reason why it should be perpetuated by this House, and I may say that I have consulted with some of my colleagues on the subject, and they agree with me as to the uselessness of many parts of the ceremony. In former times—seven hundred or eight hundred years ago—the Parliament of England, which we endeavor to copy in this Chamber sat in one building, and the permission of the Crown to elect a Speaker was necessary, because the House had to have a spokesman; but it seems to me that in these days of reform we might well dispense with a usage which has no meaning now. I consider that our time is too valuable for us to lose one day yesterday and I may say another to-day, so that we have to defer until Monday the consideration of His Excellency's speech. Certainly, the Crown might refuse to accept a particular person as Speaker, but the election of its Speaker is undoubtedly one of the rights and privileges of the House of Commons. I do not wish to use too strong a term, and if I do, it will be owing to my unfamiliarity with the English language; but it did appear to me, that it was rather a ridiculous proceeding to invite us into the other Chamber, and to tell us to go back, choose our Speaker, and return to-morrow. I call attention to the matter, in the hope that some future Parliament may take steps to prevent such a needless waste of time.

Motion agreed to; and (at 3:50 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS.

MONDAY, 12th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### CONTROVERTED ELECTION.

Mr. SPEAKER informed the House that he had received from the Hon. Mr. Justice Torrance, one of the Judges selected for the trial of Election Petitions, pursuant to the Dominion Controverted Elections Act, 1874, his final judgment in the matter of the Controverted Election for the Electoral District of Jacques Cartier, declaring D. Girouard, Esq., duly elected.

## ADDRESS IN ANSWER TO HIS EXCELLENCY'S SPEECH.

The House proceeded to the consideration of His Excellency's Speech at the opening of the Session.

Mr. TUPPER. In rising to move that a humble Address be presented to His Excellency the Governor General in reply to the Speech delivered from the Throne, on Friday last, I rejoice greatly that I have the good fortune and the high privilege to do so at so important a period in the history of my country. I rejoice also that the time for me to move the answer to the Address has occurred when so successful a period in the history of the country has been reached. A little over fifteen years ago four British Provinces began a venture which over one hundred years ago thirteen British Colonies attempted, and those four Provinces formed a Union called Confederation. Since that time great as has been the advancement of the United States, extraordinary as has been the progress of that country, I do not hesitate to say that the progress and advancement of the British Confederation on this side of the Atlantic has been far greater in proportion than even the wonderful advancement of the country to the south of us. We can recognize with pride the fact that while during those hundred years the revenue of the American Union rose to \$29,000,000 in the seventy-first year of its existence, the revenue of this country rose, in the fifteen years just closed, from \$15,000,000 to \$29,000,000. We have to recognize at the same time the fact that in the year 1800 the population of the American Union was as large as that of Canada to-day. Not only has our advancement been greater in regard to the revenue of the country, but I am happy to know that the increase of the population of this country has been far greater in proportion. When the Union of the Provinces was consummated, when Confederation became a settled fact, the strides that were made in the march of union and progress were such as to command the admiration of the world. But there came a pause, which we all remember, in the march of advancement. There came a time when depression seemed to linger in this country, and to predict a fate which no advocate of the Union had anticipated. At that time, it will be remembered, that one of the great parties of this country rose and said that it was confident it could restore the successful state of affairs that had been inaugurated at the date of the Union. That party then was in Opposition to the Government of the day, and while the Government had professed that it was unable, and that this party was unable to retrieve the glory and success which had been lost for a time, the Liberal-Conservative party claimed that, by a fiscal policy different from the policy which was then in force, prosperity could be restored to this country, and Canada enabled to go on advancing as before. Those were the promises made by that party, when in Opposition, and when the opportunity occurred in September, 1878, the people of this country, from one end to the other, by no uncertain verdict, declared in favor of the policy announced by the Liberal-Conservative party while in Opposition. That party acceded to office at a time when everything looked gloomy, in regard to the prospects of this country; but we all can rejoice on both sides of the House, that from the day they took office everything in the country appeared to improve. One party in this House contends, I believe at the present moment, that the prosperity which has returned since the advent of the Liberal-Conservative party to power is due not to the changed fiscal policy of the country—not to the changed railway policy of the country—but has occurred in spite of both those policies. On the present occasion I have not the desire, nor would it be a fitting opportunity, to discuss that question, but I can join with everyone in this House and in the country in expressing my gratification and delight that since the fiscal policy of the

country was changed prosperity has returned to Canada to such an extent that no one can doubt the fact. We all remember that, after the changed policy had been on trial for four years, the Government went to the people of the country six months ago for an endorsement of that policy, and to ascertain whether they had faithfully kept their trust—whether they deserved a renewal of the confidence which had been reposed in them a few years ago. The result was one which is testified by the large majority which the Government has in this House. In the present Parliament we have the satisfaction of knowing that no matter what may be the different views of the two great parties of this country at the present day, the mass of the people of Canada attribute a great measure of the prosperity they are enjoying to the successful and vigorous administration of their affairs by the Government of the day. We had an expression of pleasure by the Governor General when he came down to this House that prosperity and peace exist in the land; but not only have we risen in the scale as regards our material progress, but we find that the press on the other side of the Atlantic is alive to-day to the marvellous growth and development of this part of the British Empire. We have passed from the colonial stage and have become an integral part of the British Empire; and not long ago the *London Daily Telegraph* alluded to this country as "the Greater Britain." Allusion has been made to the extended trip which was taken by the Governor General of the Dominion; and we all have lively and pleasant recollections of the tour made by his eminent predecessor. None of us, if we are at all Canadian in spirit, can ever forget the proclamation that his eminent predecessor made of the vast wealth and treasures of the North-West; and following up that happy example the present Governor General has also been anxious to testify, from personal knowledge, to the great resources which the Dominion of Canada to-day possesses. I believe, therefore, that that is no unimportant factor in the work of immigration to which this Government has paid so much and so successful attention. I believe the extended travels of the distinguished gentleman who presides over the counsels of this country, will do a great deal more in that direction than could be done by ordinary immigration agents in the service of the Government. The general question of immigration is one which has assumed, and is assuming, a position of great importance in the affairs of this country. A little over forty years ago the people of Great Britain were startled by the fact that, in the year 1841, no less than 106,000 subjects of Queen Victoria had left the British Isles, not only for the colonies but for the United States of America. This announcement caused, at that time, great comment in England. It was considered that never, from the time the Goths and Huns had overrun the Roman Empire, had such an emigration taken place from any country. To-day, Mr. Speaker, we are in the happy position of knowing that instead of 106,000 men leaving our shores for any such bellicose purpose, over 113,000 men, women and children have come into this Dominion in one year to swell its population and to aid it in the march of progress. The manner in which the Department of Agriculture has been administered must command the admiration of our people. All the immense resources that this country can boast of would be valueless without the men and without the money to make them marketable; and therefore in viewing the extraordinary immigration which has been brought about, we are not alone to thank Providence and the National Policy, but we must extend a meed of that praise to the successful administrator of the Department of Agriculture, which is charged with the regulation and control of immigration affairs. Not only has the largest number of immigrants ever known in a single year been brought in, but the Department has been so successfully managed that the *per capita* cost of pro-

ducing that result is so small in comparison with previous years as to satisfy the strictest economist in this House. I hold in my hand some information furnished to me by the courtesy of the hon. Minister of Agriculture, which I shall give to the House, because no words of mine could so expressively of the immense progress which has been made in this respect as the figures themselves. In 1882, as I have stated, over 113,000 immigrants were brought to settle in this country, and the cost of bringing them was a little over \$3 a head. In the year 1876, we find that 23,000 odd was the number brought in, and at a cost of \$19.60 a head. That is a result which, I should say, ought to command the entire approbation and admiration of this House. In the year 1881, when everything was looking well in this country, and we were making rapid advances in the march of nations, the number of immigrants was only 47,961, who were brought in at a *per capita* cost of \$6.32. Now, it must be pleasing—it must be, indeed, refreshing—to find that as the number of men coming into the country increases, the cost of bringing them here decreases in such a wonderful proportion as I have mentioned. Not only, however, have men been brought into the country, but capital has been brought here also. From an estimate made in Manitoba only a short time ago by a gentleman, most capable of judging, I find that over \$10,000,000 of hard cash was brought into the North-West by immigrants during the year 1882. These are large figures which might be regarded with some doubt, but that they come from the highest authority on the subject in the Province of Manitoba. Now, I think that the fact that we are in respect of immigration rapidly treading on the heels of our neighbors; that the difference in the proportion of men who are directed to this country from the proportion who are directed to the American Union is decreasing every year, shows not merely that this country is becoming better known abroad, but that the success which has attended the administration of its affairs is equally well known. In reference to another part of the Department of Agriculture, I am very glad to see a sign of the material progress of the people of this Dominion; I refer to the Patent Office—an office which has had the special supervision of the Minister presiding over it. This House will remember that in the year 1872 the present hon. Minister of Agriculture succeeded, after many a difficult fight, in bringing in a Bill which contained a clause enabling individuals of all nationalities to enjoy the privilege which had previously been denied to them, upon the condition that the articles they patented should be manufactured in this country. What has been the result of that change? The statistics are eloquent regarding it. They show that in the year previous to the passage of that Act, the number of patents issued was 509, and the amount received in the office \$14,000, while ten years after the introduction of the Act the number of patents issued had more than trebled, amounting to 1,732, and the amount received in the office was \$52,000; and to-day—aided no doubt by the successful working of the fiscal policy and the railway policy of this country—the success is such, under Providence, that the number of patents issued has increased to 2,137, and the receipts to \$60,000, a sum, I believe, amply sufficient not only to pay the expenses of that branch of the Government, but also to provide the interest on a sum large enough to complete an extension of apartments for the patents which are rapidly pouring in. I leave, therefore, that part of the subject with the feeling that a mere mention of these facts is sufficient to command the admiration of us all. The subject next alluded to in the Address is one that has always a peculiar interest to all people—that of the franchise. This is a question which, no doubt, will be fully discussed in the House, and will command the attention and interest of the country at large. For a long time it has seemed invidious to me that of all the Legislatures in this immense country,

Mr. TUPPER.

this Legislature alone occupied the anomalous position of not regulating the franchise by which the hon. members of this House were to be elected. It has seemed to me a curious feature in the history of a great country, occupying the position that Canada now occupies, that this House should suffer that loss of dignity, if I may use the expression, of having the qualifications for its membership regulated by other Parliaments. It has struck not me alone as curious and anomalous, for I notice that a leading paper of the Liberal Party in Nova Scotia, the *Morning Chronicle*, alluded, a short time ago, in the same spirit, to the necessity of legislation in regard to this important subject; and in concluding a very able article upon the question, said: "It will soon be necessary for the franchise to be made uniform by the Dominion Government." I am glad that the Government of the day have sprung to their work so quickly. I am glad that they are about to remove this curious state of affairs. As we are promised uniform legislation, and while, speaking for myself, I am not in favor of universal suffrage, I shall be glad, indeed, to see a measure brought down which will greatly extend the suffrage in the Province of Nova Scotia. I feel, as a Nova Scotian, that we can as well afford to have the suffrage extended as the larger and perhaps more prosperous Province of Ontario. I believe that while the franchise should be greatly extended, still the line must be drawn before we reach that stage arrived at in the neighboring Republic. There is a subject next touched upon in the Address, that is also one of very frequent discussion and equally one of great interest to the people of this country—a question daily growing in interest. I allude to the question of temperance. In one particular, I think there will be no discussion in this House regarding this important question. I am sure that every hon. member will agree with me in the opinion that the Parliaments of this country are bound to prevent the unrestrained sale of intoxicating liquors. I think the day has come when no desire to discuss that point will arise. Feeling thus, I think that since the decision in the case of the *Queen vs. Russell*—a decision of the highest judicial tribunal of this Empire—this House must undertake the responsibility of dealing with this important question in the way pointed out in the Speech. Not only has the Supreme Court of Canada decided that this House had jurisdiction in regulating that branch of trade, but in that decision of the Privy Council there is ample ground to show that the opinion of that high tribunal agrees with the remarks of its Chief Justice. I am, therefore, certain that the question will be approached by this House with a desire to regulate the liquor traffic in a manner conducive to the material interests of the people at large. In regard to factory labor, it is obvious that, as the country is progressing, as new industries spring up, we are being brought face to face with a large, and every day more important, class of laborers in these factories; and as the policy of the present Government is to protect the industries of the country, it must accomplish the task of affording necessary and ample protection to those engaged in building up our industries. The question of the Canadian Pacific Railway I approach with a great deal of pride and pleasure. I approach it with the pride and pleasure of a Canadian. In that pride and pleasure I recognize no party, because I feel that, as a Canadian I am bound; and I have a right to rejoice that the progress of this important work has been such as no man in this House or out of it anticipated, either last year or the year before. When a paper on the opposite side of politics to the party to which I have the honor to belong, had only the day before yesterday to meet this extraordinary advance in that work with the suggestion that it was going too fast, I have a right to feel not only a party

pride, but that general pride to which I have alluded. I have no doubt that the announcement that the road had almost reached the Rocky Mountains, and would shortly reach there, came with such surprise upon the people of this country in general, that it was difficult for any person to meet the statement in a purely political manner, and therefore I was not surprised at the exclamation that the road was being built altogether too fast. I have alluded to the history of that important work, but I may recall the attention of the House to a comparison between the manner in which it was dealt with as a Government work, and that in which it was dealt with as a private enterprise. We all, indeed, are pained to look back upon those weary ten years, during which this important question hung like a pall over the face of this country. Both parties had great difficulty, it is useless to deny, in dealing with the work which now and then threatened to retard the material progress of the country; however, having entered upon the work, having induced British Columbia to join Confederation, each party recognized its bounden duty to carry that work through at all hazards. The question was how it could be done without becoming a burden on the resources of the country. That was the favorite phrase, I believe. Now, I say that with this two years of Government supervision, though the progress made was small—and I think that the paper to which I allude will agree with me that it was too small—we have the fact that during all that time, under both Governments, the sum total of mileage put under construction was something like 637 miles, while up to the time that the Liberal Government went out of power I believe not one mile was in operation. Notwithstanding that, when their successors came into power, they also found difficulties in the way in dealing with that matter as a public work. They took the responsibility, however, upon their shoulders; they saw that the work had to be completed, and they took the bold step of contracting with a company to build that work upon the terms agreed upon, and they came down and asked Parliament to ratify that contract. Parliament did ratify it; and in June last they went to the people for their approval, and the people ratified both it and the fiscal policy to which I have alluded. Now, Mr. Speaker, we were unable in June last, to predict all that has happened in the year which is past; we were unable to foresee the wonderful and extraordinary manner in which the Company has dealt with the road itself, owing to their great energy, and which has resulted in the filling up of the North-West in such a remarkable manner. At that time, sanguine as they were in regard to the prospects of this country and its resources—I may say that I have never heard any public man predict what happened during the past year in Manitoba and the North-West—not only has wonderful progress been made with the road itself, but immigration into that country, the successful inception of enterprises, the happy beginning of cities, rising, as it were, almost in a day—all this shows the successful manner in which the Canadian Pacific Railway Company have fought the difficulties in their way and proceeded with the construction of the road; so that instead of having only 637 miles under construction, as we had during the ten years preceding, we find that this Company, composed of private citizens and managed by private enterprise, is in the proud position of being able to show 646 miles additional of the main line under construction, and 113 miles of branch lines, making a total of 759 miles in two years. Not only that, but they can show that 561 miles are now in operation, and they are now managing and operating nearly as much as this country built during the ten years from 1871 to 1881. Now, it is not a question of mileage, it is not a question merely of so many days work, but we have the pleasant prospect before us of the work of the succeeding year, as the Company expect not only to reach the Rocky Mountains in 1883, travelling through the fertile plains, but to

convey passengers and traffic over that road to the Rocky Mountains from the Atlantic Ocean, reaching the ultimate destination of the road, the Pacific itself, not later than in 1887. And can we doubt that they will succeed in overcoming all these difficulties? Why should we? They have accomplished just as much of the work during the last two years as now lies before them in the next four years, and we shall soon be able to reap the incalculable benefits to be derived from having a railway line across the continent, not the least of which will be those accruing to this country from the opening up of the immense wheat region of the North-West and the grazing lands at the base of the Rocky Mountains. The Company expect to do this in a year by using the lake from Algoma to Thunder Bay, and thus connecting the two portions of the road they will operate it until the link of the Lake Superior section is finished in 1887. Now, what does this represent to the country at large? First, we have the fact that in the present state of that road the trade between Manitoba and the North-West and Eastern Canada amounted, in the year 1881, to over \$11,000,000, and in the year just past \$12,000,000. We have the wonderful prospect before us of an enormous increase in traffic and immigration when that road is completed. At the same time, we observe that the world at large is now looking upon our Great North-West with surprise and admiration, a country that only a few years ago was regarded as ice bound for half the year. We find that in the neighboring Republic, where the people have a very good opinion of their own country, their Congress is now bestowing a great deal of attention upon our North-West, such as I am sure it never got before. Only a few days ago I noticed remarks on the Tariff discussion in Congress, which I think the House will pardon me for reading. A gentleman rose and said in reference to this country:

“There are five or six millions of people on the other side, and an area that is unlimited as to its future development, that may come in competition with the United States.”

He then goes on to refer to the enormous value of cattle and breadstuffs imported from this country, and, continuing, says:

“Anybody who will read the advertisement of the Canadian Pacific Railway through to the Pacific will perceive that they reach and spread out before the world a region that is amply sufficient as they claim to compete with all the world for wheat.”

Now, that shows the effect of the happy progress of that road, and it shows the important assistance that Company is giving to the Government of this country in proclaiming abroad the enormous resources of our North-West, at the same time that it shows that the energetic advertising the Company is doing is having its effect upon foreign nations. Not only that, but as we develop this country it attracts attention in no unmarked degree. In that same Congress, on another day, the resources of this country were held up to the astonishment and admiration of the world. An hon. member said:

“The gentleman from Kentucky stated that we had ample protection in the west by the increased charges of transportation on ores. This is a mistake, Mr. Chairman. Does not the gentleman from Kentucky know that just across the Canadian border there are vast fields of iron ore, and that it is as common in that country as in this? Does not he know that it can be mined in Canada and taken to Buffalo or Pittsburg cheaper than it can be taken to those cities from any other place except from the State of Pennsylvania alone? Does he not also know that there is no protection in that? Does he not know that on the borders of Minnesota, on the Canadian frontier, there has been discovered lately a vast deposit, the most extensive known in this country, of iron ore suitable for the very best quality of Bessemer steel, and that the cost of transportation on this ore will be but a trifle in excess of the same ore mined in Minnesota just this side of the line? This vast bed of ore of which I now speak is so great, as I have been informed, that it can supply all that is needed for the whole country for many years, and that it is also a good Bessemer ore.”

The reason I refer to those remarks is, because you will usually fail to find such advertisements of the resources of this country in the debates of the neighboring Republic. Fault is found with hon. members in this House, I believe, for having on one occasion advertised the resources of the neighboring Republic, but at that time we did not know we would have the happy answer that no less than two members of their Congress had held up to admiration the resources of the Dominion of Canada. I have shown, I think satisfactorily, that in the past the progress of the Canadian Pacific Railway has done much for this country. I leave it to the imaginations of hon. members, in view of what has taken place in the past, to predict what will happen in the future, and they know what is happening every day in fulfilment of the anxious expectations of the hon. gentlemen who had the boldness to initiate that policy only a few years ago. Coming to the railway which is still under the management and control of the Dominion Government—the Intercolonial Railway—we find that affords another index to the material progress of the Dominion. We find that, instead of a deficit of nearly \$500,000, in 1878, that was incurred in the management of that road, and through the depression that prevailed in the country, the earnings have nearly doubled, and instead of a deficit the management of the road shows a surplus of \$9,000. No matter how bad a thing it may be, as some hon. gentlemen hold, that the country should show a surplus, I think we will all agree that when the rates have been lowered on that road so as to be less than those on any other road in the country—when every effort has been made to satisfy the people who do their trade by it—we should all be glad that this railway, for which the Government are directly responsible, shows a balance on the right side of the ledger. Not only has the Intercolonial been maintained as a first-class road, not only has it shown an increase in regard to the amount of traffic which to a certain extent must necessarily pass over it, while the trade in the Maritime Provinces with older Canada increases, but the satisfactory manner in which it is managed is proved by the extraordinary increase in the number of passengers who travelled over the road, therefore, the road which is under the direct management of the Government shows not only an increase of traffic and an increase of passengers, but a management that redounds to the credit of those responsible for it. I now come to a subject closely allied with the matters necessarily discussed in regard to the Canadian Pacific Railway—the country through which that railway runs; and I find, by figures placed in my hands, that the Department of the Interior had an equal claim with the Department of Agriculture to the gratitude of Canadians, because, owing to the successful and happy administration of the matters coming under the control of the Department, we have these extraordinary figures: that whereas the total receipts from the North-West and Manitoba, from the date of the transfer of the territory from the Hudson Bay Company up to December, 1881, amounted only to \$820,000, the receipts for the year ending December, 1882, reached \$2,250,000. Little need be said by myself to show the extraordinary rapidity with which the country is advancing and the satisfactory management of the Department to which I have alluded. But more than that, Mr. Speaker, I am informed that the sales negotiated during the past year, under the colonization terms, and the regulations regarding lands homesteaded and preempted, amount altogether to \$10,000,000. Not only so, but \$2,250,000 have already been received of that sum, the whole of which is to be paid within four years under the conditions of sale. That is the lowest calculation; but there is a probability of that sum being largely increased. If transactions to that extent have already taken place, what may we predict as to the results of subsequent years as the country is built up,

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becomes known abroad, and the tide of immigration continues to increase? One would hesitate to make any estimate. But we know this, that in the discussion which took place on the floor of this House in regard to the Canadian Pacific Railway, not a member on one side or the other dared to predict that at this time the hon. Minister of the Interior would have been able to come down to the House and show figures like these; and, therefore, if hon. members were all so ignorant as to the wonderful capabilities of the North-West and the progress it would make, then what can we not imagine to be the future of that country, and that in the near future? I have alluded to the growth of trade—the wonderful growth of trade indeed—between older Canada and the North-West; a trade which has no doubt been fostered and encouraged by the healthy working of the National Policy; and this trade, to which I have referred, under circumstances at present existing, is likely to increase, and, in fact, is sure to increase every day and from day to day; but we find in the history of Winnipeg itself—in the history of the capital of Manitoba, in the history of what, perhaps for all time, will be the important trade centre of the Great North-West—much to show that the progress of that country is certain—that it is not a fitful progress, and that it is not a progress which is likely to be stopped; but that it is the beginning of a steady and extraordinary growth. We find that, in the year 1879, the assessed value of property in the town of Winnipeg was only \$3,000,000, while in the year 1882 the assessed value of property in that town amounted to no less than \$30,000,000, and not only so but its population has been trebled since 1879. Now, I think that this augurs well for the growth of that town, which has stood the natural shock it has received from other and rival towns which are springing up on all sides throughout the great North-West, and therefore we have every reason to expect that we have only now seen, and do only now see, a very small portion of the wonderful prosperity and progress of that country to the west of us. I think, Mr. Speaker, that among all the tests which are often ventured by members of this House, and of other Houses of Parliament, in this relation, there are three tests which are at least satisfactory to an ordinary mind: the condition of the laboring classes, I believe, can most satisfactorily be known and ascertained by the condition of the savings banks of this country; the condition of traders by the number of failures in the country, and the condition of the country generally by the volume of trade, as shown by the exports and imports. Judged by these tests, no member of the Liberal-Conservative party has reason to be ashamed of the promises which were made by the leaders of that party a few years ago; no member of that party need hesitate to point to those figures and abide by the result. The increase in the sum of the deposits in the savings banks, during the past over the preceding year, amounts to no less than \$6,000,000; the number of failures, which, I believe, can be ascertained by every hon. member of the House, I am confident will bear me out in the statement that their number is decreasing. Of course, failures will always occur, and necessarily must occur; but I am confident, and I believe that I am—and I leave myself in the judgment of the House, as I do not happen to have the figures with me—when I say that taken by that test the condition of this country is satisfactory, we have then the gratifying fact that the trade of Canada, as is shown by the imports and exports, shows an increase during the past year of \$49,000,000; and I may say, in passing, that there is also this gratifying feature in regard to their view of this question—that while owing to the extraordinary manner in which this country is being filled up; owing to the extraordinary enterprise which has been shown by its people;—owing to the enormous amount of raw material which has

been brought into the country, and while the imports are increasing over other years, still owing to the successful working of the National Policy, as I believe and feel confident, in proportion to the exports, the imports are decreasing, and I think that this is a most healthy and promising sign; and I also consider that it augurs well for the condition of the country. Reference has been made to other matters in connection with the financial questions which concern this country; but with these I shall not deal. Suffice it to say that the intimation which is made in the Speech from the Throne, in regard to the extraordinary surplus, in regard to the decrease in the debt and to the saving in interest on it, relates to facts which must bring pleasure to all minds alike. I feel confident, Mr. Speaker, before I close my remarks, I would like, while we stand in admiration of the splendor and magnitude of all these industries which exist in the west; while we stand and are awe-struck by the successful working of every matter connected with the North-West, I would like this House to understand that we who come from the Provinces down by the sea, have no reason to feel ashamed, through our consciousness, that in this grand march we have not been laggard. We can show results which will compare favorably with all the figures which I have given to-day connected with older Canada and the North-West; and we can show that that large and important industry of the country which swells our mercantile marine, is ever growing, is ever improving; and we can show, that in regard to the fisheries, the most astounding and gratifying increase is exhibited in the value of the sales during the past year, this increase amounting to no less than \$1,250,000 over the preceding year, viz.: the total value of the sales for the year 1882 exceeded the total value of the sales of fish for New Brunswick and Nova Scotia—which are the provinces to which I am referring—exceeded the total value of the sales for the year 1881 by over \$1,250,000. Now, Mr. Speaker, not only with regard to this industry of Canada can I turn with pride, but also to one which is looked upon perhaps with more interest in the country from which I have the honor to come—I am alluding, with a great deal of satisfaction, to the great benefits which the National Policy has conferred on the coal trade, which has exhibited a most extraordinary development. The out-put of coal is such as we never anticipated in so short a time; indeed, this was never anticipated by the men who were most interested in it. It was never anticipated by the men who were directly interested in this trade—because they find themselves at the present day unable to supply the tremendous increase in the demand for coal with the machinery which they have, and which they have provided since the National Policy conferred protection on that industry. Coming nearer to this part of the Dominion of Canada, in connection with this question, I may mention to the House a fact that was alluded to by the Chairman of the Harbor Commission of Montreal a few days ago—the increase in the amount of coal which has been brought from the Lower Provinces into and as far as Montreal in this Dominion during the last two years, has reached 100,000 tons. This is a fact which, I am sure, is very gratifying to the people of the Province, who recognize the fact that their success is linked with the success of this great industry. Moreover, while this was the case in regard to the out-put of coal, no less than \$1,250,000, were paid out to the miners employed in that industry; and not only was this the case, but we find that the increase in the out-put of coal is one-half more than it was in the year 1879. Now, Mr. Speaker, it is indeed gratifying, in connection with any part of the country, when dealing with figures, to speak of millions; but it is peculiarly gratifying to myself, when speaking of the success that enables me to use these large

figures, that I can come to my own Province and do the same thing. Now, not only can I show those two tests of the success of the National Policy in the Maritime Provinces, but I am happy to see that through the statistics connected with the Intercolonial Railway itself, we are offered a new opportunity of judging of the progress which the people down by the sea are making; for we find that whereas in the year 1878, 2,000 odd tons of sugar passed over the Intercolonial, during the year 1882, 29,000 odd tons passed over that road. We find, also, that owing to the enterprise of the country and the fostering protection given to the article of iron, whereas 19,000 odd tons of iron and steel passed over the Intercolonial in 1878, 35,000 odd tons of them passed over it in 1882; and when we are doubling our trade in that way the whole country being alive not only with these but with other active enterprises, and when arrangements are being made to increase them all, surely we can join hands with our compatriots in the West and congratulate each other on the success which we know we have attained. I have alluded to the fact that the increased out-put of coal is such as could not have been anticipated by those most cognizant of the working of that industry. I do this for the reason that preparations are now being made in the Province of Nova Scotia by all these mining companies not only for putting down new shafts, but for putting in new and improved machinery and providing better shipping facilities in order to meet the anticipated increase in the demand next year; so that in every branch of trade it appears to me to be beyond question that a very great and very rapid improvement has taken place. In regard to the position which this country has commanded abroad we can turn with pleasure to events which are transpiring on the other side of the Atlantic. We have the pleasure of knowing that the people who are the most actively engaged in promoting emigration from Great Britain—and notably the Tuke Emigration Fund Committee—have not only sent out Commissioners to the United States to enquire into the condition and prospects of that country as a field of immigration, but they have sent them also to this country, and I find that the result of the comparison they made between the United States and Canada is one which need be in no wise disagreeable to the people of this country. We find that the Commissioners, the Rev. Father Nugent and Mr. Hodgkin, reported favorably upon Canada, and said that “there were great opportunities for emigration especially in Canada.” We find, also, that the English correspondent of the *Globe* refers with pleasure to, and indeed compliments the hon. Minister of Agriculture upon the system of immigration which he has perfected in the continental countries, “by which,” he says, “many special facilities and advantages will be afforded.” This is testimony which we accept with pleasure, and it corroborates the anticipations which have been formed that the results of the present immigration policy for the ensuing year will be such that we can form no adequate idea of them at the present time. When I contemplate the condition of the country at the present moment, when I see what has been accomplished within those fifteen years to which I have alluded, I feel no doubt in reference to the future of the Dominion of Canada. I believe that, along with this material progress, there is now being adopted from one end of Canada to the other an improvement in the tone of the men who are attempting to control the destinies of this country. I believe that the two great parties that represent the divisions of political thought in this country are now bound to recognize that they are not occupying the small sphere which they occupied a few years ago, and that as the country advances in material prosperity there should be a corresponding advancement and improvement in the tone of political discussion. I believe that the growth of the country will bring about such a change in the political tone of its public men as will be

commensurate with the wonderful and giant strides it is making in the eyes of the world. We have been told that we must remember that the eyes of the world are upon us—not only upon the resources we possess, but upon the public men—upon our statesmen who, not merely for the time being but in a great measure for all time to come, will shape the material policy and the political thought of their country. In referring to the future of this country no happier phrase occurs to me than one that was used on a very interesting occasion a few days ago when Lord Derby said to the Agents General of the different colonies of the British Empire, in speaking of the possible future of such countries as Canada and Australia: "It is difficult to avoid the language of exaggeration." I have much pleasure in moving the following Address in reply to the Speech from the Throne:

That we receive with much pleasure His Excellency's congratulations on the auspicious circumstances under which at the opening of a new Parliament we shall begin our labors.

That we are gratified by the expression of His Excellency's opinion, that Canada is in the enjoyment of peace and prosperity, and that all her industries, agricultural, manufacturing and commercial, are in a healthy and improving condition.

That we thank His Excellency for informing us that, following the example of his distinguished predecessor, he paid a visit of some length to British Columbia last season; and for the expression of his conviction that the great natural resources of that Province promise, that as soon as the Pacific Railway is completed, an impulse to its prosperity, commensurate with the progress made elsewhere, will be assured, and that meanwhile, the disposal of the lands set aside in aid of the Railway to actual settlers will add to the importance and wealth of the Province.

That we learn with great satisfaction that while passing through the United States, His Excellency was rejoiced to observe many evidences of regard for the Empire of which this country forms so large a portion; and that we concur heartily in His Excellency's wish that this friendship, which is so fully returned by us, may be as enduring as it is natural and advantageous to the mutual interests of both great nations.

That we share His Excellency's belief that the steady flow of settlers into Manitoba and the North-West Territories last year, and the assurances received of an increased immigration during the coming season, promise well for the early development of those fertile and salubrious regions.

That we understand that His Excellency has been advised that it is important that the laws relating to the representation of the people in Parliament should be amended and the electoral franchises existing in the several Provinces assimilated; and that the measure to be submitted to us for this purpose will receive full consideration.

That we thank His Excellency for the intimation that he is advised that the Judgment of the Lords of the Judicial Committee of the Privy Council delivered last June on the appeal of *Russel versus the Queen* goes to show, that in order to prevent the unrestrained sale of intoxicating liquors, and for that purpose to regulate the granting of shop, saloon and tavern licenses, legislation by the Dominion Parliament will be necessary; and that His Excellency may rest assured that our earnest consideration will be given to this important subject.

That our special attention shall be given to any measure submitted to us for regulating Factory Labor and the protection of the working-man and his family.

That the Bills for the consolidation and amendment of the laws relating to the Customs, the Militia, and the Public Lands, which His Excellency is pleased to say will be laid before us, shall receive our consideration; as shall also any measures presented to us respecting the Civil Service, the Acts relating to Banking, and the examination of Masters and Mates of vessels navigating our inland waters.

That it affords us much satisfaction to be informed by His Excellency that the progress of the Canadian Pacific Railway has been quite unprecedented, that traffic can now be carried on the main line from Thunder Bay to within fifty miles of the crossing of the South Saskatchewan a distance of over one thousand miles, that it is confidently expected that the Rocky Mountains will be reached during the present year, and that within the same period substantial progress will be made on the Lake Superior Section of the Railway, and the track laid upon a large portion of the road now under contract in British Columbia.

That we share the pleasure expressed by His Excellency in the statement that the traffic on the Intercolonial Railway is largely in excess of any former year, and that the balance in favor of the road shows a gratifying success.

That we thank His Excellency for informing us that the accounts of the last fiscal year will be laid before us; and that we are pleased to learn that, notwithstanding the expenditure on Capital account amounted to more than seven millions of dollars, the surplus of the Consolidated Revenue, together with the proceeds of the sales of the

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lands in the North-West during last year, were more than sufficient to cover that expenditure, and that the net debt at the close of the year and the amount of interest paid thereon were less than for the year previous.

That we shall respectfully consider the Estimates for the ensuing year to be submitted to us, and which will, we trust, be found to have been prepared with all due economy consistent with the necessary development of the varied resources of the Dominion.

That in view of the fact that on the first of January, 1885, the large 5 per cent. loan will mature, the Bill to be submitted to us authorizing the issue of Debentures bearing a rate of interest not exceeding 4 per cent. for the redemption of this loan, will receive our careful attention.

That we feel with His Excellency, that the subjects he has mentioned to us are of much importance, and that we shall endeavor by our earnest consideration of all of them to justify the full confidence which His Excellency has so kindly expressed in our discretion and patriotism.

Mr. WOOD (Westmoreland). Mr. Speaker, I rise to second the resolution which has been so ably moved by the hon. member for Pictou, and in doing so, will, with your permission, offer a few observations upon some of the subjects suggested for our consideration by the Speech from the Throne. The opening paragraphs refer to the peaceful times in which we live, and particularly to our amicable relations to the neighboring Republic, which I trust may long continue. Reference is also made to the general prosperity that prevails throughout the country. During the past few years prosperity has returned, harvests have been abundant, manufactures have found increased demand for their products; new industries have been developed; confidence exists in commercial circles, and activity in trade, in marked and happy contrasts with the depression and distrust of former years. These are facts which I feel will be universally and gratefully acknowledged. I assume it will not be deemed desirable to occupy the time of this House during the present Session at any length in discussing how far these results may be fairly attributed to the operation of that policy which gives increased protection to home industries, which the Liberal-Conservative party advocate, and which they have taken the responsibility of adopting in the government of the country; nor yet to establish the opposite view that nature and Providence have been so lavish in their gifts to this country that this prosperity has come unaided by and even in defiance of human legislation. These questions are of great interest and public importance; but I conceive their discussion at the present time would not be productive of great practical good, for the reason that the course which the present Administration thought proper to pursue in dissolving Parliament at the close of its last Session, and appealing to the people on this question with the verdict which they have given, renders it sufficiently clear that they regard it as one which meets their wants and wishes, one which they have resolved to maintain, and one therefore which it must for years to come continue to be the settled policy of this Dominion. Reference is also made by His Excellency to his visit to British Columbia, to the natural resources of the country, the development of which will be assured by the completion of the Canadian Pacific Railway as well as to what has been accomplished during the past year towards the attainment of that end. I have listened with more than ordinary pleasure to the statements upon that subject made by the hon. gentleman who has preceded me. It is gratifying to myself and must be gratifying to every member of this House to learn that already the work of construction is completed for a distance of upwards of 600 miles west from Winnipeg, and that the road has been opened for traffic and is now in actual operation 1,000 miles west from Lake Superior, that satisfactory progress has been made by the Government in British Columbia and upon the eastern and more difficult section between Callendar Station and the line from Prince Arthur's Landing, that the work is being carried forward by this Company with so much vigor and success even during the present winter months; and further, that with the branch line now in course of construction to

Algoma Mills and the steam communication to be established on Lake Superior, we may hope, by the close of another season, to have greatly improved facilities for transporting the produce of the West to our Atlantic seaports. And these statements will be received with the greater pleasure at the present time, for the evidence they furnish of the ability and determination of the Company, to whom the construction of this great work has been entrusted, to carry it forward successfully to its completion; and their effect must be to strengthen the convictions in this House and throughout this country that not only is it their intention honorably to adhere to and fulfil the obligations of their contract, but before the time stipulated for the completion of that work shall have expired, the work of construction will be finished, and they will have furnished us this great national highway across this continent through Canadian territory from ocean to ocean. I have also listened with pleasure to my hon. friend's allusions to the benefits that have resulted as seen in the improvement and settlement of the country. We must all contemplate with pleasure the extent and wonderful fertility of the territory that has by this means been rendered available for settlement, the influx of population, and the increase in value of land that has followed, the surprising rapidity with which villages and towns and cities have sprang into existence and grown in population and wealth and commercial importance. These facts must be gratifying to us all; but they may be used by those who are disposed to regard unfavorably this scheme to show that the profits of the Company upon the transaction will be excessive, and argue a lack of prudence in the Government in proposing or assenting to the terms of the present contract. I can only say that it is my hope and wish that any efforts made in that direction, in so far as they are based upon the facts to which I have alluded, may be successful. An examination of this contract shows that it is based upon a principle which I believe it will be universally admitted should form the basis of every business transaction, the principle that contracts should be mutually advantageous to both contracting parties. It will be remembered that at the time when this contract was entered into, the lands of the North-West had but a nominal value, and if the rise in value since has been more rapid than was then anticipated, it is principally due to the fact that by the terms of that contract it became the interest of those contractors to push forward that work with an energy unparalleled in the history of the world. If any hon. member of this House can show that in consequence of the enhanced value of lands in the North-West, or of the growth of railway traffic in the future, the Company will reap larger returns for the work they have performed and the capital they have invested than they expected, such information will be of the greatest value, for it will enable us to show that at the same time and in the same proportion, the same causes will add to the wealth and multiply the advantages that will result to the Government and people of this country. But, Mr. Speaker, whatever differences of opinion may still exist as to the wisdom of the policy pursued in the construction of that great national work, or for the improvement and settlement of the North-West, no reasonable doubt can at this time remain on any mind as to the ability of this country to provide for the expenditure involved, and meet the liabilities incurred in that great undertaking. The year that is past is one in which the events that have transpired, the progress that has been made, and the experience that has been gained, must tend to dissipate our fears, excite our hopes, and strengthen the faith of us all in the future. The past year, Sir, has brought us, as if by magic, close upon the time when the West will become a great and growing market for eastern manufactures, and when our eastern cities will consume in greatly increased quantities the products of the West. It leaves us in the dim early dawn preceding the bright morning of that day

when our people will be able to send the products of both their fields and their factories across the far off Rocky Mountains and exchange them for the gold of the Pacific Coast, and when ocean steamships, in constantly increasing numbers, will come not only to our Atlantic but our Pacific seaports, and bring the tea and sugar, the costly silks, and all the luxuries of foreign lands, and take away the surplus of our products to the markets of the world. Mr. Speaker, reference was subsequently made to the present financial condition of the country. This subject will be dealt with fully and in detail by the hon. Minister of Finance in the Budget Speech. I beg to be indulged while I refer briefly to some points in connection with this subject of more than ordinary importance and significance. The revenue of the past year has been largely in excess of that of 1881, or any previous year, reaching, from all sources, the sum of upwards of \$33,300,000. The expenditure for cost of government, maintenance of public works, subsidies to Provinces, interest on our debt and other ordinary charges, also shows an increase, though not in the same proportion, reaching, including payments on account of sinking fund, upwards of \$27,000,000, leaving a surplus for the fiscal year of \$6,300,000. The returns of the Department of the Interior show receipts from the sale of Dominion lands amounting to \$1,700,000, which, with the sum already named, leaves a total surplus of \$8,000,000 in the public Treasury. The expenditure on public works, including payments on account of the Canadian Pacific Railway and Dominion Lands, approximate \$7,350,000. This amount, which you will note is properly chargeable to capital account, will be provided for by the surplus I have named, and if to the balance of the surplus then remaining we add the payments on sinking fund account, the result will show a reduction for the fiscal year of nearly \$1,750,000 in the net debt of the Dominion. If we take the years 1881 and 1882 together, the expenditure on public works chargeable to capital account will be upwards of \$15,500,000, and this sum will be so far provided for from surplus revenues that the addition to our debt during the two years will not reach \$1,250,000. The opinion has in the past prevailed to some extent throughout this country that the public works which we had undertaken, were of such great magnitude, and their cost so enormous, that a debt would be created involving an annual interest charge, which, in addition to other necessary expenditures, would reach a sum in excess of any we could hope to receive from the ordinary sources of our revenue. The financial exhibit to which I have just alluded will correct that impression if it still exists in any quarter, and not only will its beneficial influence thus be felt at home, but we have evidence to show that the improved financial condition of this country has already exerted abroad a most important influence in our favor, especially on the minds of capitalists in other countries. This evidence we find in the increased value of Dominion bonds. I note that Canadian debentures bearing 4 per cent. interest and maturing in 1904 were quoted at 91 and 93 in January, 1879. The same debentures are quoted at 104 and 105 in January, 1883, an advance in four years of 12 per cent.; and it is also worthy of note that from the relatively low value they formerly possessed they have gradually risen until they occupy to-day the highest place among colonial securities upon the London market. This result is to us the more important at the present time, for the reason that \$30,000,000 of our bonds will soon mature, and as you have already heard, a Bill will be introduced during the present Session to provide for their redemption. This loan upon which we have paid interest at the rate of 5 per cent. per annum can at present be replaced at 4 per cent., and the bonds sold at a premium, effecting an annual saving in interest of upwards of \$300,000. Permit me also to direct attention to another point. The Trade Returns of 1881 show a large increase in the imports and consumption of silks, satins and fancy

goods over the years immediately preceding, and it is generally understood that the value of these goods entered for consumption during 1882 will exhibit a still greater increase, and will exceed that of 1881 by upwards of \$1,500,000, or nearly 50 per cent. It is also generally understood that the returns will show a large increase in the importation of cotton and woollen goods, notwithstanding the increased quantity manufactured in the country, proving a large increase in the consumption of these goods. The same will be found true of the importation as well as the manufacture of boots and shoes and many other articles, such for instance as Brussels, tapestry and common carpeting, chinaware, common pottery, earthenware, silver-plated ware, wines, liquors, tobacco, and many other of our imports which it is not necessary, for present purposes, I should now enumerate. My object is rather to direct attention generally to the increase of our imports; as showing first, that general prosperity prevails, and, secondly, that that prosperity is shared in by all classes of society. This cannot be better illustrated than by referring to the article of tea, in the consumption of which there has been an enormous increase within the past two years, something upwards of 60 per cent., indicating not that the richer classes drink more tea but that the consumption has become more general and extends to a class of people who, in times of greater scarcity and want, are compelled to deprive themselves of this the very commonest luxury of our lives. Fears have been entertained that the present Tariff would bear unfairly and oppressively upon the poor man. Its operation, thus far, tends to show that it does not discriminate against the poor man's interest, and in the burdens it imposes, it does not oppress the weak, but, on the contrary, that while the wealthy and independent classes have, since it came in operation, been indulging more freely in the luxuries of life, there are also more comforts in the poor man's home and fewer half-clad and poorly fed children in our streets. We have evidence from another source to confirm this view—the increase in the deposits in the chartered banks and Government savings banks during the last four years, which, exclusive of Government deposits in the chartered banks, during the time mentioned, are upwards of \$43,000,000—the increase in the savings banks alone being upwards of \$13,000,000. While the former denote that general prosperity prevails, the latter it is well known are principally made up of small sums from the earnings of the poorer classes of our people, and I know of no better evidence that can be furnished of the improved condition of the laboring classes, showing as it does, that they have not only been able to supply their immediate wants, but to provide also against future needs. No one who has listened to or read the public utterances of our public men, can entertain a reasonable doubt that the subject which most fully occupies the thoughts and lies nearest to the hearts of the people's representatives, is the comfort and welfare of the poor man, and I, therefore, feel warranted in saying that the information which the public records furnish, that among the working men income has exceeded expenditure and a surplus has been announced in the Budget Speech, in so many a poor man's home will cause throughout this House more universal and heartfelt pleasure, even though it may not awaken the same enthusiasm as the similar announcements when they are made in the Budget Speech of the hon. the Finance Minister of this Dominion. At the time the present Tariff was introduced, opposition was offered to its adoption, based upon the theory that so highly protective was its character, and so tempting the field it opened for manufacturing enterprise at home, that the result would be a decrease in our imports and a reduction in our revenue which even then was inadequate to meet the ordinary requirements of the country. It may now be

Mr. Wood (Westmoreland).

anticipated that four years' practical experience of its operation may create an opposition of an entirely different character, and lead to demands upon the Government for modifications and reductions, upon the ground that our revenue is in excess of our requirements. I am not aware to what extent the Government may feel disposed to respond to this demand should it be made. No doubt the experience of the past has suggested changes which they will deem of advantage to the country to adopt, but at the present time, when there are so many evidences of prosperity around us, when the ability of our people, both rich and poor, to purchase and enjoy so many of the comforts and luxuries of life, is clearly demonstrated, and when it is well known large expenditure in the future must continue to be made upon public works, rendered necessary by the growth of the country and for the development of its resources, under these circumstances, although I recognize the necessity of lightening as far as practicable the burden of our taxation, I would still regret that any material change should be proposed, the effect of which would be not only to reduce our annual surplus, but to increase more rapidly our debt and imperil and weaken our credit abroad. My remarks thus far have had reference to the effects of the legislation of the past; I will say but little upon the prospective legislation of the present Session. Among the measures which will be submitted, that which proposes a franchise law for the Dominion will, I assume, excite most general interest. It is well known that at the present time the franchise is under the control of the Local Legislatures of the different Provinces; that the result is want of uniformity; a class of persons voting and having representation here in one Province that in another are denied that right, a state of things that should be no longer permitted to exist. I am not aware upon what basis the Government will propose to fix the franchise for the future, but I may venture to express the hope that in establishing uniformity the limitations which now exist in some of the Provinces may be so far removed that the result will be upon the whole an extension of the franchise. The importance of a measure to provide a valid license law for the regulation of the liquor traffic will be readily appreciated, as well as the necessity of one to restrict, within proper limits, the class of labor that shall find employment in our factories. The experience of other countries has shown that the constant and regular employment of children in factories, at an early age, injures their health, weakens their constitution, diminishes their mental vigor and prevents intellectual development, and stringent enactments to prevent this evil have in the older manufacturing countries been deemed necessary. At the present time the increase in the number of factories in this country suggests the importance at the outset of surrounding the operatives with every possible safeguard, to protect them from the dangers to which I have alluded. The advantages of consolidating portions of existing laws are too apparent to need any comment. And I need but remind you of the sad disasters that have recently occurred upon our lakes, involving loss of property and more serious loss of life, to show the need of any legislation which will tend to prevent the recurrence of such scenes. I have before me a statement of the casualties upon our lakes during the last two years, and find they have resulted in the loss of nearly 400 lives. It is impossible to say how far these may be rightly attributed to want of experience and efficiency on the part of the officers in command, nor can we presume to say that accidents will not occur despite our best efforts to prevent them; but the fact that the officers are not subjected to any examination, that they hold no certificates of competency or character, will create doubts and suspicions in the public mind. In justice to the masters and mates themselves, as well as for the protection of those who place their property and lives under their control, proper standards of com-

petency and tests of efficiency should be established. I regret my inability to address this House even briefly in the French language, not only because it is the language spoken by so many who hear me, but because the county which I have the honor of representing contains nearly 12,000 French Acadians, and among them are numbered many of my best friends and warmest supporters. It has been intimated that to this fact is partly due my selection for the position, the duties of which I am now trying to discharge. However that may be, I can assure you that any honor conferred upon me as their representative I will always most highly appreciate, and any kindness shown me as a mark of courtesy to them will be most gratefully and cheerfully acknowledged. Had the county of Westmoreland two representatives in this Parliament—a right which with a population of nearly 38,000 she may fairly claim—I would have had one of their number as my colleague here to-day; but under existing circumstances I can only indulge the hope that when, before the next election, the hon. leader of the Government brings in a Gerrymandering Bill for the redivision of electoral districts in New Brunswick, will not be entirely omitted from the measure, and the rights of Westmoreland county will not be disregarded. In the meantime I am glad to know that a portion at least of the French people of New Brunswick, are so well represented by one who can claim with them a common language and nationality, as they are in the hon. member for Kent (Mr. Girouard). Mr. Speaker, permit me in closing to make one personal allusion. The duties which have been imposed upon me to-day are by Parliamentary usage ordinarily assigned to the younger members of this House. No one could have been chosen with more limited Parliamentary experience than myself, and no one could have risen to discharge this duty feeling more sensibly the embarrassing surroundings of my position; for I cannot forget that I am addressing many who have spent long years and won high honors in the public service—that I am for the first time surrounded by and associated with the men who in my earliest recollections were entrusted with the management of the public affairs of these Provinces, then divided and comparatively unimportant; who have since united them and formed this great Confederation; who helped to frame the very Constitution under which we now are sitting; and who since the Union have so successfully administered the affairs of this Dominion. I cannot divest myself of the consciousness that for the first time in my life I form one of this body and take though it be a very humble part in the deliberations of this Assembly, upon which rests the responsibility of legislating for the future of a country whose rapid growth and development is at the present time exciting universal surprise and wonder; that exhibits to-day a wealth and diversity of resources that is marvellous to ourselves and to the world; a country that has just outgrown the dependence of her childhood, and exults in the freedom and growing strength of youth; and, conscious that the full vigor and power of her maturer years are yet unimpaired and but partially developed, rejoices as she contemplates the grand possibility of her future destiny; a country which perhaps more than any other country in the world at the present time is demanding wise and prudent and progressive legislation in order that, to the fullest possible extent, her material resources and the happiness of her people may be insured. Mr. Speaker, I most sincerely thank you, Sir, and the hon. gentlemen around me for the very patient manner in which you have listened to my remarks, and I beg to second the resolution now before us.

Mr. BLAKE. I must congratulate the hon. gentlemen to whom we have just listened for the manner in which they have discharged the tasks assigned to them. I can assure the hon. member for Westmoreland (Mr. Wood) that he was the only person in this House who was sensible of that

embarrassment and difficulty which he informed us he labored under in the delivery of the eloquent speech and measured periods to which we have just listened with such interest. And the hon. member for Pictou (Mr. Tupper) will allow me to say that I rejoiced to welcome in his advent to this House a man young in years, but who gives promise of making his mark in the House and in the country at some future day. We may not agree, we do not agree, in his politics; we may not agree with the distinguished person whose name he bears, but it must, notwithstanding, be a matter of unfeigned interest to observe the conjunction of the two persons at one time in the same chamber. The hon. gentleman, Mr. Speaker, as he proceeded, reminded me a little of the climate that we hear of in some charming countries. It is a beautiful climate, and we are all recommended to go there; but after a while we on this side of the Atlantic, and we who belong to the old country on the other side of the Atlantic, weary of the perpetual sunshine and the perennial blueness of the skies. There was no shadow in the picture, there was no relief to the glare of brightness, of beauty, of glory, and of magnificence with which for the past few hours we have been enchanted. It is my duty to present some portions of the other side of the picture, to complete the sky in which the hon. gentleman seems to have left out the clouds, and to say something which may render the climate, if not quite so bright, a little more tolerable to frail humanity like ours. I join with the view which the hon. member for Pictou (Mr. Tupper) said was his view, as to the expediency of addressing ourselves more particularly to the topics which are brought under our attention in the Speech from the Throne; and amongst them I place, as the hon. gentlemen who have addressed us have placed, in the very front rank the consideration of the paragraph which tells us it is important that the laws relating to the representation of the people in Parliament should be amended. It is my good fortune cordially to agree in that paragraph so far; I believe that those laws are exceedingly defective, and that they require very serious amendment. I believe that, in this regard, the Government has done that which it should not have done, and left undone that which it should have done. I believe that amendments have been made in some of those laws, and at a recent date, which were amendments for the worse—if you will excuse that from an Irishman—that were deteriorations rather than improvements; and that amongst the subjects in this connection to which this Parliament should assuredly address itself is the question how far under the laws as they were brought down and altered for the purpose of the late election, there is in truth a proper representation of the people in Parliament. I was glad to hear you, Mr. Speaker, when you occupied a place on the floor of this House, during the last Session of Parliament, express your opinion, in language not novel but none the less true, that the Parliament of a country ought to be the mirror of the opinions of the people of the country. It ought in truth to be a reflection of their sentiments. Those sentiments in all free communities are divided, sometimes with the tolerable approximation to equality, sometimes, indeed, very unequally; but, so far as my experience goes, they are always divided in some proportions, and as it is the theory, so it ought to be the object of practical dealing with the question of the representation of the people, to accomplish as near as may be that which cannot be accomplished with absolute perfection, but to accomplish approximately the representation and reflection in this House of the various opinions which prevail in the country with some degree or proportion to the strength in which those opinions are held in the constituencies which are represented here. Now, Sir, this view we held always; this view we daily endeavored to enforce upon the late Parliament, when the proposal to amend the laws with respect to the representation of the

people were brought before it; and I will venture to hope that it is in consequence of the experience which hon. gentlemen have had, in consequence of the obvious truth of the propositions we then advanced, as to the results of the so-called amendments of the law, which they then passed, that they have placed so prominently before us at the first Session after the application of the practical test of that law the proposition that the laws relating to the representation of the people in Parliament require amendment. I recollect that our position at that time—speaking for the moment with respect to the Province in which we stand and which was the Province mainly, I may say exclusively, affected by that particular amendment, was this: parties were represented here by a strength of, I think, 26 on the side of the Opposition and 62 on the side of the Administration, giving the Government a majority in that Province of about 36. It was alleged, indeed, by those who supported the Administration, that they were stronger in that Province in popular opinion than they had been at any previous time; but prudent men do not rely on their own conviction of their strength; they make things sure, and notwithstanding those vauntings of increased strength, precautions were taken to make that increased strength greater still. And so I contend that the results have shown the effect of that measure to be diametrically opposed to the true theory of popular representation. It was to produce the suppression of, instead of the extension of popular opinion. The change in public opinion was certainly very great. Amongst the constituencies which were changed in their bounds, with the view of making the Government very much stronger, so strong that it would be impossible to overwhelm them, were a great number in which, notwithstanding those changes in the bounds, public opinion pronounced itself, as evidenced by the returns to Parliament, adversely to the Administration. Those results are to be found in North York, North Ontario, North Wellington, South Wentworth, East Huron, East Bruce, South Brant, South Perth, East Elgin, East York, East Lambton, South Norfolk and other places. I say, in those constituencies which were altered in order to make that which was thought sure, surer still, the Act of Parliament to which I have referred, and which, I presume, it is intended to invite us to amend, so as to redress those wrongs, failed of its object, and members of the Liberal party were returned in spite of the amendment. The general return was 37 Opposition instead of 26, and the adverse majority was reduced from 36 to 18. But I admit that the hon. gentleman was not wholly unsuccessful in effecting the object of that Act—which was for the purpose of suppressing instead of expressing public opinion—for eight seats there were in the Province in which, judging by the returns, it was necessary to make alterations, and the alterations made were successful. Eight seats there were which, if any fair alterations had been made either to existing bounds or to considerations which ought to have had weight in the minds of the Legislature, would have returned Opposition members. Why, there is one of those cases in which the constituency has, within my Parliamentary experience, been changed twice in order to secure—as a gradual weakening took place in the strength of the hon. gentleman's principles in that constituency—the triumph of those principles at the polls, and for three Parliaments it has been represented by a supporter of hon. gentlemen opposite by virtue not of popular election in the proper sense, but of an Act of Parliament which from time to time changed the bounds. Now, if the object be to obtain, even approximately, an accurate representation of popular opinion, I say those are traitors to the principle and object of representation who legislate so as to thwart this view; and I maintain here as I have maintained elsewhere—I take the first opportunity of stating it here—that the general results of the poll in the Province to which this legislation was applied are such as prove that the popular opinion was

Mr. BLAKE.

suppressed instead of being expressed. There were in that Province, I think, two acclamation elections—one of which you, Mr. Speaker, were the happy recipient, and the other, my hon. friend from the South Riding of Lanark, who made his constituency so safe that he was unopposed. I say that there were two acclamation elections, and there were also a few others in which the contests were of such a character that some allowances have to be made. These, however, do not materially affect the results; but making the most reasonable allowances that can be made I take the total poll as 29,500, of which, I believe, there belong to the Ministerial party 136,300, and to the Opposition 133,200, giving to the former a majority of the people at the polls of 3,100 only, or about 1 per cent. I believe that the true result, if the constituencies had expressed it here, would have been to give to the hon. gentlemen opposite from the Province to which I refer, one of a majority in this House; while, as a matter of fact, they have eighteen, or eighteen times more than that amount. I see the hon. member for Monck (Mr. McCallum) smiling at me; of course he knows that if this true result had been obtained he would not have been here to smile. If you turn to the district in which we are sitting here, in which this House is held, to the eastern district with its thirty seats, a true poll would have given about sixteen to hon. gentlemen opposite and fourteen to friends of mine; but the returns in Parliament give twenty-seven to hon. gentlemen opposite and three to friends of mine. These results to a certain extent were to be anticipated from the unfair character in the distribution as it stood, and which was accelerated, enlarged, enhanced by the changes which were made in this very district, and which as is proved by the return, resulted in the abstraction from us of the North Riding of Lanark, the old bounds of which returned a Reformer, and the Riding of Brockville, the old bounds of which returned a Reformer. Strength being taken away from us by the distribution of the district, in which we were to have too few seats on any fair competition as matters stood, and in which we were deprived even of two of those too few seats, therefore, that consideration to which I have referred was not bestowed on the task of amending the Act. But that is not all, Sir. There is another particular in which those Acts require amendment, in which the law as it was ought to be restored and the alterations which under the guise of amendments taking place ought to be replaced by another amendment. The Government proposed, and the late House adopted the view, that the power of nominating returning officers should be left in the hands of and at the discretion of the Administration. That had been the law; and the law had been changed, and certain public officers, having a stake in the county, and residing there, owing to themselves and to their situation feeling a certain degree of restraint in political matters, and most likely on the whole to be persons who would rise to the level of their situation, were those among whom alone the choice could be made. It was made unlimited, and being unlimited it was used in such a way; and in many instances the most partisan and improper conduct was pursued by officials who were appointed at the nomination of the Administration, not merely in their own conduct but also as to the class of persons whom they appointed as deputies in the election. Now, Sir, I maintain that with a complicated system of election such as ours is, in which so many questions arise and in which so much is dependent upon the intelligence, the integrity, the honor, the impartiality of the officials, though it is in the last degree deplorable, that there should be as there was in the last election a distinct and sensible deterioration of conduct on the part of the public officials, though there should be an almost unconcealed and unveiled spirit of partizanship, leading in many cases to most lamentable results. I do not impute this to all these officers, either

to all returning officers or all deputies; but I do say it was lamentable generally throughout the whole of the country, so far as I have been able to ascertain.

Some hon. MEMBERS. No, no. Name, name.

Mr. McCALLUM. Name. Will the hon. gentleman give the name of those returning officers. When the hon. gentleman is slandering lots of people he should give the names.

Mr. BLAKE. Why, Sir, there was a case in which the returning officer was appointed, who was the editor and proprietor of a violent and virulent Tory sheet, in the locality, I believe, where the hon. gentleman belongs, and who felt the inconsistency of his own position so much that he published an announcement after his appointment that from that time until the close of the election, being returning officer, he had ceased to do anything in the editorial columns of his paper.

Some hon. MEMBERS. Hear, hear,

Mr. McCALLUM. In this he showed his conscientiousness.

Mr. RYKERT. And his honesty.

Mr. BLAKE. It was somebody else who was going to sling ink in the interest of the paper which he controlled; and this, I believe, took place not far from the constituency of the hon. member for Monck. I am not sure that this person was not the Returning Officer for Monck. I thought so, and that is the reason I gave this instance at the hon. gentleman's demand. But it happened, Sir, in many cases the deputies were not supplied with the necessary papers in due time, and this is a most serious point which deserves the attention of the House. The instructions and the duties to be discharged are complicated, and it requires for the intelligent discharge of them, by those who discharge them for the first time, that these papers should be received in time for their perusal and mastery. These papers were, however, frequently received only the night before, and oftentimes at such periods that it was impossible that the deputies could really learn the discharge of their duties before the following day. In very numerous cases the ballot papers were printed on paper so thin that the ballot was a sham; that it was known to be perfectly easy to observe by the impression made in marking the ballot, without unfolding it, how the voter had voted; and I maintain that in numerous elections that the very class of the population for whom the ballot is established were thwarted in the exercise of their franchise by information and suggestions which were there given, and that the ballot did not really protect, because the returning officer could very easily tell, with the folded ballot before him, for whom they had polled their votes. In some cases voters not upon the list were permitted, upon some suggested right, to poll tendered votes; sometimes they were sworn, sometimes not, and their ballots actually counted, though they had no pretence or shadow of pretence for voting. In very many cases the power given to the returning officer to give agents a certificate, in order that they might vote at the poll at which they acted as scrutineers, was grossly abused. It was abused far beyond any legitimate demand; abused by giving certificates in blank, to be used by the agents of the party for whom they were given, and as might be most convenient; abused by giving certificates to persons who were not voters at all, not in order that they might *bona fide* act as agents or scrutineers, but in order that they might poll their votes at some polling place other than their own, where they would have been objected to, but not being known their votes were admitted. In many cases the deputies numbered the ballots; in others they omitted to initial the ballots. In many cases the statements required by law were not placed in the boxes,

and in some cases unsigned statements were placed in them. Lawful oaths were refused to be administered; ballot boxes were opened and the statements in them were changed. Double returns were made; in one case a returning officer returned a man who was not returned by the people, and in another case when the returning officer returned a man who received a majority of votes, the County Judge returned the one who had not received a majority. In the recounts before the County Judges all sorts of decisions took place, and hundreds, nay thousands, of voters were disfranchised by the operation of the law in this particular. There was also a very extensive use of betting under various pretences, but really for corrupt purposes.

Sir JOHN A. MACDONALD. You bet.

Mr. BLAKE. I don't say one side only, but that does not make it the less obnoxious; and there was the use of betting for corrupt purposes and as a form of bribery and corruption, irrespective of the ordinary use of betting at elections, which, when carried on to the extent and in the manner it has been carried on at late elections, is in itself no unimportant engine of undue influence and should, in my opinion, receive the consideration of this House, with a view to its repression. Independently of all these points to which I have referred—and to which I have referred specifically, because the Address invites us to consider an amendment of the law relating to the representation of the people in Parliament—there was a very great deal of corruption which is covered by the existing law, nominally, however ineffectually that law may practically act in the repression of it. Many of those defects in the law had been already ascertained by experience during the late Parliament—by the experience of other Legislatures operating under similar laws, and by the experience of our own; and it seems to me it was incumbent upon the Government—for they were about to dissolve Parliament before the regular period and to precipitate an election—to have invited such legislation before the late election as would have been proper to redress these wrongs, to set aside these difficulties, and to arrange, as far as might be, for the avoidance of those imperfections. But instead of legislating they dissolved. Then as to the trial of controverted elections. In the exercise of its functions the Legislature of Ontario passed a law some time ago by which they altered the style of some of their courts. I apprehend it was the duty of the Administration before dissolving Parliament in advance of the time, to have proposed to us such legislation as would have made clear beyond a doubt the application to the new courts of the jurisdiction which had been given to the old ones, instead of which no such legislation was proposed; the difficulty subsisted, and numerous election petitions are now in suspense. The hon. Minister himself, whom I charge with dereliction of duty in not legislating to avoid this grievance, raises this very objection, and insists that the petition against his return in Lennox should be voided because, forsooth, it has been entered in the wrong court. The Speech says that besides amending the laws otherwise, as to the representation of the people, it is expedient that the franchises in the various Provinces should be assimilated, and both the hon. gentlemen who have spoken have expressed their opinion in favor of that proposition. The proposition is not a new one. The hon. member who now leads the House brought it before us some twelve or thirteen years ago, and brought in a Bill to carry out his views. That Bill, after a tolerably full discussion, was dropped, and from that time to this the subject has never been brought before the people or before Parliament. On the contrary, in the year 1874, an Act was passed of a permanent character—not temporary as preceding Acts had been in form—recognizing the local franchises as the franchises for election to this Parliament. I quite admit that there is something to

some minds extremely pleasing in the notion that there should be uniformity, but I do not concur with, or sympathize in the view that there is any loss of dignity to this Parliament, when it decides from time to time, deliberately, that it will adopt such franchises as the Local Legislatures themselves adopt, for the purposes of the election of members to this House. If at any time the franchises of any of the Provinces are, in the opinion of this Parliament, improper, it is quite competent to apply the remedy, and if it should adopt those franchises as its franchises, it seems to me it would not involve any loss of dignity. Uniformity is said to be the reason, but it is to be remembered that though for a great many years the franchises, as they assimilate, have been changing in the direction of uniformity. Even in the Legislative Union of the United Kingdom the franchises of Scotland, England and Ireland are quite different. The Parliament of Great Britain, not the Parliament of a Federal Union but the Parliament of a Legislative Union, has not found it unjust or improper that the people of the different Provinces or Kingdoms in the United Kingdom should elect their representatives under different franchises. That is the great example which hon. gentlemen are so fond of copying—the United Kingdom, the Mother Country; and if you take the greatest example of a Federal instead of a Legislative Union, you find that the very same principle that we have adopted has been adopted in that country, but in a still more formal way; for in the United States the franchise for the election of the common body—the Congress—is the franchise by which the more numerous of the two local bodies is elected—which franchise is provided by the State Legislatures. You have, then, two great examples in which uniformity is not considered essential. You have this latter example in which our very plan is adopted; and it is not to be forgotten, Sir, that uniformity in name may be diversity in substance; because if you are dealing with different conditions, with a different state of society, with different interests, with different occupations, with people—one of whom may have its property on the sea and another on the shore or on the land, one of whose property may be principally personal, another's principally real, a franchise based upon property must be either very comprehensive indeed, or different in form, in order that it may be substantially uniform—different in form in order that that great result which is the true end to be attained, may be achieved, the right to the franchise given to all worthy of it in every Province. We have hitherto conceived that the Local Legislatures, with their special knowledge of the peculiar conditions and circumstances of the people, were best fitted to declare who should have the franchise. But there are other difficulties. There are difficulties to which I shall call the attention of the House even at this early moment. It is to be remembered that a uniform franchise, propounded by the Dominion, means a voters' list, prepared by officials to be appointed by the Administration here—means a revision of that list by officials to be appointed from here—means centralization, patronage, and the control, by the Government of the day, over the whole system upon which our elections depend. It is to be remembered that it means enormous expenditures to the public in the preparation of those lists, and infinitely greater expenditure and trouble in the duties the people will be called upon to discharge in order to have these lists corrected from time to time. It is to be remembered that that trouble—which we all know who are engaged in the actual business of politics—it is proposed to double; because we are to have two sets of lists, one for the Province and one for the Dominion, and, therefore, two corrections of the lists. It is to be remembered that you propose, in effect, a double franchise, and, therefore, an additional element of confusion and uncertainty in the minds of the electorate. Therefore, Sir, for all these reasons I was unable, when the hon. gentleman formerly proposed this measure, to regard

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it as a step in advance. I believed that the best course was, unless and until some practical grievance or evil could be shown, to be satisfied with the continued adoption of the local franchises; I believed that analogy, precedent, the example of other countries, overbore the supposed advantage of so-called uniformity, and these, with the other difficulties to which I have referred, led to the conclusion that things were better as they were. But, Sir, if this were so, why is it that to-day, immediately after the election, the hon. gentleman proposes this measure, not merely to Parliament but to the country? I could have understood the hon. gentleman's course if it had been stated in the last Parliament that this was one of the reforms which the Administration proposed to introduce, and upon which they desired to take the sense of the people. But not a word was heard of it. We go to the country, and immediately after the election, conducted under what is called a defective franchise, the hon. gentleman proposes this change. The Speech glories, as the hon. gentlemen who moved and seconded this Resolution, in the surplus and in the application of it. I remember very well when the desire of hon. gentlemen opposite was to prevent the Liberal Government which was in power from having a very modest surplus. I remember when the hon. Minister of Railways declared that the then Minister of Finance, who estimated a surplus of \$500,000, was guilty of a constitutional crime almost, in proposing to have such a surplus as that, and declared that it was his duty if he had a surplus to propose measures for the relief of the people from taxation, and in that way to exhaust a portion of the surplus. But times have changed. It was the duty of the Administration, when they came into office, to establish—what? A surplus? No, but an equilibrium between revenue and expenditure. In 1879 the First Minister himself, I believe, declared that to be his object—and a very good object it is, no doubt. But equilibrium is one thing, readjustment is another thing, and the surplus which is now estimated, is quite a different thing; and I say that those who, a while ago objected to a modest estimate of a surplus of \$500,000, who proposed to Parliament on the ground that it would produce only an equilibrium the Tariff which now exists, and who to-day rejoice because there is a surplus of \$6,300,000, have altered their views in a manner which demands an explanation from them as to the cause. Why is it that that which was blameable formerly is now admirable? Why is it that their object before—equilibrium—is now set aside for a surplus?

Mr. HESSON. Because we would not trust you with the expenditure.

Mr. BLAKE. Well, I dare say the hon. member for North Perth is of that opinion, but I believe there are many members of the party to which he belongs who do not share that opinion with him. Now the hon. gentlemen opposite and the Speech give, as I say, the picture of a wholly unclouded sky, and attribute that condition of things, though without discussing it, to the fiscal policy. I maintain that a surplus of \$6,300,000 extracted from the people of this country by a taxation so enormously increased as ours has been, is not an evidence of statesmanship, but an evidence of incapacity for statesmanship. I maintain with the hon. Minister of Railways, that a course should be pursued which would produce an equilibrium or something approaching an equilibrium between revenue and expenditure. While the hon. member for Pictou (Mr. Tupper) is glad to remember that while our revenue had increased within fifteen years after Confederation to a sum equal to that which the neighboring Republic possessed in its seventy-first year, I would ask my hon. friend, if he will allow me to call him so, whether he had looked at the Tariff of the United States in its seventy-first year, and at the relation which existed between the taxation and expenditure borne by the people at that time. But I would give

just this one comparison. The surplus which is boasted and which it is proposed to maintain, is a surplus, which, if you applied it to English finances, would be equivalent to at least a surplus of at least \$80,000,000. If you applied to the finances of the Mother Country the scheme you apply to our finances, you would suppose a Finance Minister bringing down a Budget which would produce a surplus of \$80,000,000. There has been—and no man more heartily rejoices in it than the humble individual who now addresses you—a period of three or four years in which there has been prosperity. We have had excellent crops, good prices, a revival of the lumber trade, and very great development in other ways. The hon. member for Pictou gratified us by the information that the fisheries had been very productive and the prices high, and so in almost every direction has been shown the evidence of a period of prosperity. But I believe that we would be acting an imprudent part if we were to so conduct the affairs of this country, if we were so to shape them during the Session as if our progress were, in these regards, assured at the same rate for the future. I believe that we have already reached the period of over-speculation, of over-trade, of over-importation. I believe that we have already experienced a very considerable amount of stringency arising from these causes, and from the further cause that the very large sum levied by the grant from the people, and devoted as it has been devoted, and the absence of the foreign borrowings which formerly tended to mitigate the adverse balances of trade, have pressed more than in former years upon the domestic resources of the country. I believe that those very exertions to which the hon. gentleman has referred, these very leaps and bounds by which we have been progressing, are exertions which bring with them, unless we are cautious and take heed in him, seeds of difficulty, aye, even of disaster. While I do not believe that irremediable mischief has yet been done, I do think it is extremely important that the hon. Minister, who is specially charged with the question of finances, should not, upon this occasion, repeat the advice which, as reported, he gave a couple of years ago to the public when he said that he was now comparatively advanced in years, but if he were a young man he would do what he advised all young men to do in trade: clap on full sail for a period of ten years of assured prosperity. I believe that by such advice as this the hon. gentleman is paving the way, not to a period of permanent prosperity, but a period of difficulty. If we look to our own past experience, to the past experience of the United States, of the United Kingdom, and all other commercial countries, we shall find that they do not verify the observation of the hon. gentleman; and that caution and care, rather than sanguine expectation—with all the favoring conditions which existed for the last three or four years—ought to be the watch-word which he, as the financial custodian of the country, ought to give to us for our guidance at this time. The announcement is made by the Administration that also is gloried in by their supporters, that the public expenditure on capital account, which is expenditure on account of the Canadian Pacific Railway, has been paid for out of the taxes. Once again we have a strange contrast between promises and performance, between professions and results. I remember very well, when hon. gentlemen opposite asserted time and again that they did not intend to pay for the Canadian Pacific Railway out of increased public taxes. I remember when they passed formal resolutions to that effect. I remember when they declared that the arrangements would be such that taxes would not need to be increased. They now ask us to express our gratitude that we are paying for the railway out of the surplus taxes. I remember at a more recent period, when the hon. Minister proclaimed that it was the policy and ambition of the Government to reduce importations and redress the adverse

balance of trade. I remember when they congratulated the country upon the reduced importations, the large extent of which, he said, had caused a great portion of our past difficulties, and upon what he thought was the improved balance of trade from time to time, until at last the acme of his delight was reached, when in one Budget Speech he was able to announce the balance of trade was on the right side, the exports exceeding the imports by a small sum; now we are asked to rejoice with him to-day—versatile man that he is—because our imports so largely exceed the exports. A list of the increased imports to which our increased receipts are due, was given by the hon. gentleman who seconded the resolutions, from which it appears there has been, even over the imports of last year, large as they were, in a great many staples of the country, a very large increased import. I was very glad to read that paragraph in the Speech which gave assurance of an increased immigration, and still more pleased to learn the statistical information which the hon. member for Pictou gave on the subject of the immigration of last year. I have not myself been able, of course, not having at my command the sources of information which the hon. gentleman had, to reach conclusions on that subject. I have only such as the newspapers have from time to time given us. They did not lead me to the conclusion that the number was so great, and I am rather inclined to think that the 113,000 must include the Chinese who came into British Columbia. Where is the late member for Vancouver? Where is the late member for Victoria? Why, I remember when the news was flashed across the wires last Session of the influx of Chinese into British Columbia, in what diplomatic language the hon. First Minister pointed out the difference between the Mongolian and Caucasian races, and said that although the time might come when it would be desirable to restrict Chinese immigration, such immigration was highly desirable while the railway was being built. Chinese immigration was not the permanent valuable immigration as that of European. When we are asked to-day to congratulate ourselves on this increase of 113,000, I ask are the Chinese included in it. Judging from the expression of the countenance of the hon. member for Pictou, I conclude that they are. I wonder what the real permanent valuable immigration has been. I do not know, I am sure. I am told in Ontario it was 34,000, an increase that is considerable and gratifying in itself, but if the estimates made in the newspapers a little while ago of the immigration into Manitoba and the North-West were correct the great proportion was from the other Provinces. It is extremely important to the Dominion as a whole, and the Province of Ontario in particular, that we should encourage immigration from abroad. Up to last year it has been almost entirely from the older Provinces; and even last year as far as public information leads us to conclude, it has been to a very large extent an emigration from the older Provinces, particularly from Ontario. I am not sorry for that. I am very glad that any large number of men, intelligent and enterprising, from the older Provinces should go out there and develop that country. I think it is ominous of good to that country that those who are by birth, by education, and by association, deeply attached to the older Provinces, should take the most prominent and first places in the settlement of the newer country, and their acquaintance with our modes of thought and action, with our modes of government, with our municipal institutions, as developed in the various Provinces, and with our school system, will be valuable to an extent not to be estimated in moulding upon what we believe to be the best and most progressive principles the institutions of the newer land of which they are the pioneers. But while I say so unreservedly as that that I do not merely consent to, but most heartily approve of and congratulate the country upon the fact that there has been a predominance up to

this time of emigration from the older Provinces, I maintain that we cannot expect that that state of things shall continue, unless the void is in some way supplied from the older lands, and that either the void to be produced by the emigration from the older Provinces—if that is to continue—must be supplied by immigration from abroad, or we must expect the future supply which is to continue the peopling of the North-West and Manitoba to come direct from older countries. The condition of the Province with which I happen to be most familiar in this regard, is striking. It has hitherto received a very large supply, take it altogether, of immigration. It has hitherto progressed in population with very considerable rapidity, but as near as I can judge at this time, that progress is at a standstill, and for the last two or three years the state of things has been such, that unless there should be a change we would find a positive retrogression instead of advance in the population in the Province of Ontario. I have obtained access to the Municipal Census of that Province, which gives, not indeed the Census of all the inhabitants, but the Census of all the ratepayers and their families, and which, therefore, as to totals, is not to be compared with the Dominion Census, is yet for the purpose of comparison of different years a reasonable guide. I find that from the spring of 1872 to the spring of 1882, omitting Algoma, Parry Sound and Nipissing in which the returns were not complete, and it was impossible to obtain any proximate statement, there was an increase according to the Municipal Census, of 278,437, or a rate of about 20 per cent. upon the ratepaying census—a very satisfactory rate of increase compared with the Dominion Census, which I think, gives only about 17 per cent. The immigration for these ten years as given in the public papers is 254,479, or almost equal to the amount of increase ascertained as I have stated. But the significance of the reference to the Municipal Census consists in the fact that it is an annual Census, and that you are thus able approximately to apportion the rate of increase and progress of the Province between the different periods of the decade. Dividing it into periods, the first seven years give an increase of 260,000 odd, or a rate of over 37,000 a year, while the immigration is 175,000 odd, or a net increase of nearly 85,000. But the last three years of the same Census gives the increase—1880, as 10,577; 1881, 6,516; and for 1882, 676 only, or a total of 17,769; while the immigration for these three years is 78,753, or nearly 60,989 more than the increase by the Municipal Census. The Census of the school population leads to somewhat the same conclusions; that for 1871 being 489,615; 1874, 511,603; 1879, 494,404; for 1880, 489,924; 1881, 484,224. So that drawing from these two independent sources the information, it is extremely obvious that while these do not give you accurate figures, they lead to that which other sources of information also lead to, that there has been a serious drain upon the population of our Province for the last two or three years, that I attribute to the continued immigration to the States and the large immigration to the North-West Territories; and, as I have said, it is impossible that it can continue unless in some way the void is to be filled.

It being Six o'clock the Speaker left the Chair.

#### After Recess.

Mr. BLAKE. When you left the Chair, Mr. Speaker, I had just pointed out that we possessed special means of information with respect to the population of one of the Provinces. I am not in a position to give the same specific information in respect to the other Provinces, and in regard to them I can only refer to the ordinary sources of information available to us, but which seem to indicate that in regard to them, as well as to the particular Province to which I have referred, the question of immigration, the question of retaining and increasing the population, is one

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of very serious consequence. The United States Census for 1880 indicates that 712,000 Canadian-born were in that year settled in the adjacent Republic, being a very large increase over the number found there by the previous decennial Census, even without making allowances for deaths in that number and deaths in the number of emigrants from Canada to the States, and therefore indicating a very considerable tendency of population in that direction. All of these circumstances combine to make this question to which allusion has been made in the Speech, and respecting which a gratifying announcement was made by one of the speakers, one of very pressing importance as well to the old as to the new Provinces, and I am sure hon. members generally will be disposed to sustain the Administration in any well considered motion which they may bring forward for the further promotion and encouragement of immigration. The hon. member for Pictou (Mr. Tupper) gave the House some calculations based on the *per capita* cost, but it seems to me, without entering into the details of those calculations, that the inferences which the hon. gentleman drew from them were based upon a fallacy. It is quite clear there are certain tolerably fixed charges which you must expend on such a service whether the results be great or small, and those fixed charges will, when divided over an increased immigration, of course largely reduce the *per capita* charge. It would however be fruitless at this stage to enter into any discussion of the hon. gentleman's figures. The Speech announces a further measure in the direction of centralization. The hon. leader of the Government some time ago stated in a public speech that he would, if returned to power, pass a law which would reinvest the municipalities with the power of regulating the liquor licenses, and I presume it is in pursuance of that statement so made that we find this announcement in the Speech. I have not had an opportunity of examining the judgment on which this conclusion is based; I presume the hon. gentleman will take care that it is distributed at an early day to all members of the House, because it seems to me to be a question of very serious consequence and upon which we should have the fullest opportunity of reaching a conclusion. I have not formed the impression from a perusal of the reports in the newspapers which I saw, that the decision on the question was one which determined this point, and I rather assume from the language which is used in the Speech that the advice which has been tendered to His Excellency, and to which he referred, is that that decision points to the inference that this power is vested, and vested solely, in the Parliament of the Dominion. For my own part I should exceedingly regret to see Parliament take any action on that matter whatever, unless and until it were finally decided by a judgment upon the precise point that the Acts of the Local Legislature in the various Provinces making the arrangements which are now in force, were beyond the power of those Legislatures and that those or similar enactments were within the exclusive jurisdiction of the Parliament of Canada. In this respect I share the sentiments of the hon. gentleman's lieutenant in the Ontario Legislature, who, I see the other day in a speech delivered at Hamilton expressed his regret that there should be any doubt as to the jurisdiction of the Local Legislatures in this matter and expressed his opinion that if it were finally decided that the Constitution as read did not cover that power, the mode in which the difficulty should be met was not by the Dominion Parliament acting or assuming jurisdiction, but by altering the Constitution and giving to Local Legislatures that power, which up to this time it has been supposed they had, and upon which basis for the fifteen years of Confederation the liquor traffic has been regulated by the various Governments and Legislatures of the different Provinces. I believe that it would be extremely unfortunate if we should, except under the pressure of absolute necessity, deal with this matter. I

believe it is one which can be dealt with to infinitely greater advantage by the Legislature of each Province for the Province itself. I believe that the cause of temperance will be advanced in those Provinces, in which public opinion may be riper than it is in other Provinces, by the subject being retained within local jurisdiction; and while we know that the common sense of the people of the country, the common notion of the Legislatures of the various Provinces for the whole period of Confederation, has been the view that they had this particular power, I think it is to be regretted that occasion should be seized by reason of a suggestion that a judgment of the Privy Council contains language from which an inference may be drawn unfavorable to the existence of that power, to arrogate to ourselves exclusive jurisdiction. It is, as I have said, only another instance of the centralizing tendency of this Administration. The hon. gentleman has never concealed his preference for a Legislative over a Federal Union, and he is going as far and as fast as he can—and he is going very fast and very far—to make this, which is assumed to be a Federal, into a Legislative Union. There is another question which has agitated specially two Provinces which are deeply interested, namely, the question of disallowance. All the Provinces are equally interested in the principles which are to decide these questions, because the rules which we lay down for one must govern all. Nor should I pass from this topic without observing that it seems to me that the conclusion which determines that we are to arrogate to ourselves this particular jurisdiction with regard to liquor licenses is a conclusion much wider and much more far-reaching in its results than the particular subject in respect to which it is proposed now to legislate; and it is difficult perhaps to decide, or without full consideration to decide, how far we go in the direction of centralization, and the abrogation of Provincial rights, by the system that the hon. gentleman proposes to take. The Speech tells us in glowing terms, and the orators of the day have reiterated and bettered those terms, of the progress of the Canadian Pacific Railway; and the hon. member for Westmoreland anticipated what he thought might be the line of the argument on that side, informing us that he would be delighted to hear proven that the bargain was a very good one for the Canadian Pacific Railway Company, because as he stated, it was his view, that all bargains should be mutually advantageous.

Sir JOHN A. MACDONALD. Hear, hear.

Mr. BLAKE. No doubt it is a very good principle, and the only principle on which trade and bargains can at all be profitably and permanently conducted; but, then, "mutual advantage" does not mean a bargain all on one side. It seems to me that the facts and the figures which have become public within the last few months indicate that this bargain is—as we contended it was when the subject was under the consideration of this House—all on one side. The progress, to which the hon. gentlemen both alluded, and which the hon. member for Pictou compared with the progress which had been made under the various Governments which had had charge of the work for some time, is progress with reference to a different class of work. He forgot for the moment that the work which those Governments had undertaken and were carrying on, was work of a very difficult character—work entirely different from a level road through a prairie country. As an example of what might have been done, and perhaps the most successful example in the world, I admit, with the hon. gentleman, an example comparatively of what might have been done in that regard, was given him by the hon. the Minister of Railways, with reference to a certain section which he constructed west, I think it was, of Winnipeg. There is, Sir, no comparison whatever between a stretch of railway across a relatively level prairie, and such

works as have been undertaken and prosecuted between Thunder Bay and Winnipeg, and on the other side of the mountains in British Columbia, all of which latter works take infinitely greater care and trouble than that which is required for the former. We, however, quite agreed with the view of the hon. gentlemen who say that under this contract great and rapid progress would be made in prairie work. We pointed out what the profits which the Company was to obtain on the prairie work were, and those profits have now been tolerably well ascertained; and upon 606 miles—606 miles, I think—of work, which I think they have done, the calculated cost of the road is somewhere under the original estimate; and all the subsequent information leads us only to conclude that this is right. And taking the value of the lands—at the value of the lands sold as reported by the Company—and putting the amount to which they would be entitled with reference to that section, I say that the ascertained proof of it in the prairie section as far as completed, is about \$22,000 per mile, or \$19,000,000. With such a result before us, with such a golden prospect in the very near distance, it is not at all surprising that they should have stretched the line very rapidly over the prairie. The hon. gentleman said—or one of the hon. gentlemen said that perhaps they might have heard it said—that the Company had gone too fast. Well, there are some respects in which a good many people believe that the Company may have gone a little too fast. It is after all possible, with respect to several of their propositions, and in respect to several of their engagements, they may have acted, as other people believe, somewhat imprudently with reference to their far eastern engagements, directly and indirectly, which we know they have made with reference to other matters—projected branches in the North-West, in respect to which, we find no notice now, and which, I presume, are either abandoned or indefinitely postponed, and in respect even of the pressure of construction that took place, it is possible that they may have gone, not merely in advance of the country, but also in advance of what prudence would have demanded; but that is after all their business. They were entitled to proceed within certain limits as far and as slow as they pleased; and they have proceeded rapidly with the work. We were promised that they would proceed with the work by means of foreign capital to be introduced in addition to the Government subsidy, but up to this time we do not find that this work has been accomplished by means of foreign capital. On the contrary, in so far as the Government has not supplied the means, these have substantially come from the people of this country; and, therefore, they have come up to this time almost entirely from our own resources, either from the banks or from the lands, which, in great measure—in the largest measure, indeed, and almost entirely—have been purchased by persons residing in this country. Now, with reference to one of the great questions upon which we differ from the Administration as to this contract, our forecasts have been all from the start verified. We declared the provisions as to monopoly were unnecessary, in order to procure the construction of the work, and were calculated to retard settlement and to impair the prospects of that country, and to create great dissatisfaction and discontent within its bounds. I shall not enter into the condition of things there to-day. No doubt this will be more fully discussed at later periods in the Session, but I maintain, from all the information I have been able to receive, that there does exist, on the part of the majority of the people of that country, a very great discontent and dissatisfaction, owing to the manner in which a clause appears to have been misconstrued by the Administration—and in a sense which I myself have never

been able to understand—it being held that the Company was not merely entitled to, but could compel the Government of the day to exercise its powers of disallowance to veto charters for local railways within the limits of the Province of Manitoba as contrary to the bargain with the Canadian Pacific Railway Company. I say that this construction of the bargain is not merely contrary to what I understand its terms to be, but contrary certainly to what we were told its terms were when the bargain was laid before us by the Minister of Railways, and reiterated and reinforced at greater length by the hon. member for Cardwell (Mr. White). Now, with reference to the financial calculations, we contended that the amount which the Government was about to part with to the Canadian Pacific Railway Company was worth more than what the Government alleged it was, and that the Company would, according to any reasonable calculation, according to the estimates which the Administration had itself laid before us, in some ten months have this road for less than nothing—have the road and a profit besides. The official memorandum to which I have referred, shows that 6,542,000 acres of the Canadian Pacific Railway Company's grant were sold for sufficient to redeem \$17,300,000 land grant bonds, at the rate of about \$2.68 per acre. If the North-West is to improve; if the value of the land in that country is to increase; if it is to progress; if settlers are to crowd in upon it; if fresh cities are built there, and if fresh agricultural settlements are to be developed—and I suppose that no one will deny this—the lands to be sold there in the years to come will be more valuable than those which were sold in the last year; but for the purposes of calculation and for the purpose of ascertaining the present value of this land, I will adopt as the price of the remainder of the land grant with all the town sites to come, with the coal lands, with the timber lands, with the lands of special value, with the lands immediately alongside of the railway, as yet in great measure unsold—I say, assuming that having all this added to them, those speculations in town property, as in the case of Brandon, which the Company was able to make, and adding all these together, and assuming that for the remainder of the land, the present value is but what has been realized for other parts, it would amount to the sum of \$49,467,000, or within a few thousand dollars of \$49,500,000, making a total for the lands at the present values as ascertained by the sales of the Canadian Pacific Railway Company of \$67,000,000 nearly. Thus, the Company's receipts would be: their subsidy of \$25,000,000; Government railways, \$35,000,000, and the proceeds of lands already sold, \$17,300,000, or a total of \$77,300,000. The value of the unsold lands would be \$49,500,000, making the total receipts \$126,800,000. Now the Company estimates, by the statement to which I have referred, the road completed and equipped, and including besides the road which they contracted to build, and in respect of which the calculations were made, no less than 684 miles of their own road—the eastern part, the North Shore, the Canada Central and certain branches in the west and on the way west—the subsidy of \$25,000,000, \$20,000,000 land grant bonds and \$90,000,000 of stock which they are putting on the market at 60 cts.—equal to \$54,000,000—making a total of \$99,000,000. Deduct the net value of the 684 miles—which is subject to liens, say, \$5,500,000—I presume it cannot be less, having regard to the character of the road, and the character of the bulk of the country through which it passes—and it is worth a net sum of \$9,000,000, making the cost of the road as contracted for, \$90,000,000—the cost I mean to the Company. The Government works handed over, their subsidy, the land grant bonds already practically attended to, and the unsold lands together realizing \$126,800,000, it is easy to see that according to present appearances they are to have the road—completed, equipped, with interest paid on the

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capital expended during construction—for nothing, and with a profit of about \$37,000,000. This is the result which is indicated by the official memorandum of December. This is the result which the hon. member for Westmoreland (Mr. Wood) justifies on the good, general business principle that all bargains should be mutually advantageous; and he says that an arrangement under which one party to the bargain is to build a road and equip a road which is to be its own property afterwards, and to receive the whole value of what it does, and some \$30,000,000 or \$40,000,000 more, is a bargain which is mutually advantageous. Well, Mr. Speaker, I admit that it is advantageous, but I think the advantage was all on one side, and it is my opinion that if the course which was recommended and pressed on the House by this side of the Chamber, viz.: that we should give value to the lands of the North-West and develop the country by prosecuting with rapidity and vigor the prairie section, and postpone any arrangements for the construction of the ends until we had—as by these one and a half or two years operations, we would have—produced these results for ourselves instead of for the Company, we would have been able to make a bargain under which the Canadian Pacific Railway would have been completed just as soon as it may reasonably be expected to be completed now, but on terms infinitely more advantageous to the country—infinitely more advantageous, even if we only consider the financial question—infinitely more advantageous, if we consider also the question of the alienation of the land, the question of monopoly, and all the other questions of privilege and exception which are so glowingly set forth in the prospectus to which I have referred. The prospects also as to traffic are announced, and these, too, we might have realized for ourselves. These conditions, giving the value of the enterprise and to be considered accordingly in the price at which the road was to have been contracted for, could have been ascertained for us as for others. It turns out that even in its incomplete and disconnected position the eastern section has returned \$3,200 per mile per annum; the western section has returned \$3,600 per mile per annum, and the Company confidently predicts that within a short time its earnings will compare favorably with the earnings of American lines similarly situated, which are stated at somewhere about \$7,500 per mile per annum. I maintain that at an earlier date than could have been supposed possible, by proof more cogent than we could have reasonably expected, the views which we pressed—unfortunately without success—upon this Chamber when this contract was before it, have been verified, and that whether you consider the financial aspect alone or the more important aspects to which I have referred, the policy which we propounded in opposition to the policy of the hon. gentleman has been already proved—and I believe that from day to day, and from year to year, will be more emphatically proved—the true policy for the country. I was glad to see from the Speech that the Public Lands Act is to be amended. On this point also—with reference to the management and administration of the public lands in the North-West—we have been at issue with the Administration, and we agree that the Public Lands Act requires amendment. I believe that the system which hon. gentlemen have inaugurated—that the various schemes which from time to time, they have devised and brought forward, have been, or the great majority of them, unfavorable; that they have produced ill results, and that a better and simpler system would have produced better results for the public of Canada, who are interested in this question financially, and to the whole people of Canada, old and new, who are interested in the early and satisfactory settlement of the country. I believe that the system which should have as little as possible introduced the middleman and allowed him to intervene between the public and the actual settler, would have

been the true system, and that speculative sales, whether to colonization companies or to great farming companies, or to individuals, otherwise than on conditions of settlement, are injurious instead of advantageous. The hon. gentleman projected—I will not say in anticipation of, but I will say shortly and conveniently before the late elections—a great system of colonization companies—a system, which, acting on what he himself described, standing where he now sits, as the “land craze of the North-West,” extended the area of that land craze. Almost everybody thought they were going to get rich at no cost to themselves, at no risk to themselves, at little investment of their own, and at somebody else’s expense; and it is said that some 314 applications for colonization companies or parties, were favorably received by the Administration. How many of them have succeeded? How many came to a head? How many of them have paid the instalments which have been called for? How large a settlement have they actually accomplished or promoted? What sort of demands have been made upon the Administration with reference to these companies, and what is the present attitude, view and opinion of the Administration as to the colonization company scheme? Sir, I can give you upon this subject a little authentic information. I hold in my hand the report of the directors of one of the colonization companies made to their shareholders on the 10th of September, 1882, and it contains these words:

“On the 15th inst., an interview was had with Sir John A. Macdonald by the President and Secretary, and Messrs. Johnson, Kingsmill and McNee, on the question of when the survey of the tract would be prosecuted, so that the operations of the Company might be proceeded with. The Minister declared that no promise of survey could be made until the first instalment was paid, and a contract entered into by the Company; that even after the instalment was paid, the time at which a surveyor would be appointed was entirely uncertain—it might be a year, or it might be more; that there was an insufficient number of surveyors available for the requirements of the Government, and they preferred employing them along the lines of railway; that, in short, we must pay the money and take the chances of a survey, as Sir John expressed it, “within the next 25 years.” Being asked if the Company would be afforded an opportunity of enquiring further into the quality of the lands before paying for them, Sir John replied that the Government could make no concessions in that direction. On the question of an extension of time for the payment of the first instalment, the Minister declared that he could hold out no hope either to our Company or to others similarly situated, as he found that these enterprises had been entered into in a merely speculative spirit, and that their effect had been to retard rather than promote the settlement of the country. He stated that he could not, of course, say in advance what would be done at the meeting of Council, which was shortly to be held, but that he intended to oppose making concessions to any Colonization Company.”

Sir JOHN A. MACDONALD. What company is that?

Mr. BLAKE. The Saskatchewan Forks Colonization Company.

Sir JOHN A. MACDONALD. The Saskatchewan Forks!

Mr. BLAKE. I believe that was the company in which the hon. gentleman roped in the press; for he had companies for everybody, for every class, for every creed, I believe for every denomination. There was one company for the licensed victuallers, another for the temperance people, one company for one denomination, and another for another, and the hon. gentleman gave to the press this interesting statement that I have read—but that was not before the 20th of June; that was on the 15th of September, when it was all over. I observe that a gentleman whose voice we miss in this Chamber, but whose name we shall have the opportunity of greeting yearly in the Public Accounts—I mean the new Inspector of Colonization Companies—stated the other day at a meeting, I believe, of the Canadian Pacific Railway Directors, that the only company in the North-West which had performed its obligations, was the Qu’Appelle Farming Company; and I was a little surprised at this statement, because you will recollect that the principal operations of the Qu’Appelle Farming Com-

pany of which the public have been informed, have been not the settlement of immigrants in the North-West, but the expulsion of actual settlers from its lands; and, therefore, if this be the only company of the hon. gentleman’s lot which has performed its obligations, and if the company, which was performing its obligations, was expelling, I wonder what the settling companies were doing. The truth is, that that which alone could justify the formation—I do not say of all, for some may have been formed on business principles; but any large number of the colonization companies at all, viz.: that they were about to introduce into the country immigrants from across the water who otherwise would not be got here, was not asked of them; that it was not on that basis that the scheme was carried out, and that the men who went into them—I do not say all, but the great bulk of them—expected to take advantage of the wave of settlement over the country, produced by other causes, to become middlemen, not giving any valuable consideration, but reaping a profit between the settler and the Government. Now, Sir, I do not know whether the hon. gentleman has held rigidly to his statement, which I have just read. I observe that there has been an extension of time. I observe an announcement in the papers that the last day of grace is to expire on the 28th of this month, and after that date there is to be a cancellation of those in default. But it would be interesting to know, after the roll is made up and arrangements are completed, what the actual results have been, not in the sale of lands to the speculators, but what the practical, tangible results have been in the way of placing permanent settlers on the lands of the North-West. The administration of the Land Department certainly does not possess the merit of constancy. There have been continual changes. Lands are offered for sale; the order is suspended; once again they are opened; and so forth. I have seen, and read, and heard constant complaints of the difficulty of knowing what the regulations are for the guidance of settlers at any particular time. Great difficulties have arisen—and I think it is important that later on these questions should be very fully discussed, because I presume we are only on the threshold of these difficulties—as between the Government, the companies and the settlers. You have the speculator and the homesteader; you have the *bona fide* squatter and the speculative squatter; you have those who jump claims, some for themselves, and some for speculators, companies and others; and circumstances have been stated to me of the very greatest injustice in this regard. On the whole I believe it will be found that the administration of the lands of the North-West does not redound to the credit of the Administration. These regulations and laws do require amendment, and I trust the amendments promised us in the Speech from the Throne will be improvements. I observe that the regulations regarding public lands have been changed—that a portion of the difficulties which I suggested are now recognized by the hon. gentleman, although I confess he does not seem to me by his change to remove those difficulties. I hope we shall know to what extent under the old regulations public land leases have been made and on what terms the hon. gentleman proposes to convert those leases of some of the most valuable portions of the North-West into freeholds. So with reference to timber limits, it was said that a very large proportion have up to this time been parted with, and on terms which have afforded a very fair profit to the fortunate individuals who have from time to time received the favor of grants from the Government. I will not trespass on the time of the House by touching upon the other topics of the Speech because I believe they can be more effectually dealt with when the measures come down, before passing to a point or two which I think deserve notice. I wish to say that I do not agree with the statement of the hon. member for Pictou

as to the result of the application of one of his tests of prosperity. He said he believed that the failures had decreased during the current year. My recollection of the reports of the Dunn and Bradstreet agencies from which we derive our information in this regard, is that the failures have very greatly increased this year as compared with last year. I do not hold that these failures have increased to an alarming extent, yet I do hold that the indication of increasing prosperity to which the hon. gentleman directed us as a test, proves, if it proves anything, the reverse of that which he intended. Now, Sir, one other point with reference to the statement of the hon. member. He adverted to the high prices and the values of the fisheries this year. I do not know whether the hon. gentleman attributed that to the fiscal policy of the Administration, but I believe the Administration is no more responsible for that high price than it is responsible for the lower price of grain, though according to the views of hon. gentlemen opposite, there is a credit to be attached to them for the high prices which obtained for grain in former years, and it would be only fair to charge them with the responsibility for that fall in grain which has struck so many faithful friends of theirs in the rural communities with dismay—who believed that so long as the Conservative party were in power under their present leader, he would make such arrangements in the markets of the world that wheat would always be high. Now the price of fish is high. It is due to what, I suppose, we must thank Providence for, the failure in the fisheries of other countries, the failures of the fisheries of Norway, and to a considerable extent, those of Newfoundland, which have diminished the supply of fish, and of course increased the value. I am glad to say there is a considerable prospect of the extension of our fishing industry under these circumstances, and more vessels are under construction with a view of taking advantage of the favorable tide. I suppose the hon. gentleman would attribute these results to the bounty of \$2 per head, which was prescribed by the Act of last Session, but which has not yet been obtained. It seems to me the causes to which I have referred are more likely to have produced them than the hon. gentleman's bounty. There is an omission or two in the Speech which, I think, deserve attention. In the first place, the foreign trade negotiations. The Speech for 1879 announced a negotiation for the development of trade with France, Spain and the colonies. The Speech for 1880 declared that the increased foreign trade of Canada, and the proposed Imperial negotiations, demanded our closest attention and watchfulness and required a representative in London. But upon this subject the Speech is mute to-day. We have nothing conveyed to us in this authentic fashion, and the ordinary sources of information tell us that the negotiations which have been going on, more or less, almost ever since the Administration came in, have now been postponed until after the completion of the negotiations for a commercial treaty between France and the United Kingdom—another proof of the wisdom of the step which we proposed to Parliament last Session, that we still obtain a greater measure of freedom in the conduct and maturing of our own commercial relations. Once again a former Speech ushered in a subject with peans of joy, and upon that subject there is an ominous silence to-day—the poor *Charybdis*. I recollect when I heard read the Speech in 1881, which declared that, "Her Majesty's Government has generously presented to Canada, for training school purposes, the steam corvette *Charybdis*, lately returned from service in the Chinese seas," and promised us the papers on that important subject; and the orators of that day in performing the duty which my hon. friends have just so ably discharged, were enthusiastic over the presentation. The hon. member for West Toronto declared that it formed "a pleasing feature in the Speech. This generous act proves that the Imperial Government still retains its

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sympathies for us." The hon. member for Yamaska was still more gushing. "The Speech," he said, "refers to the generous gift that Her Majesty's Government has just made to Canada, by sending us the splendid steam corvette, *Charybdis*. This gift, that the country accepts with the greatest gratitude, was destined to supply a want long felt in the organization of the forces of the country. We are a maritime people. Perhaps no country in the world possesses a more extensive seaboard than ours, and the interior is covered with lakes and rivers that constitute, as it were, vast inland seas. Nevertheless we are wanting in marines. The training ship is calculated to create this new calling, and our young men will be able to defend the country on the high seas with as much skill and valor as on the land." But where is she now? Why, Sir, you cannot find her, even in the Speech from the Throne. After an expenditure of several tens of thousands of dollars we know nothing about her, except that the newspapers tell us that she has been returned and the gift that was ushered in with so much *eclat*, and the added strength and dignity which was gained by the Administration a couple of years ago having passed away, they have not a word to say about her. They leave her to one side. They pass in silence this subject. If no one else will, let me be permitted to pay my tribute to the departed *Charybdis*. Now, Sir, we are here as a new Parliament to discharge our functions under circumstances which have given to the hon. gentlemen opposite a very decided Parliamentary majority—a majority, as I have proved, far in excess of what the popular vote would have given them—assuring to them the opportunity of executing their own views with reference to the policy of this country, on all points during the natural term of that Parliament. Its political forces are pretty much as the forces of the old Parliament. To hon. gentlemen opposite is given the power to which I have referred, and to us is allotted the task of criticising their transactions, of watching the discharge of their functions, of propounding our views and of proving, as I believe we shall be able to prove, year after year, as experience gives us the opportunity, the soundness of those counter views which we have pressed upon the attention of the Parliament of this country from time to time. While, as I have said, the political constitution of this Parliament, in a Parliamentary sense, is the same as that of the Parliament which preceded it, we know that there are here many new faces, and that there are absent many faces with which we have been familiar, and this Parliament, like other new Parliaments, though similar, in a party sense, will yet form a character of its own, and create a fate—a reputation for itself. Much is in its hands. Upon its prudence, upon its patience, its deliberations, its candor, its moderation, the judgment which it exercises, much will depend. For my part, I will express the hope that, adverse though may be the political complexion of my own views, those deliberations may be of the character to which I have referred; that they may be moderate, careful, candid and patient, and that when its term shall have expired we may all be able to join in the statement that the things which it has done have redounded to the honor and advantage of the land we love and serve.

Sir JOHN A. MACDONALD. I certainly can find no fault with the spirit in which my hon. friend has addressed the House on this occasion; and I can cordially join with him, as all this House can do, in his concluding sentences. No matter what our political antecedents may have been, no matter what our political proclivities are, we are all, I believe, true Canadians, anxious to forward the best interests of this country, although our opinions may vary as to the best mode of fostering its prosperity. Although it is not likely that during the present Parliament, any more than the last, I shall be found to agree with my hon. friend

in many things, I can cordially coincide with him in his opening remarks respecting the two gentlemen who moved and seconded the Address. His exceedingly appropriate and well deserved compliment to those two gentlemen must have met with the approbation and assent of every member of this House. It must be gratifying to both sides of the House to see such evidences of intellectual force brought so early into play at the beginning of this new Parliament; but while it must have been gratifying to hon. gentlemen in an intellectual sense, it must have been, as you can well understand, and as the House can well understand, especially gratifying to me, when I see the son of my old colleague and friend, who has fought the battle with me side by side for twenty years—for our alliance commenced long before Confederation—to see the son of a colleague take that distinguished step, take at once a position in this House. I say it is exceedingly gratifying to me, gratifying to my colleague, and gratifying to the whole Conservative party. The hon. gentleman also paid a just compliment to the seconder of the Address. His language, fluent, clear, explicit, eloquent, shows that he, too, is going to take a distinguished position in the Parliament of Canada. But my hon. friend, while he paid a high compliment to the manner of the speeches of my hon. friends, took objection to the substance. He had to object, he had to complain. As his able predecessor said: "What is the use of an Opposition if it does not oppose?" and he felt it was his *role* to commence by an immediate opposition, going back to the old obsolete system of making long speeches on the Address. He commenced at once to play the *role* of an oppositionist by attacking my hon. friends in almost every statement that they made. In the first place he said that the prospect held out by those gentlemen was too good, the sunshine was too strong. He was dazzled with excess of light; he could not stand the light of prosperity that was poured over this House through the lips of my two hon. friends. I do not say that the hon. gentleman loved darkness rather than light, because his political deeds were the reverse of good. I do not wish to say so, but he complained that there were no shadows. Well, Mr. Speaker, the shadows may come by-and-bye. The hon. gentleman says that there has been a repression, a suppression of public feeling at the last election; and if that suppression had reduced the Conservative majority from 36 to 18 in the present Parliament from Ontario, it might go on and still further reduce the majority and change them to a minority, and then, Mr. Speaker, perhaps we shall have shadows enough. We have brilliant sunshine now, the light of prosperity shines over us, but political and financial difficulties are sure to come. The hon. gentleman's æsthetic tastes will be satisfied to the utmost extent, for light and shadow will then be properly mingled, and Rembrandt will be infinitely more than Turner in the picture. My hon. friend put me much in mind of an old Newcastle collier who had been boxing the compass for many years, and in the exigencies of the last long voyage he had been in almost every foreign country. After a visit of seven years to the West Indies he came back to England, and when his ship was approaching the land, and when he felt the familiar sleet and storm and saw the familiar clouds, he put on his sou'-wester and his pea jacket and said: "This is something like weather; none of your infernal blue skies for me." This is the feeling of my hon. friend. We will be satisfied, however, to bask in the sunshine and leave the storm and the clouds and the tempest to my hon. friend. My hon. friend, after a few preliminary remarks, spoke of the clause in the Speech relative to representation in Parliament. He alluded in a very kind and good-natured way to the legislation of last Session, and he assumed that it had to be amended. Well, that cannot be amended for ten years, under the Constitution. Right or wrong, there it must remain until the next decennial Census. He took occasion to refer to the

Gerrymandering Bill, as it has been called. Well, Mr. Speaker, when that Bill was brought in I took occasion to say that it had been my duty as Prime Minister, in 1872, to lay a new scheme for representation before the Parliament of Canada; and then in 1872 I was charged with wilfully rearranging, readjusting, disarranging—if you like—the representations of the country for political purposes, and last Session when that Bill was before Parliament the hon. gentleman on the other side rose and approved of the legislation of 1872, and desired that we should adhere to the principle of that Bill. I declared then that in 1892, when I intended to introduce another Bill, I should find, and the country would find, that those gentlemen would just as strongly advocate the Bill of 1882 as they did that of 1872, and I said we would have to wait for ten years to be able to show the correctness of the principle on which our Bill was founded. But I find that in one year it has had that effect. True, the hon. gentleman says there has been a suppression of public opinion, but he had to admit that certainly the rearrangement of the constituencies in the Province of Ontario, from which he and I both acquire our right to sit in this House, the representation as altered by the Bill of last Session, has caused an increase in the number of the followers of the hon. gentleman and a decrease in the number of my followers. Could there be a more convincing proof of the justice and the equity of that arrangement? But the hon. gentleman says it was a suppression of public opinion. If there had been a full expression of public opinion, taking the hon. gentleman's own language, perhaps our majority might have been 36 again. He remarked that the law respecting representation required several changes, several amendments, and that before coming to Parliament we ought to have secured those amendments. Sir, we went to Parliament on the laws passed by the hon. gentleman himself—the election laws and all that concerned representation were enacted by the hon. gentlemen opposite—and we went to the country upon those laws. The hon. gentleman spoke last Session of the manner in which that Bill altered the appointment of returning officers. The Government took the power into their hands, under their responsibility as a Government, of appointing the returning officers; but it will be found on looking over the list of those officers, that in the vast majority of cases we took the officers that previously had been acting, and it was only in cases where the Government knew, and were morally and legally convinced, that the persons who would officiate as returning officers would be unworthy of the trust, that the Government made any other selection. It is so, Mr. Speaker; and when the hon. leader of the Opposition says that those returning officers acted improperly and partially, I say there is no evidence whatever to sustain that charge. I believe the elections in June last were conducted on the whole as fairly and impartially, and that the people had as fair an opportunity of electing those whom they wished to represent them, as the people of any country ever had in the world. But the hon. gentleman said they were officials who had characters to maintain, and if they had been appointed they would have been restrained by their official position, and they would have acted impartially beyond a doubt. The hon. Finance Minister says that in New Brunswick no change was made in the returning officers, they being the sheriffs in all cases. In Ontario, in the majority of cases, the sheriffs or registrars were selected; but what if they had not been? Had this Government, had the Dominion, as a whole, any assurance of impartiality by persons holding office during the pleasure of the Ontario Government? Why every member of the Ontario Government went into the June contest; they abandoned their duties, they left the Government to sink or swim, they took the stump, to use the common expression, and they thought their existence depended on the defeat of the Dominion Government. They

threw themselves into the contest, and while the hon. gentleman speaks of improper acts done during the elections, coming within his personal knowledge, it can be established that undue influence was used by the Ontario Government to defeat the well understood wishes of the people. Undue influence of every kind can be shown to have been used, with inspectors of tavern licenses, with bailiffs and clerks of courts—undue influence of every kind was used in order to defeat the free expression of the opinions and wishes of the people of Ontario, and were we going to submit to this, to be obliged to allow the most servile slaves of the Ontario Government to act when we believed there was no protection, when we knew from the character of the men and their positions that they could not be free from sinister, clandestine, and improper influences, and not take other and better men? It was an act of self-defence, and only as such was the power taken by the Act of last Session ever put in force. The hon. gentleman in the course of his remarks suggested several amendments to the law. They will come, Mr. Speaker. The hon. gentleman is a member of Parliament, he has been a member a good many years, he was in the late Parliament, he might, in the exercise of his large experience, his great ability, and his Parliamentary right, have introduced a measure or measures for the purpose of amending the law introduced and carried by the party to which he belongs. Why did he not do so? It is very easy to be wise after the fact; it is very easy to say that amendments are required in the law affecting the representation and controverted elections. But no suggestion of that kind was made during the last four years; he never gave a hint that the laws required amendment. They were laws enacted by his own party, and therefore he was bound to stand by them. We went to the people on those laws and obtained a verdict in our favor, and I believe it was a free and fair expression of the opinion and feeling of the people of Canada, and under that decision we are commanding a majority which the hon. gentleman does not gainsay. The hon. gentleman, in order to be true to his character as leader of the Opposition, actually brought up as a charge against this Government that they had not altered the law to meet recent legislation in Ontario as to Election Courts. If we had done so we would have been told we were centralizing power, that we were interfering with the legislation of the Province of Ontario. We would have had to prejudge the case; it is not yet decided whether there is any necessity for legislation, for the matter is now before the courts. It is to be remembered that if any trouble has arisen in consequence of legislation, even in the Ontario Legislature or here, it has been due to the Act of the hon. gentleman in 1874. In 1873 we passed an Act by which all controverted elections should be tried by an Election Court, which should be a Dominion Court, and which should be subject only to the legislation of this Parliament. When the hon. gentleman came into power the first thing he did was to alter the law, and instead of making the Election Court a Dominion Court he made it a Provincial Court. I warned him at the time of the consequence of that error, and I told him that the question would arise whether the Dominion Parliament had the right to force the trial of election cases upon Provincial Courts. That question was raised afterwards, and though one court decided we had no right to pass such a law it was subsequently decided otherwise; but if the original law of 1873 had been adhered to and the Election Court had been a Dominion Court, this trouble and difficulty would never have arisen. I did not quite understand from my hon. friend when he was speaking further with reference to representation, whether he objected to the assimilation of the laws of the different Provinces with respect to the electoral franchise. He reiterated certain objections which had previously been taken years ago, on the old Bill introduced by myself, I

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think, in 1870; but I am not sure that he went to the extent of stating that he still desired that the electoral franchise should be exercised in each Province according to the franchise there existing for electoral purposes. I did not so understand my hon. friend. I do not know that he went that far. He repeated the various objections which had been taken before to that bill, but I think that, on the whole, he felt that it would not meet either the approbation of this House or that of the country, to maintain the present system by which in one Province a man might vote, while in the next Province under the same conditions a man might have no vote, and in a third Province a woman might vote, and so on in every Province, there being a diversity of the franchise and a diversity in the electoral provisions. I quite agree with the hon. gentleman that uniformity in this respect might not in all cases be attainable, but, at all events, one thing is clear: that—whether the franchise be uniform, whether the right to vote be uniform in all the Provinces or not, whether the same qualifications should exist—the right of settling what the qualification is should rest with the Dominion Parliament and not with the Provincial Parliaments. Sir, in one of the Provinces the franchise is universal suffrage. In some Provinces we have income qualification, and in others we have it not. In the Province of Ontario—the largest Province, having the largest electorate in the Dominion—we are told, and we see that the Government of the day have given a promise, not very specific, it is true—on the contrary, it is very vague, but still it is a promise made just before the elections—that they were going to enlarge the suffrage. To what extent, Mr. Speaker? We do not know. For all we know, for all my hon. friend and myself know, we may find ourselves deprived of our constituents. There may be such an alteration of the franchise that those who sent us here may disappear, and another and a different set of men may have the right to decide our future fate, and a different constituency and different body of electors may decide whether our course now, in the present Parliament, is right or wrong—a different body altogether, who have no sympathy, perhaps, with the old electorate way; and we, instead of going back to our old constituents—to those who sent us here—when we return to give an account of our stewardship, we may find another and different body of men to judge of our conduct. Sir, it is impossible that this can last. It might do—it was of necessity adopted in the commencement of our system. The moment that Confederation was framed we were obliged to have a Parliament, but we had no machinery for the purpose, and we accepted the Provincial machinery. We were obliged, *ex necessitate*, to adopt the system which existed at the time in the four Provinces, and they were not then so very far different. There was not then so very great a diversity of qualification as rendered it obnoxious and impossible on the face of it; but, Sir, since that time we have been adding Province after Province, and the test of Parliamentary qualification for representation and the electoral vote has been altered more and more every day. We are now promised, as I have already remarked, in the chief Province of the Dominion, that there shall be a material alteration in the franchise. The hon. gentleman has quoted several objections to the proposed central system. He says, in the first place, that it is centralization. Well, I do not think that the cry of centralization comes with good grace from an hon. gentleman a member of a party which sustains Mr. Mowat in his office. Why the whole system of the Liberal Administration in the Province of Ontario has been centralization. They have taken the right of deciding everything connected with taverns and with the licensed victuallers; they have taken the clerkships of courts, and the appointments of bailiffs of courts, and of the hang-

men of the courts; they have taken the appointment of every official in the land to themselves; they have invaded the rights of our municipalities; they have invaded the rights of our corporations; they have tried to centralize every power and every authority in Toronto; and I am afraid, Mr. Speaker, that I am not speaking wrongly when I say that this centralization has been used and will be used for political purposes and for the purposes of sustaining the Liberal party of Ontario in power. Mr. Speaker, my hon. friend chided the mover and seconder of the Address for speaking in terms of pleasure and of gratification in reference to the large surplus with which the Dominion is blessed, or as the hon. gentleman would say, is cursed; and he says that we have changed our principles, and especially so my hon. friend who sits near me—the Minister of Railways—who had stated that a small surplus of half a million of money was too large and ought to be distributed or ought to be used for the reduction of taxation. Mr. Speaker, my hon. friend, when he was discussing that matter, as a member of the Opposition, when Sir Richard Cartwright was the hon. Finance Minister, merely held the then hon. Minister of Finance to his own principles. The latter gentleman was opposed to the principles of protection; that gentleman was opposed to the carrying out of the National Policy; that gentleman was opposed to the adjustment of the Tariff for the purpose of protecting native industries; he held that the Tariff should be used for revenue purposes only; and the moment when an equilibrium was attained between expenditure and revenue, we then had acquired and arrived at a just measure of taxation; and that whenever there was a surplus over that equilibrium, an injustice was done to the people, necessitating a reduction, in order that the surplus might be removed and a mere equilibrium thus again restored. My hon. friend held Sir Richard Cartwright to his statement, and said to him: "Why, you have got half a million of a surplus, while you say that no Government should have a surplus;" and he pointed out how that surplus might be judiciously used according to the principles announced by that Finance Minister with respect to certain articles of consumption in Canada. But both the Minister of Railways and myself, and the party to which we belong, have always held to the principle of Canada for the Canadians. We have always held to the principle of encouraging native industries, and we have always held that the Tariff—while its first object was formed for the purpose of meeting the expenses of the Government and carrying on the affairs and developing the resources of the country—had, and ought to have, a two-fold operation, especially in consideration of the circumstances under which Canada and the United States were placed side by side; and that while by means of the Tariff we should raise a revenue, by the same means we should so foster our infant industries that we might make this country like the country adjoining us—a manufacturing country; that our people should not be employed in the one industry of agriculture alone, but that by carrying out the National Policy we might introduce, foster and encourage the manufacturing and all the varied industries which this country was capable of initiating, fostering or maintaining. But the hon. gentleman says that the Minister of Finance made a great mistake in having such a large surplus. Why, Sir, it was a consequence of this sunshine, a consequence of this wonderful and unexpected prosperity. We believed that the result of carrying out our policy would be that the country would become prosperous, that our industries would be developed, that our people would be fully employed, and that wealth would pour into the country. But we did not expect—we could not expect, no man could expect who really kept his mind on an even balance—that such an influx of prosperity could be the result, though certainly

combined with other causes, as the hon. gentleman behind me admitted. The consequence of this prosperity was a great importation of everything in the nature of taxable goods. The people were rich, they liked to spend their money, and it is most gratifying to me, and it must be most gratifying to this Government, to feel that perhaps in no other country in the world has it happened so completely as here—that with a system of taxation that has produced a surplus more than the ordinary administration of the Government requires, there is not one single cry from the country against the taxation. There is not a single grumble among the people that the taxation is heavy. I believe that if you wanted to arouse a feeling of discontent you could do it by reducing the Tariff, and thereby shaking the confidence of the manufacturers and the men employed by them, in the future manufacturing prosperity of the country. Sir, it is said there are few countries that will patiently bear taxation, but we are the exception. This country is quite satisfied with the Tariff which my hon. friend the Finance Minister initiated, and which is now the law of the land; and I take it that if you wish to produce dissatisfaction in the country, you will attempt to return to the low rate of taxation—to the taxation which existed before the spring of 1879. The hon. gentleman said but little respecting the paragraph in the Speech which refers to legislation with regard to liquor licenses. That subject was not willingly undertaken by the present Government. They were quite satisfied that the law as it obtains in the different Provinces should be continued. They were quite satisfied that each Province should, so far as the law would allow it to enact such statutes, deal with the subject of shop, tavern and saloon licenses. Neither the Government nor the Parliament of Canada, I take it, wished to interfere; and it was only when the decision which was given in June last on the Scott Act, a Dominion Act, and the subject was forced upon them that they thought it their duty to bring it before Parliament. I never had any doubt that when the question was brought before the courts, it would be decided that the different Provincial Legislatures had no right whatever to deal with that subject except for revenue purposes—for the purpose of imposing taxation for Provincial or municipal purposes. I expressed the opinion in Parliament years ago, and last year I expressed it at a public meeting in Toronto or its vicinity. But while that opinion was strongly impressed upon my mind I took no steps, nor did the Government of which I was a member take any steps, for the purpose of interfering with the legislation of the different Provinces, or forcing Dominion legislation on the country, or trying to centralize such powers in this Parliament. On the contrary, the only centralization on that subject—the only time in which that question was in any way dealt with by the Dominion Parliament—was when the late Government was in power, and when they introduced the Scott Act. They introduced that Act and thereby asserted the right and power of the Dominion Parliament. Now it is quite clear that if the Dominion Parliament had the right to pass the Scott Act it had the exclusive right, because there is no concurrent jurisdiction in the British North America Act on that subject; and when the constitutionality of that act was decided against, by the Supreme Court of New Brunswick, the Dominion Government—I being a member of that Government—in order that the question might be settled, in order that we might get the highest final decision on that point, came to Parliament to get a vote of money for the purpose of paying counsel on both sides. I say that we did this in order to get a final decision on the question of whether the right to deal with that subject as a matter of good government or as a matter of trade and commerce, rested here or with the Provincial Legislatures. The court unanimously decided—their decisions are all unanimous—that the power rested here. The Privy Council

had no doubt on the subject, and I am surprised that my hon. friend did not find leisure to read the judgment in the case of *Russell vs. The Queen*. A copy of that judgment was sent to him, as well as to every other member of this House, but since it did not happen to meet the eyes of my hon. friend, I shall be glad to send him as many copies as he likes. It is quite clear to every lawyer, and any man who is not a lawyer, who reads that judgment, will see that the very reasons on which the Privy Council decided that this Parliament had the right to deal with the Scott Act, are the reasons showing that the Provincial Legislature of Ontario had not a right to deal with that subject under the Crooks Act, except as a matter of revenue for municipal or Provincial purposes. The hon. gentleman says that we should have allowed the matter to stand over until it was finally decided. Sir, if there be any value in that decision, and there is every value in it, because it is the law of the land, there is no check at this moment in the Province of Ontario against the unlimited, unrestrained sale of intoxicating liquors. This is not a matter we can play with. It is not a matter of policy; it is a matter of necessity. If we wish to prevent the unrestrained sale of intoxicating liquors we must legislate immediately; for I take it that any man in this city or in any other part of Ontario can open his saloon and sell liquors, and there is not a court in the world can prevent his doing so. All he has to do is to be ready to pay the license, if it is wanted for revenue purposes, to the Government of Ontario. This is not a state of things which should exist. It is not a state of things which should be allowed to be made a political plaything. It is not a subject which should be made a political cry, but it should be dealt with at once; and I am sure gentlemen on both sides of the House will, at the request and instance of the Government, address themselves calmly and considerately to the means of doing away with this condition of things. If it be proved that this Parliament or no Parliament can deal with it, I think that all will agree that we should address ourselves at once to the subject. If the Provincial Legislatures are insufficient, if the Provinces have not power enough to introduce wholesome regulations in restraint of the sale of intoxicating liquors, we will supplement any such power as they have by bringing the full power and the full authority conferred upon this Parliament, by the British North America Act, to the aid of the different Provinces in the cause of morality, to prevent the mischiefs that are caused by the unrestrained use and sale of intoxicating liquors throughout the different Provinces of Canada. I shall not say anything with respect to the remarks made by the hon. gentleman as to the Pacific Railway. It is very easy to say that the bargain was an improvident one. It is very easy to say now that the Canadian Pacific Railway shareholders are going to make enormous fortunes. I hope they will make large fortunes, for they have now enormous risks. Sir, if these men had not been found, if one or two men of a thousand had not been found, men of enthusiasm as well as of wealth, men who thought more of the glory of the high position they would be placed in in the eyes of their countrymen and in the eyes of posterity, by the construction of one of the greatest lines of railway in the world, if we had not been fortunate enough to get millionaires enthusiastic enough to risk their millions in this work, we might have dragged on for the next twenty years as we have been for the last twelve. But I believe and know that these men will succeed, and I hope they will receive a due reward for all their risks and anxieties, and for giving up twelve or fourteen of the best years of their lives, as they each must do, to carry out this great work; and we shall be repaid speedily, immediately, without any further delay, by having this great railway binding together all portions of our wide Dominion, and connecting the Atlantic with the Pacific. I would, if I were a member of the Canadian Pacific Railway Company, tender my most

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cordial thanks to my hon. friend opposite for the speech he has made to-night. There are no shadows in his speech with respect to the Canadian Pacific Railway Company. They are all in sunshine; they are making their millions and millions; and yet, Mr. Speaker, if we look at the money articles in the financial papers in England, we do not find any such glowing expectations. *The Money Market Review*, *The Trade Circular*, *The News*, *The Times*, and almost every other paper in London, have come out with articles stating that the railway was a ruinous enterprise, that it could not pay, and warning bondholders, warning capitalists, warning every person against touching this scheme as wild, improvident, extravagant and as involving certain ruin. The hon. gentleman well deserves the best thanks of the Canadian Pacific Railway Company; and as a great friend of that Company, and anxious that they should succeed to the utmost extent that the hon. gentleman can paint, I shall make it my special duty to send a large number of copies of my hon. friend's speech to England, in order to show that not only does the Government of Canada, headed unworthily by myself, believe that that railway is a profitable enterprise for those who have undertaken it, but that the leader of the Opposition, that gentleman who opposed the granting of their charter has in his place in Parliament chosen to state his belief that they are going to make untold millions out of it; and if I were a monied man after reading my hon. friend's speech, I would be apt to make an investment with Land Grant Bonds and in the stock of the Canadian Pacific Railway Company. But, Mr. Speaker, I fear that I am tiring you—that I am falling into the error of my hon. friend opposite in prematurely discussing questions which ought properly to be discussed when the measures are before Parliament and all the information in the power of the Departments to give is in the hands of hon. gentlemen. Because there is a Bill promised in the Speech for the consolidation and amendment of the Public Lands Act, the hon. gentleman could not refrain from attacking the policy of the Government in reference to the management of the public lands. Sir, when that subject comes up and full information regarding it is laid before the House, I shall be only too glad, as the Minister primarily responsible for the management of the lands of the North-West, to meet the hon. gentleman and discuss the question fully and fairly and frankly. I do not admit that the establishment of colonization companies has been a failure. On the contrary, Mr. Speaker, I believe that those companies which have shown vitality have been of use, are of use, and will be of use to the North-West. The hon. gentleman said in one part of his speech very truly that a considerable portion of the immigration into the North-West went from the Province of Ontario. Those men who went from the Province of Ontario did not require any middlemen; they went up knowing well enough what they sought, and when they got there they got what they did seek. Under the law no man is obliged to have resort to a middleman. Every man can go up and choose his own homestead, and get his contiguous quarter section. Every man has the whole country to roam over; but the great difficulty is to get the emigration from the old country. Few emigrants are able to come to this country, pay for their preemption, build their house, and prepare for the cultivation of their soil. Though some of the colonization companies have failed, others have not failed. Some have been exceedingly active, and exceedingly successful. One or two of them have already fulfilled everything they promised, and have put in every settler they promised to put upon their lands. Others are now in the process of doing so. This is a matter which cannot be done in a day. There was, it is true, an anxiety among the people, especially of the Dominion, and some in England, to acquire lands, thinking they could keep them until, by the process of settlement, the land would rise in value without any

action of theirs. But that has all disappeared now. We insisted that there should be a substantial payment, that they should put on annually so many immigrants on their grounds, and they have the greatest inducement to do so. They have paid their money. If they do not carry out the conditions of the colonization scheme, they will lose their money, and the consequence is that these colonization companies that had paid their money have their agents in Europe, and I believe that much of the immigration that will come to this country during the next year will be caused and assisted by those companies. They must do so in order to save their money, and that does not prevent the settler who chooses to look for himself from settling on any land that he fences. Under the only plan in force, Plan No. 1 as it is called, no man can be prevented from settling on an even numbered quarter section. The fact that a grant of land is made of 20,100, or 1,000 townships does not exclude the emigrant settler. He can settle on the even numbered lots in spite of the company that has the grant. If the company helped that man in any way, they will get due credit for him as an emigrant settler by the company, but not otherwise. The hon. gentleman chooses to sneer at the various denominations and classes of people who have formed themselves into colonization companies. I am glad to say we have had several denominations getting large tracts of land for the purpose of settlement. I suppose the hon. gentleman will admit that the Wesleyan body is an important body, in England as well as in Canada. They have applied for and have received a tract of land. They are now using all the organizations of that large and respectable body in England to bring out the very best classes of emigrants to the North-West. The Primitive Methodists and other religious denominations have done the same thing, and I believe have nearly settled all the lands given to them under the colonization system. While we desire to settle the country, it is to be remembered that Parliament has exacted a promise from us and our predecessors that, if the Canadian Pacific Railway was to be built, any money advanced in its construction was to be repaid out of the sale of lands in the North-West. The Mackenzie Government made an appropriation of millions of lands for the purpose of paying the expense of building that road. We carried out the same policy. We have been more successful in the application of it, but the Government before us, as well as the present Government, was committed to this policy, that the expense of building the road across the prairie should not fall upon the people of the older provinces. That rich country is able to build its own railways and the pledge was that the road should be built out of the sale of those lands. You heard the statement made by the hon. member for Pictou, that already, under their engagements which cannot be broken, because we have the pledges of the instalments paid in which these companies will not forfeit, of the \$25,000,000 that the people of Canada are pledged to pay the Canadian Pacific Railway Company, valid contracts are now made for upwards of \$10,000,000. Of this \$2,000,000 have been paid in hard cash and the sales will go on for the next few years at an accelerated ratio much beyond the sales of the past two years. It ought to be gratifying to every member of this House, as it will be to the country, to know that already fully half of the whole expense of building that railway is already provided for and that, as I had occasion to say in 1873 and again in 1879, not one single farthing of the cost of building the railway should fall on the older Provinces. We will have that great country opened up, and every farthing will be paid out of its own resources for its own railway. I must apologize for having spoken so long. I do not understand from my hon. friend opposite that an amendment is going to be introduced. I can state again I have no complaint to make of the spirit of the criticisms of my hon. friend; they were

made fully in a parliamentary way, and with that charm of manner and eloquence which is his peculiar property. I am very glad to join with him in the belief that although we may differ in our political views, as to the best means of promoting the interests of the country, we, being actuated by the common desire for the good of our country, may join together sometimes. If we do differ, it is because our judgment is not the same. We cannot look eye to eye and mind to mind, but while we will insist on our own opinion, we will give due credit to those opposed to us, being actuated by the same patriotic desire of promoting the interests of the country, as we feel we will by the measures we introduce.

Mr. MITCHELL. I do not intend to take much of the time of the House in relation to the subject matter in the Speech, but merely arise to call attention to a matter that was passingly referred to by the hon. member for Westmoreland as an omission from the Speech. It is in reference to the clause referring to the re-arrangement of the franchise. I should have liked very much if the Ministry of the day in inserting this paragraph in the Speech: "It is important that the laws relating to the representation of the people in Parliament should be amended, and the electoral franchises existing in the several Provinces assimilated," should have added that they would at the same time re-distribute the representation in the Province to which I belong. I may say that there is a very gross outrage upon the people of that Province in the existing state of the representation of the different counties they are in. While I am not going to comment upon the Speech itself, I may simply, *en passant*, compliment, as other hon. gentlemen have done, the mover and seconder of the Address for the very handsome manner in which they have performed their duties; but I wish to call the attention of the House to this point, and I think it will be very much in the interests of the Province of New Brunswick for the Ministry to take into their consideration. I make the suggestion in a friendly spirit. The hon. member for Westmoreland hoped that the Government would deal with this matter before the end of the present Parliament, but, I hope they will deal with it this very Session, and in the very Bill that is now proposed. I would call the attention of the House to the fact that in the Province of New Brunswick the representation has remained unchanged so far back as the memory of living men extends, though the constituencies have increased or diminished in population. This representation should have been re-arranged at the time of Confederation, but there were difficulties in the way. Now that the question of the franchise is to be dealt with, I do hope that the Government will consider the incongruities of the representation in New Brunswick, and that when they bring in their Bill they will do that justice to New Brunswick to which I consider she is entitled. My hon. friend, the Minister of Finance, smiles at my proposal. He knows as well as I do that what I am stating is strictly correct. I will give a few instances of the disproportionate representation from that Province. The County of Westmoreland as appears by the last Census, has a population of 37,719 souls, and has only one member in this House. The County of Sunbury has a population of only 6,651, six times less than the County of Westmoreland, and yet it returns one member. The County of York, so ably represented by the hon. gentleman opposite, has a population of 30,397, while the County of Restigouche has only 7,058. Take the County of Northumberland, which I have the honor to represent with a great deal of satisfaction, I am sure, to many members of this House, it has a population of 25,109, as against the population of the County of Albert of 12,329, and I am very glad to see its representative on this side of the House. The County of Kings has a population of 25,617, while Queen's alongside of it has only 14,017. The County of Charlotte, so long ably represented by my hon.

friend and my able colleague, of twenty-eight or thirty years ago, has a population of 26,087, while the County of Victoria, has a population of only 15,686. There is the City of St. John, so ably represented by the hon. Finance Minister—although he has occasionally had a pretty hard time, like myself, to get in—it has a population of 26,127, while the County of St. John, which has two representatives, has only 26,839. Take the County of Kent with its 22,618 inhabitants, against the County of Victoria with its 15,686; or the County of Gloucester with its 21,614 inhabitants, and the County of Carleton with 23,365. The average population of each county in the Province is about 20,077, but there are nine counties largely over that average, and six counties a long way under it. Now this misrepresentation has continued long enough, and I for one shall not be satisfied to have the Government tell this House that before the end of this Parliament they will deal with this matter. Their tenure, like our own tenure, is very uncertain, and it is hard to say, strong and powerful as they are to-day, how long they may continue so, though I hope they may continue so for some time yet, for I want to see them do a great deal more in the way of protection, than they have yet done. At the same time in dealing with the question of the franchise, and when their attention has been called to the incongruities I have mentioned, I think they ought to deal with this matter; and they will be neglectful of their duty if they do not deal with it, especially as they are about legislating on a cognate subject. I do not intend to take up any time in discussing the affairs of the country, or in reviewing the Speech which has been submitted to this House—there will be ample opportunity for doing that before the Session is over; but merely make these few remarks with the hope that the Government will make no delay in remedying the evils I have complained of, and I hope when they bring in this Bill it will contain provisions regarding the representation of New Brunswick in this House that will prove satisfactory to the people of that Province.

Mr. TASSE (Translation). Mr. Speaker, it is not my intention to prolong the debate nor to comment on the Address in answer to the Speech from the Throne, now submitted to our consideration. First of all, I must say that I fully concur in the praise given to the hon. member for Pictou (Mr. Tupper), and to the hon. member for Westmoreland (Mr. Wood). The hon. member for Pictou promises to worthily follow in the steps of a man who to-day occupies one of the highest positions among the political men of this country; and the hon. member for Westmoreland has proved himself a very valuable and useful acquisition to this House. I must thank him for his friendly expression towards the French element of New Brunswick, and do not wonder that, in return for his sympathy for that important part of the population of New Brunswick, he has obtained the confidence of a large majority of the electors of that county, who are of French descent. My satisfaction would be complete, Mr. Speaker, were it not that I see with regret that this year we have departed from an old and solemn usage, if I can thus express myself, which alone can give satisfaction to the majority as well as to the minority in this House. Until now, the Address in answer to the Speech from the Throne has always been moved or seconded either in English or in French. Therefore I hope that what happened to-day is purely accidental, and that it is not the intention to use it as a precedent. At Quebec, where the majority is French, the Address at the opening of each Session is invariably proposed or seconded either in French or in English, a practice which alone can give satisfaction to the majority and the minority. We, the French of Canada, make no exceptions to this rule, and, for my part, I am the less disposed to forego anything affecting in any way our rights and privileges. For some time I have marked that a certain

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newspaper of Ontario, which exerts considerable influence amongst hon. members sitting on the opposite side of this House—the *Globe* of Toronto—has been waging war against the French language. I avail myself of this the first opportunity which has presented itself, to declare that I have no sympathy for those who would have us, the French of Canada, renounce the French language, which was the first spoken in this country; a language in which the first battles of speech, in our old legislative halls in favor of our political liberties, took place; a language which it is our intention to transmit to our descendants as intact as it was given to us by our ancestors. Well, Mr. Speaker, for these reasons I regret that we should, in this instance, have departed from the rule followed until now, and I hope it will not be used as a precedent in the future.

Resolution agreed to.

Sir JOHN A. MACDONALD moved:

That the said Resolution be referred to a Select Committee, composed of Sir Leonard Tilley, Sir Charles Tupper, Sir Hector Langevin, Mr. Tupper, Mr. Wood and the mover, to prepare and report a draft of an Address in answer to the Speech of His Excellency the Governor General to the Houses of Parliament, in conformity with the said Resolution.

Motion agreed to.

Sir JOHN A. MACDONALD, from the Committee, reported the draft of an Address, which was read the first and the second time and ordered to be engrossed, and to be presented to His Excellency by such Members of this House as are Members of the Privy Council.

#### SUPPLY.

Sir LEONARD TILLEY moved:

That this House will, on Friday next, resolve itself into a Committee to consider of a Supply to be granted to Her Majesty.

Motion agreed to.

#### WAYS AND MEANS.

Sir LEONARD TILLEY moved:

That this House will, on Friday next, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.

Motion agreed to.

Sir JOHN A. MACDONALD moved:

That a Special Committee of seven Members be appointed, to prepare and report with all convenient speed, Lists of Members to compose the Select Standing Committees ordered by this House on Friday the 9th instant, said Committee to be composed of Sir John A. Macdonald, Sir Leonard Tilley, Sir Charles Tupper, Sir Hector Langevin, and Messrs. Blake, Mackenzie, and Laurier.

Motion agreed to.

#### OFFICIAL REPORT OF THE DEBATES.

Mr. BOWELL moved:

That a Select Committee, comprising Messrs. Béchard, Bergin, Charlton, Colby, Desjardins, McDonald (Cape Breton), Ross (Middlesex), Scriver and White (Cardwell) be a Committee to supervise the official report of the Debates during the present Session.

Motion agreed to.

#### MESSAGE FROM HIS EXCELLENCY.

Sir JOHN A. MACDONALD presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message as follows:—

*Lorne.*

The Governor General transmits to the House of Commons, the accompanying Copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in reply to an Address to Her Majesty the Queen, from the Senate and the House of Commons, presented to His Excellency in May, 1882.

GOVERNMENT HOUSE, OTTAWA,  
- 12th February, 1883.

*The Right Honorable The Earl of Kimberley to Governor General the Marquis of Lorne, K.T., G.C.M.G.*

DOWNING STREET, June 12, 1882.

MY LORD,—I have received and laid before the Queen, the Address to Her Majesty from the Senate and House of Commons of Canada in Parliament assembled, which was transmitted in your Lordship's despatch of the 16th of May.

I am commanded by Her Majesty to request that you will convey to the Senate and House of Commons, Her appreciation of the renewed expression of their unswerving loyalty and devotion to Her Majesty's person and Government.

Her Majesty will always gladly receive the advice of the Parliament of Canada on all matters relating to the Dominion, and the administration of its affairs; but with respect to the questions referred to in the Address, Her Majesty will, in accordance with the constitution of this country, have regard to the advice of the Imperial Parliament and Ministers, to whom all matters relating to the affairs of the United Kingdom exclusively appertain.

I have, &c.,  
(Signed)           KIMBERLEY.

The Marquis of LORNE.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 10.10 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS.

TUESDAY, 13th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### PROCEDURE IN CRIMINAL CASES.

Mr. McCARTHY, in introducing Bill (No. 2) to amend an Act respecting procedure in Criminal Cases and other matters relating to Criminal Law, said: The Bill which I have the honor to introduce deals with three subjects: the first being the subject dealt with in a Bill which I introduced last year, that is the giving to every person accused the liberty to give evidence in his own behalf. I have limited this power to those who are charged with misdemeanors, and have not allowed it in all cases, and I have added a provision suggested by one of the learned judges last year. The Bill provides that if the criminal does not tender himself as a witness, that fact should not be the subject of comment by the counsel for the Crown, and the judge shall direct the jury that it should not weigh against the accused. The second part of the Bill is also proposed on the suggestion of one of the judges from the Province from which I have the honor to come. It is a matter of form simply, and provides that in the event of a judge appointed to hold assize not being able to keep his appointment, the court shall stand adjourned, *ipso facto*, until he arrives. It happened recently in one case that the judge was not able to attend the court, and the sheriff, whose duty it was to adjourn the assize, failed to do so. The result was that several criminals had to be tried twice, it being thought that all the trials which took place at that assize were illegal. The third provision of the Bill is for the purpose of doing away with the right of the Crown to a peremptory challenge. My attention was called to this subject by a discussion which took place in the courts of Ontario upon the question of where the power rests to deal with the matter of juries. By the Act of 1869, right is given to the Crown to challenge peremptorily, but I doubt whether that is in the power of the House to confer, and I think, therefore, it is better to remove the assumed power from the Statute-book until the question is determined. But beyond that, in my humble judgment, it is an unfair right for the Crown to have. The Crown now has the

right, as it always has had, to direct every juror on the panel to stand aside until the panel be exhausted, and that seems to me to be quite sufficient protection to the Crown in the selection of a jury, without the additional right of challenging peremptorily and without assigning cause. These are the three matters dealt with by the Bill.

Bill read the first time.

### BILL INTRODUCED.

The following Bill was introduced, and read the first time:—

Bill (No 3) for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act of 1879.—(Mr McCarthy.)

### SUPREME COURT OF CANADA.

Mr. LANDRY (Translation). Is it the intention of the Government to bring forward and pass, during the present session, a measure depriving the Supreme Court of all jurisdiction over matters covered by the Civil Code of the Province of Quebec?

Sir JOHN A. MACDONALD (Translation). This matter is under consideration.

### REPORT.

Mr. SPEAKER presented a statement of the receipts and disbursements of the Accountant of the House of Commons for the year ending 30th June, 1882, signed by the Auditor General.

### INLAND SHIPPING DISASTERS.

Mr. DAWSON moved for a Return of all correspondence relating to the disasters which have occurred to Canadian vessels navigating the Great Lakes and the Georgian Bay, within the past three years; together with the reports of persons appointed to enquire into the causes of these disasters; the names of the vessels lost or stranded, and the ports from which they sailed. Also, a statement of the reported loss of life in each case. He said: In making this motion, Mr. Speaker, I believe that it is incumbent upon me to draw the attention of this House and the country to the great loss of life and property which has occurred on the Great Lakes, and more especially on the Georgian Bay, within the past three years. It is something frightful; and from whatever cause it may have arisen, the unseaworthiness of the vessels, or the want of inspection, it is a matter which should certainly be enquired into. To enable the House to understand the position of the matter, I need only read a list of the losses which have occurred during that time. In 1879, the *Waubuno* foundered in the Georgian Bay, and all hands were lost. It is not known how many perished, but it is supposed twenty-five. In 1880, the *Simcoe* foundered off Providence Bay, Island of Manitoulin, and there were some twelve persons drowned. Some escaped to the shore, in quite a small boat, showing that it was not from stress of weather that the steamer went down, but from some other cause, and I believe the cause was overloading. The steamer was freighted with wheat, and the cargo shifted. In 1881, the *Jane Miller* foundered off Warton, and not a person escaped. The whole crew and passengers were lost. In this case, as in that of the *Waubuno*, it was not known how many went down. In these cases there is always an attempt to conceal the number. In the case of the *Jane Miller*, it was said that twenty-five were lost; but it is well known that in the fall of the year—this disaster took place in November—vessels running up Georgian Bay are always crowded, and it is highly probable that more than twenty-five perished on that occasion. In 1881, again, in the same month, one of the Collingwood line of boats running to Chicago, loaded with wheat,

went down in Lake Michigan, after colliding with another vessel. Fortunately only one man was lost on this occasion. At the same time the *Northern Queen*, a very fine boat, running from Collingwood to Chicago, was stranded in Lake Michigan and became a total loss. In 1881, the same year, the *Winnipeg*, a very fine and large steamer, running from Collingwood to Duluth, was burnt at Duluth. Four lives were known to have been lost on this occasion, there may possibly have been more. There was no time for escape. It would be well to enquire into the causes of these accidents. In 1881, again, the *Columbia*, another vessel belonging to the Collingwood line, and plying between Chicago and Collingwood, foundered in Lake Michigan off a place called Frankfort. In this, as in the case of the *Simcoe*, the vessel was proved to have been overloaded. The cargo, composed of grain, shifted. A number of the passengers and crew escaped in a boat, which could not stand a very heavy sea. Still, they say the *Columbia* went down through stress of weather. Fifteen lives were lost on that occasion. All these losses form a terrible record, for one summer, of loss of property and life, and the question how those casualties arose should be enquired into. Where did the fault lie? Did the officers charged with inspecting steamers do their duty, or was the law defective? Coming to 1882, about the 16th May, last year, the *Manitoulin*, a very fine steamer, running between Collingwood and Sault Ste. Marie, was burnt in Manitowaning Bay. She took fire approaching Manitowaning; the captain headed her for the shore, but before she could reach it the passengers had to jump into the water and there was a great loss of life. But for the promptitude, decision and energy of the captain there would have been a much greater loss. Fortunately, many escaped, but still many perished. What remained of the hull was taken to Manitowaning, and it is reported that on being cleared a quantity of human bones was shoveled out, so that the actual loss was never ascertained. In September, 1882, the *Asia* foundered in Georgian Bay. Almost every one knows of that terrible disaster. The boat was crowded not only with people going up to Eastern Algoma but with many going to the lumber camps, and I have heard the loss estimated as high as 200, never less than 100, and probably it was 150. In June, 1882, in the north channel of Lake Huron, the *Vanderbilt* was burnt. In November of the same year, another steamer, the *Josephine Kidd*, was burned off Wiarton. Here is a terrible record of no less than twelve vessels in three years foundered or burned, and of a loss of life which was something dreadful. I believe there is a very perfect system of inspecting machinery. The inspector is, I understand, a competent man, and the machinery is always inspected; but it is also necessary to inspect the hull, for if the hull is bad the ship will go down in the first storm, though the machinery may be perfect. I am very glad to see, by the Speech from the Throne, that legislation will take place in respect to this. It is certainly very much needed, for the law, as it now stands, has not been enforced. There is a law now, but there are no inspectors, and no inspection of the hulls, that I am aware of, has taken place. The consequence is, a great loss of life and vessels. This question has been very much discussed in Algoma, and I have had a good many suggestions from captains of vessels and others, as to the best mode to be followed. It is evident that vessels navigating the lakes should have a line marked as in ocean vessels, beyond which line they should not be loaded. That depth line ought to be regulated by the inspector. There should be a line for the fall as well as for the summer season. I have some letters here from captains of vessels which, I think, it will be interesting to read. One of these is signed by two captains well known on the lakes, who navigated the *Quebec* and *Manitoba* of the Sarnia line for a long time, one of them being now in command of the fine

Mr. Dawson.

steamer *Compana*, Capt. Anderson. They write me as follows:—

"SARNIA, January 31st, 1883.

"S. J. Dawson, Esq, M.P, Ottawa.

"DEAR SIR,—According to your request, we hereby submit a few of the reasons why we think our Parliament should pass a law compelling all masters and mates of passenger steamers to undergo an examination before a competent Board of lake sailor men, and obtain a certificate of competency before being allowed to fill either of these positions.

"1st. Every master to retain his position should have successfully commanded a boat say three or five years, and those not having done so, should undergo an examination proving themselves worthy of a trial, such examinations to consist of such questions as follows:—

"2nd. What would you do in case of an accident to the engine during a storm?

"3rd. In case you thought your boat was going to founder, how would you proceed to care for your people, in regard to lowering your yawl boats or otherwise?

"4th. What would you do in case of fire?

"5th. In regard to foggy weather what would you do, and in case your boat goes ashore, what, in your opinion, is the first thing to be done?

"6th. Do you understand handling sails, anchors and charts?

"These questions, Mr. Dawson, are very important, as we know we have a good many masters to-day that do not know any of those things; also a good many men now in charge, that, supposing their rudder should break, would be completely at a loss what to do. We have had several instances of this, and also of those who, if their boat got into the trough of the sea in bad weather, would not know how to get her out of it, and the result might be disastrous.

"Now as regards mates, we think they should prove, to the satisfaction of the 'Board of Examiners,' that they have served a reasonable time in that or other positions on the lakes, and that their qualifications are such as to enable them to fill the position.

"As to who is to compose the Board of Examiners, we think there ought to be three men who have commanded steamers on our lakes for say ten or fifteen years, and would recommend one for Lakes Ontario and Erie and the other two to take the Detroit and St. Clair River, Lake Huron, Georgian Bay and Lake Superior.

"Also we wish you to impress upon the Government the necessity of all passenger steamers on our lakes being supplied with life rafts capable of carrying at least fifty people.

"We consider something should be done respecting the buoys and beacons in the Sault Ste. Marie River and North Channel, as there has been a great deal of dissatisfaction since Captain Joseph Wilson gave up the charge of them. As they have been placed lately it has been extremely dangerous for strangers.

"Now, Mr. Dawson, these are a few of our ideas in the rough, please put them in proper shape and present them, and if you require our services any further command us.

"Yours truly,

"JAS. B. SYMES,

"E. B. ANDERSON.

"P. S.—The Board of Examiners, in our opinion, should be the Hull and Equipment Inspectors."

Now, I have another letter from a steamboat captain who has sailed on the lakes half his life, and who has had a great deal of experience—I mean Captain Dick, of Toronto. He says:

"Several steamers have been lost from overloading. For instance, the *Waubuno* was overloaded, and no doubt her false sides were rotten. The *Columbia* on Lake Michigan overloaded, and for the cause of the disaster see particulars in Scrap Book. The *Jane Miller* overloaded and was unfitted for the service she was engaged in. In the *Asia* case it is not probable that the exact number lost will be ever known; her loss cannot be attributed to unseaworthiness nor overloading, the vessel was not properly ballasted or trimmed. Had the *Asia* been drawing eight feet forward and nine feet aft, I feel safe in saying there would have been no loss unless she had struck a rock, and there was no evidence to the effect that she did. More care than formerly should be used regarding the strengthening of bulwarks and the supports of the upper cabins and engine room. It is not the fault of our models or build of our vessels alone that has caused so many losses, but overloading, imperfect loading, old age, and little or no repairs. The inspection never called for the steamers to be laden to any safe line, nor do I believe the last Steamboat Act demands it. It is very necessary, and I would suggest a summer load line and a spring and fall line. The loss of the steamer *Manitoulin* was supposed to be caused by the breaking of a lamp and spilling of the oil. All steamboat lamps should be made with brass bowls, such as Piper's Safety Marine Lamp, that cannot be broken or spill oil. No glass lamps should be used on a steamboat. Steamboat oil rooms and lamp rooms should be lined with zinc or tin, and also the floor. They should be kept scrupulously clean. This department should be strictly looked after. Passenger steamers ought not to carry any combustible material. Steamboats ought to be inspected early in order to give owners an opportunity to do the required repairs to make their vessels seaworthy and pass the required inspection. In many cases it might be found necessary to raise the boilers to ascertain the condition of

both hull and boilers. This work should not be imposed on a steamboat owner at an unreasonable time. Steamboats are usually too heavy and not easily handled; lighter boats would be more useful and easier handled; a sufficiency of life rafts should be carried. There should be no difficulty in having a register of all passengers on steamers; the ticket agent could give his number sold and name of passengers. The purser could also ascertain all names of those coming on board, and leave the list with Customs officers, and any discrepancy might be reported at the next port of call. This applies to lake boats. Ferries would be an exception.

"The *Simcoe*, of the Georgian Bay Navigation Company's line rebuilt from the remains of an old burned barque, was not suitable for lake navigation, her loss occurred from not being seaworthy. A great deal has been said of the dangerous navigation of the Georgian Bay. I never saw it any worse or as bad as Lake Ontario. Our ordinary lake boats, in good repair and condition, are quite safe for the navigation managed by competent officers. A new survey should be made of the Georgian Bay. From the short time occupied by Capt. Bayfield in making his survey, and the inadequate means at his command, it is not to be wondered at that there are many omissions. In the interest of navigation, for the above reasons, the north shore of Lake Superior should also receive the attention of the Government. I would recommend close, careful inspection of all steamers at least once a year, and in the event of accident, a second examination. Masters and engineers should promptly report to the proper quarter any accident to hull or machinery."

Now, Sir, these opinions are very valuable, coming as they do from men of great experience, and I have no doubt that the Department of Marine and Fisheries will avail themselves of the information given. The fact of so many vessels having been lost from the carrying of wheat, shows the necessity of adopting some means of inspection on the Great Lakes, such as they have on the ocean, which obliges skippers to have the wheat put in sacks, or to have shifting boards in the vessel. I have myself been on board vessels where the wheat shifted from one side to the other to such an extent as almost to make them unmanageable. It is dangerous to carry wheat in the fall of the year, when it is put in bulk on the boat and with nothing to prevent its shifting and rolling. I know it is very difficult in a country like ours, where we have only six months of navigation, to get experienced sailors who for six months of the year must be out of employment. That must be admitted on all hands, but still somewhat more care might be exercised than at present in the choice of crews. I have been myself on these lakes in a storm, when the greater part of the crew, instead of being on hand to help the captain, ran down to the hold to say their prayers. Where you have men of that kind who are not accustomed to navigation, accidents must occur. I have heard a captain say that on one occasion when he intended to anchor in a storm there was not a man on board who was able to help him to put out the anchor, the pilot and engineers, of course, being occupied at their respective posts. While I am on this subject, I may say that it is necessary that a better hydrographic survey should be made of the Georgian Bay and the north coast of Lake Superior. There are shoals and sunken rocks on these lakes. Experienced captains know where they are, but many of these shoals and rocks are not laid down in the charts, or are but imperfectly laid down. I have seen maps on which the shoals were marked down by the captain, and these maps were sent to the Admiralty as reliable, without any hydrographic survey having been made at all. Now, that is worse than if they had not been marked at all. It would not cost a great deal, the shoals being now well known, to have a survey made that would indicate their exact position. This is a very serious matter indeed. I have just read a list to the House of a large number of vessels foundered and a large number burnt. People in my constituency have no way of reaching their homes except over the waters of Georgian Bay, and every time they go out they have to encounter these dangers. Of the vessels of the Georgian Bay line which navigated these lakes three years ago, not a single one, except one propeller, the *Northern Belle*, is now in existence. Not only does the country suffer in the loss of life, but there is a great loss of property as well. The people lost on those vessels were not those who were

seeking homes, but comprised men who had established themselves in the country, and although we do not know how many are lost, let anyone pass through Eastern Algoma and he will find almost every other house in mourning and desolation for the loss of members of the family by shipwreck. Among the passengers lost by the burning of the *Manitoulin* were many of great value to a new country. Among these Mr. Robert Henry, who possessed considerable wealth, and around whom a settlement of a thousand souls had grown up on the Island of Manitoulin, was lost on the burning of the *Manitoulin*; and a brother, Mr. William Henry, of Toronto, who was also possessed of considerable wealth, and went up in the fall to look after his dead brother's affairs, was lost on the *Asia*. Here are two members of one family lost in different vessels, and these are no solitary instances. There are many families, as I have said, on the Island of Manitoulin and Eastern Algoma who have lost members of their families in vessels foundered or burned on those waters. Something should be done in order to procure a proper inspection of boats, both as regards hulls and boilers, so that property should not be sacrificed to the cupidity of vessel owners who might send rotten tubs and old craft to run on the Georgian Bay. There should be some system of registering vessels. It could be very easily done by the Custom House officers at the different ports, whose duty it should be to see that vessels are properly loaded, and they are quite capable of judging as to whether they were overloaded or not. This is not the first time the subject has been before the public. The newspapers have called attention to it frequently, and I will read a short extract, which is very much to the point, from a letter signed "Old Salt," published in the *Toronto Globe*, of November, 1831. The writer says:

"To show the importance of a better method for grain cargoes, I quote from the *Globe* of September 16th, 1831, the following from the statement made by one of the survivors of the *Columbia*, which left Chicago with 20,000 bushels of corn:—'A very heavy sea struck us, causing the shifting of the cargo, and making the vessel careen so much that she became unmanageable. Every possible effort was made to get her upright again, but without avail, the sea running so high that she would not answer her helm.' The *Columbia* went down in three-quarters of an hour; and five families were orphaned, while ten or twelve unmarried men lost their lives. A boat from the *Columbia* got through several miles to land, so that the sea, though very high, could not have been so high that the *Columbia* would not have lived. She would have lived had the cargo not shifted. Who is responsible for the loss of these men's lives? Can we escape responsibility in the matter, if vessels are allowed to go out without proper precaution and equipment?"

Again, the *Mail*, a journal supporting the Government, in an editorial article dated November 27th, 1879, said:

"Just how the ill-fated passengers and crew of the *Waubuno* met their death, whether they went down with the old tub or took to the boats only to be swallowed up, will probably never be known; nor can any chronicler tell what happened during the agony of the crisis. The master of the *Waubuno* is said to have been a man of courage, and no doubt he did his duty; but it is a fact that he was anything but an experienced navigator. Captain Burkitt was a storekeeper five years ago, and rose to the post of master with a rapidity paralleled only in Canadian lake navigation, where the purser of to-day is to-morrow the captain, with the responsibility of human life on his hands. The system, or perhaps it would be better to say the want of system, that permits this sort of promotion is a blot on our humane legislation. Ship owners seem to think that any man may command a vessel, and passenger steamers were plying their trade on the lakes during the season which has just closed under the command of wholly incompetent officers. No qualification is required by law. The owner may appoint whom he pleases, and there is nobody to object but the underwriter, who is more concerned about the hull and cargo than for the human freight. It is true that running a steamboat on the inland waters is not a difficult business in fine weather and within sight of the shore, but when a sudden storm arises or a collision threatens, it is a task demanding not only nerve and coolness, but trained seamanship, and of that three-fifths of the passenger steamer and propeller masters know little or nothing. The Dominion Government, with whom it rests, should take up this subject forthwith and adopt a modification of the English Shipping Act of 1854. A Board of Marine Examiners should be appointed to examine and grant certificates to masters and mates, and violations of the Act should be punished with the utmost severity. We are aware that a measure of this kind has been introduced before, and that the ship owners strangled it, their main contention being that it would involve a heavy outlay, as trained seamen would expect higher wages than

amateurs or greenhorns. But are the pockets of ship owners to be considered before the safety of human life?"

I believe I have said enough to draw the attention of the Government to this very important question. People cannot travel over those waters without running the risk of being burned or drowned. Not a single vessel which was on the Georgian Bay line three years ago, except one, is now in existence, and that is a very sad state of matters. I beg to move the Resolution.

Mr. McLELAN. The papers in connection with this important subject will be brought down at an early a day as possible. I regret very much I was unable to hear all the remarks of the hon. gentleman. I know it is a question in which he has taken a very deep interest; it is a question, too, in which the people have a great interest, an interest that is increasing in proportion as the traffic on our western waters increase; and the attention of the Government, and more particularly to the Department over which I have the honor to preside, has been drawn to the importance of the subject, and to the disasters which have occurred on those waters and which have been attended with such serious loss of life. Our attention has been directed mainly to the point which the hon. member, so far as I could gather, has brought up: how far we can make the vessels more seaworthy, how far we can improve their management, and how far we can improve the loading of the vessels upon those waters. The attention of the Government and of my Department has been turned to those various points, and it is proposed that we should ask the House for some legislation which we think necessary in order, if possible, to make the vessels more seaworthy, that life may be more secure on board of them. The hon. gentleman has referred to the inspection of hulls, and I understood him to say that we had no inspectors. There were two engaged in Ontario during last summer, but one unfortunately was off duty for some weeks owing to severe illness. It is probable that the legislation which will be asked for will require some different qualifications on the part of the inspectors from what was required by the legislation of last Session, and therefore we do not provide the complement of inspectors for that district until we should see whether the House would grant such additional legislation as we believe is required. But two have been employed during the past season since the Act came into operation. The hon. gentleman has referred to the fact that several shoals have been discovered on Georgian Bay. The attention of the Department also has been called to this matter, and we have been in communication with the Admiralty, to learn on what terms we can have an officer, or if they can furnish an officer, to take charge of the survey of those western waters, and place on their charts all the shoals and rocks that may be found there not already laid down on the charts. As the hon. gentleman says, it is not advisable to have this done in a hap-hazard manner, but to set down clearly the particular shoals which may exist. We do not suppose that, on any information which we may be able to send them, they would lay down on their charts any rocks and shoals that are there to be found, and, therefore, we have asked them whether they can furnish us with a man properly qualified to take charge of such a survey, in order that any shoals, which may not be already down on the charts and which may be discovered to exist on a resurvey, may be placed on the Admiralty chart, thus obtaining the authority of the Admiralty. I may say, in conclusion, Mr. Speaker, that the papers in question will be brought down to the House at an early a day as possible.

Motion agreed to.

#### ADJOURNMENT.

Sir JOHN A. MACDONALD. I move that the House do now adjourn. I do not see the leader of the Opposition  
Mr. Dawson.

in the House just now, and I will consequently make the explanations with regard to Ministerial changes to-morrow.

Motion agreed to; and (at 4:15 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

WEDNESDAY, 14th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### EVIDENCE IN CRIMINAL CASES.

Mr. ROBERTSON (Hamilton), in introducing Bill (No. 4) to amend the Law of Evidence in Criminal Cases, said: The object of the Bill is to enable persons who profess doubts as to the existence of a Supreme Being, to give evidence. In Ontario the law has been amended so as to permit such persons to give evidence in civil cases, upon making a solemn affirmation as provided in the law. I think it is an anomalous state of affairs that we can accept such evidence in civil cases but not in criminal cases. The provision I propose is now contained in the law of England, and I do not see any reason why it should not be part of the law of Canada.

Bill read the first time.

#### FRAUD IN RELATION TO PUBLIC CONTRACTS.

Mr. CASGRAIN, in introducing Bill (No. 5) for the better prevention of fraud in relation to contracts involving the expenditure of public moneys, said: I shall say only one word in relation to this matter. The object of the Bill is to try to prevent bribery of contractors, or Government employes, in connection with public contracts. I brought this Bill before this House in the two previous Sessions, but I have not had the opportunity of having it carried through. I may say, for the information of the hon. Minister of Public Works, that I have been able to procure, this year, from the Parliament of Great Britain, a copy of the Bill which the hon. gentleman said he wanted to see before consenting to the passage of this measure, and I shall have much pleasure in placing it at his disposal. As this is a matter which ought not to be taken up by a private member, but is a matter of public importance, I hope the Government, this year, will regard it in a favorable light, and help me through with it instead of impeding it.

Bill read the first time.

#### BILLS INTRODUCED.

The following Bills were introduced, and read the first time:—

Bill (No. 6) to provide that persons charged with misdemeanors shall be competent as witnesses.—(Mr. Cameron, Huron.)

Bill (No. 7) to amend the Criminal Law, and to extend the provisions of the Act respecting offences against the person.—(Mr. Cameron, Huron.)

#### MINISTERIAL EXPLANATIONS.

Sir JOHN A. MACDONALD, on moving the adjournment, said: I have been asked for explanations of changes in the *personnel* of the Cabinet. It is not usual, in England, to give explanations, unless there has been a change in the whole Administration. The present Administration went to the country. We were here last Session and are here now.

There is an alteration in the *personnel*. Mr. Mousseau, Secretary of State, resigned and went to Quebec, where he held the position of Premier. Mr. O'Connor resigned on account of ill-health. Mr. J. C. Pope resigned also on the same account. Mr. Aikins resigned, and was appointed Lieutenant-Governor of the Province of Manitoba. Mr. Chapleau has become a member of the Government. I am very sorry he is not here to-day at the beginning of the Session; but he has been stricken down by an acute attack of bronchitis, which compelled him to resort to a southern clime. Mr. Carling, the Member for London, has become Postmaster-General. Mr. Costigan, of New Brunswick, has been made Minister of Inland Revenue, and the Hon. Frank Smith, of the Senate, is a member of the Cabinet without a portfolio.

Mr. BLAKE. I learn from the hon. gentleman that he suggests we should adopt the English practice. That has not been the custom here. The hon. gentleman himself has demanded explanations of changes very much less important than those of to-day. He has given what he calls explanations, but which are very much more like a catalogue or calendar of changes.

Sir JOHN A. MACDONALD. A catalogue raisonné.

Mr. BLAKE. No; a catalogue without reasons. The hon. gentleman says that Mr. Pope, from Prince Edward Island, left the Cabinet on account of ill-health. That fact was made but too apparent to us all, as for a considerable time the hon. gentleman was unfortunately disabled from much of his ministerial duties. I remember very well, when a vacancy took place by reason of the appointment to office of an hon. Minister who represented the Island formerly, the cries of grief and indignation which proceeded from the supporters of the hon. gentleman because there was no representative of Prince Edward Island placed instead of that gentleman in the Cabinet. I am glad to observe that as times have changed: o have manners, and the absence of a representative from the Island has been *received*—I do not know whether there have been any muttered tones of grief poured into the private ear of the hon. gentleman, whether there have been any suggestions as to the injury done the Island in general, or Islanders in particular—at any rate the public does not hear any more the cries of injustice and wrong which vexed our ears on a former occasion. The hon. gentleman has stated that Mr. Costigan has accepted the office of Inland Revenue, and the Hon. Frank Smith has been called to a seat in the Cabinet without a portfolio. I suppose in that instance, at any rate, we should have had explanations, because I remember the language used by the hon. gentleman on the subject of seats in a Cabinet without a portfolio. In 1873, a Government was formed in which there were two seats filled by gentlemen without a portfolio. The hon. gentleman asking for and receiving explanations of the formation of that Cabinet, and learning that fact, used this language:

“There is another phase in the formation of this Government, and I protest against it. I protest against Mr. Blake being a member of the Government without a portfolio and I protest against Mr. Scott holding that same position. I say it is utterly unconstitutional. I say there has been only one example of it—that of Lord Lansdowne—to which everybody submitted, because he was a man ninety years of age, and it was thought to be a fitting compliment to him, though it was an infringement of the Constitution. This country, Sir, wants no unpaid services, it wants no unpaid officers, it wants and is able to pay every man for performing its services.”

I cannot render this protest, this denunciation of constitutional doctrine, with the force, energy, vigor and spirit of genuine indignation, at the violation of the Constitution, which animated my hon. friend on that memorable occasion when, seated under the gallery in the seat now occupied by the hon. member for Montmagny, I was unable to say a word for myself, stricken down by the hon. gentleman's eloquence. He has set me up again and relieved me from

the incubus of a violation of the Constitution. He has announced, as the most natural thing in the world, that the Hon. Frank Smith is a member of the Cabinet without portfolio. Well, the Hon. Frank Smith is not Lord Lansdowne, and he is not ninety years old, and, therefore, the reason which the hon. gentleman gave, as not justifying, but palliating the infringement of the Constitution in the case of Lord Lansdowne, does not apply to the hon. Senator. Therefore, I think, I may call for further explanations. I may ask the hon. gentleman to say whether he was wrong then or now, because it seems to me quite impossible he could have been right on both occasions, unless there has been a revolution in the Constitution. I observe that the changes, the distribution of the great political prizes, which belong to an Administration, gave rise to the same results, differing a little from what the hon. gentleman propounded at the outset of Confederation. I never thought that the hon. gentleman was wise in laying down a cast-iron rule as he did, that there should be a certain number of members and a certain proportion assigned to certain Provinces. I always agreed that the interests of the country and the exigencies of carrying on a Government, so as to maintain the confidence of the people, would necessitate a representation of the Provinces in the Cabinet. I believe it is important that this object should be a prominent one in the formation of every Cabinet. But what the hon. gentleman did was to declare, as the cause for thirteen Ministers, the fact that there ought to be a certain proportion—five for Ontario, four for Quebec, two for Nova Scotia and two for New Brunswick—because, as he explained, one Minister from one of those smaller Provinces would feel lonely without a colleague from the same Province in the Council to assist him in reaching the conclusion and in strengthening the aggressiveness from that Province. These were the reasons the hon. gentleman assigned as the constitutional proportions of a Cabinet for our Confederation. But times in that respect also have changed, for I observe that we have no longer in the hon. gentleman's Cabinet five members from Ontario, but six members, and that to that Province, besides the six members, are also assigned the two great political prizes which come and go with Administrations, as we now learn from your precedent—the Speakership of this House and the Speakership of the other body. There are altogether sixteen, fourteen members of the Cabinet and two holders of these prizes, and of these Ontario receives eight, just one half. Well, the hon. gentleman boasts to this House of some fifty-five followers from Ontario, and he boasts nearly that many from the neighboring Province of Quebec. No doubt, as he has abandoned the principle of proportion, and has come to the principle of fitness, we must take this as a proof that his followers from Ontario are stronger proportionally—in their quality even more than they are in their quantity—than from the Province of Quebec. With such a great strength as I see in reserve upon the benches from Ontario, I can congratulate my friends from that Province upon the high appreciation, the deserved appreciation, that they receive, not merely absolutely but relatively, in this Administration; and I can condole with my hon. friends from the other Provinces upon the position they occupy in the same sense. Not merely are these proportions which the hon. gentleman himself set up, violated, but when it was necessary to make a change in the representation from Quebec, it was found that no one at that time belonging to Parliament from that Province was suitable, and my hon. friend was obliged to look outside for the gentleman whose regretted illness he has referred to, and introduce him into the Cabinet, at the special instance, I suppose, and for the special comfort of my hon. friend the Minister of Public Works. Now, I am glad to know that this happy family is no longer constituted according to a cast-iron principle, and that the hon.

gentleman has found, by experience, that it is impossible to carry that out; but that he must have regard to the deserved eminence and pre-eminence of hon. gentlemen from different Provinces, and give to each in proportion to its capabilities of supplying strength to the Administration from those public men who are in his ranks at the time. The hon. gentleman did not tell us exactly when the Hon. Mr. Smith was called to the Cabinet without a portfolio, nor did he tell us exactly why; nor did he communicate to us—what I think upon this occasion, if he had been disposed to deal with us in a spirit of generosity and liberality and not confine himself as far as possible within the letter of the rule,—why Senator O'Donohue was not called to the Cabinet. I think his explanation might have been added, and the story without them is extremely incomplete; but I suppose, after what the hon. gentleman has said, we must be thankful for what we have got, and not expect anything more; and, as the hon. gentleman's constitutional principle as to the formation of Cabinets has been violated, as what my hon. friends from the Province of Quebec understood was the well settled and reasonable rule on this subject has also been violated, and as the hon. gentleman's constitutional principles as to Ministers in the Cabinets without portfolios have also been violated, and all by himself, I leave to you his explanations.

Sir JOHN A. MACDONALD. I have no objection to close the discussion with my hon. friend in the same kindly spirit with which he has opened it. However, he is mistaken in stating that on the formation of the first Administration in 1867 we laid down any cast-iron rules. On the contrary, the hon. gentleman will honor me so far as to go back to the Debates of that occasion. I said that that principle could not be carried out, that the object of uniting the Provinces was to have one great Dominion, and that the principle of having sectional representation could not be carried out, and could not be adopted as a final principle of the Constitution. I said, however, that as we were forming a new Confederation, as each Province was returning a certain number of members, and was naturally very anxious as to its position in the Confederation, and that as we had to take the initiation in the formation of the first Government, we thought proper, in order to prevent any injurious suspicions, and in order to bring in from every section full support in the principle of Confederation, so to distribute the offices in the Cabinet as to give each Province a representation; and we did so, giving the Province of Ontario five members, Quebec four, and the other two Provinces two each. I took also the precaution of stating at that time that this kind of thing could not be expected to go on forever, but that it was absolutely requisite in order to start fair—if I may use the expression—to commence auspiciously, that every Province should feel that it had a proportionate representation in the Cabinet; but that in the future that could not be the case. I pointed out that we hoped that Confederation would extend over the whole of this continent, and that there would be very many other Provinces entering Confederation in the future, and that therefore this arrangement was a temporary one and could not continue, and that with the addition of a large number of Provinces it would be impossible in the by-and-bye for every Province to be represented in the Cabinet, and that eventually we would be obliged to adopt the system in vogue in the United States, where they have only, I think, seven Cabinet Ministers; but they choose one from the New England States, one from the Southern States, one from the Western States, and so on, dividing the whole United States into groups, and having each group represented in the Cabinet. That must be the case in Canada where we shall have many more Provinces in the lifetime of my hon. friend who leads the Opposition. With the changing circumstances of the country, with the formation of new Provinces, and the pressure of new interests upon

Mr. BLAKE.

Parliament, there must be continual changes and adaptations of the working of our Parliamentary system to the varying developments of this country. That was the principle I laid down, and I have never abandoned it. My hon. friend says that Ontario is given an undue preponderance.

Mr. BLAKE. Not at all.

Sir JOHN A. MACDONALD. He throws it out. Well, so far as that is concerned, I take it that there are two members in the Government who are summoned as members of the Privy Council, who are summoned to attend meetings of the Cabinet—the Speaker of the Upper House and the Hon. Frank Smith. The Speaker of the Upper House receives no salary, in the first place, for acting as he does in the Ministry.

Mr. BLAKE. The country wants no gratuitous services.

Sir JOHN A. MACDONALD. But he has done this, and I personally am exceedingly grateful for it; he has taken from my shoulders an enormous amount of work connected with the North-West, arising from the unexpected development of that country, and I was only too glad to accept the assistance and service, the able assistance and service, of my hon. friend the Speaker of the Upper House to aid me as Minister of the Interior. He has come to my assistance as a personal friend, as a gentleman having full confidence in myself as I have in him; he has done yeoman service for me and for the country by bringing a practical and business mind, unwearied perseverance and great ability, to aid me in the enormous task of dealing with the various questions that have arisen with respect to the North-West. So that Mr. Macpherson has really come to my aid, and the country has received the benefit of his gratuitous services as a member of the Cabinet. The hon. gentleman also spoke about Mr. Smith coming into the Cabinet, and he said I was wrong either on a past occasion or now. I was not wrong either time. Mr. Frank Smith has been summoned to the Cabinet, and I am very glad to get his assistance and advice; but he stood in quite a different position from my hon. friend opposite. My hon. friend opposite was the power behind the Throne; he was the Government; he was like the centurion, a man in authority: he said to a man, go, and he goeth; and to another, come, and he cometh; and in the eyes of the country and of his own party, and in the eyes of every one who could see how things were going, he was really the Prime Minister, but without responsibility of any kind. And the hon. gentleman was not only Prime Minister of the Dominion, but Premier of Ontario as well, in both cases without portfolio, he having the power and ability to direct affairs, that great ability and intellectual superiority having been acknowledged by his party and the country by his selection for the high and important position which he now holds; and as he was pulling the strings and guiding the party of his own Province and of the Dominion, of which that Province is a part, he ought to have taken the position and assumed the responsibility, and not have been able to say "that was not my measure." The hon. gentleman has done that on many occasions. He has said: "I was not in the Ministry at that time." We all know that; but it is the old case of Stephano and Trinculo, "Thou shalt be king, and I will be viceroy over thee." He pulled the strings and governed the country, and he committed a great breach of the constitutional principle, that power and authority should go together. My hon. friend Mr. Frank Smith held no such position. He is a gentleman who has made a fortune in his own way, and is recognized in the country as a representative Irishman and Irish Roman Catholic. He also draws no salary; he is not feeding at the public crib any more than did my hon. friend opposite, who, whatever may be his political faults, is not a man who will throw himself into an assumed

public office for the sake of any emolument that might arise from it. It is only justice I should say that to my hon. friend. But strange to say, the hon. gentleman has vindicated me already in the eyes of the people of Ontario, by the insinuation that Ontario has more than its fair share of members of the Cabinet. His first lieutenant, Mr. Mowat, his second lieutenant, Mr. Fraser, and his third lieutenant, Mr. Hardy, have been ringing through the country the charge that I was sold to the French, that I was under French domination; and at this moment I dare say his friends of the Ontario Administration, on as many stumps as they can cover with their feet, are warning the people of Ontario not to support Mr. Meredith or his friends, because he is sold to John A., and John A. is sold to the Frenchmen, and Ontario is sold to French domination. Mr. Speaker, I think I have made my explanation, and I think the country will admit that I have not sacrificed the Constitution, that I have not done any great injustice to Lower Canada by asking Mr. Macpherson to come and help me, and Mr. Smith to come and help him, both without salary. I do not think I have wounded the *amour-propre* of my friends of Lower Canada, and I state that, as I have always done, I will try to obtain as good a Government as I can. I admit, and everybody must admit, and when my hon. friend opposite, to the misfortune of this country, shall take my place, he will be obliged to admit, that we must follow the policy, not a cast-iron rule, of having every great interest represented in the Cabinet, whether the Maritime Provinces, the great West, or the Pacific coast, by-and-bye—indeed the Pacific coast was represented in the Cabinet in my person in the last Parliament. It is so in England. No Government could live unless the Irish and Scotch had a certain number of representatives in the Cabinet. There is no cast-iron rule there, but in order to obtain the support of the representatives of the people in all portions of the United Kingdom, each section must know it is in some degree, directly or indirectly, represented in the Cabinet. That is the principle I should like to see carried out; that is the principle that must be carried out, and that is the principle which my hon. friend will carry out by-and-bye, but I am in no hurry to see him carry his principles into practice.

Mr. BLAKE. I have been misunderstood in regard to a material part of my speech, that part which consisted of a quotation from the hon. gentleman's speech. The hon. gentleman has made it appear as if he had protested only against my own appointment to office without portfolio as an infringement of the Constitution. I was a supporter and follower and member of the Cabinet of Mr. Mackenzie, nothing more, Mr. Mackenzie being Prime Minister; but the point to which I desire to refer and regarding which the hon. gentleman has misconceived me, is, that after going on to protest against my appointment, he said, in the speech from which I quoted: "I protest against Mr. Scott holding that same position. I say that it is utterly unconstitutional." If it was unconstitutional in Mr. Scott's case it is so in other cases.

Sir JOHN A. MACDONALD. The hon. gentleman was pulling the strings here in the Lower House, while Mr. Scott was leader and exponent of the principles of the Government in the Upper House.

Motion agreed to; and (at 4:10 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS.

THURSDAY, 15th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD, from the Special Committee appointed to prepare and report Lists of Members to compose the Select Standing Committees, presented Lists of Members composing said Committees.

## BILL INTRODUCED.

The following Bill was introduced and read the first time:—

Bill (No. 8) to provide for the Discharge of past Insolvents.—(Mr. Beaty.)

## EQUITABLE DISTRIBUTION OF INSOLVENTS' ESTATES.

Mr. BEATY, in introducing Bill (No. 9) to provide for the equitable distribution of insolvents' estates, said: This Bill is of the same purport as that introduced last Session by myself, in relation to the distribution of the assets of insolvents, but does not include a discharge of the insolvent, as that is provided for in the other Bill just introduced. The object is that certain classes of persons, who have become unable to meet their obligations, should be put into insolvency, if desired by their creditors, on application to the Court; and the general purpose of the Bill is to provide for an equitable distribution of the assets of the estate relatively amongst the creditors who may have proved their claim, and it is not intended that the debtor, with a view to his discharge, should be included in the Bill. The usual clauses are put in providing for the distribution, the appointment of a guardian in the first instance, the appointment of trustees by the creditors for the liquidation of the estate, the prevention of fraudulent dealing and purposes of that character. But the general object and purpose of the Bill is simply to provide that persons shall not have a preferential assignment, or that by reason of obtaining execution first they shall not acquire the whole estate. All persons to whom the debtor may be indebted shall be entitled to come in, in cases of insolvency, and obtain such portions of the estate as they may show they are entitled to.

Bill read the first time.

## FERRY BOATS AT THE TERMINUS OF NORTH SHORE RAILWAY.

Mr. LANDRY enquired, Whether the Government have come to any understanding with the present proprietors of that part of the "Quebec, Montreal, Ottawa and Occidental Railway," now more particularly known under the name of the "North Shore Railway," in relation to the construction of ferry boats to ply between the terminus of that railway and that of the Intercolonial Railway; and what that understanding is?

Sir CHARLES TUPPER. I beg to say, in reply to the hon. member, that no understanding has yet been arrived at upon this subject with the parties connected with the Quebec, Montreal, Ottawa and Occidental Railway.

## REPORTS.

The following Reports were laid upon the Table:—

Public Accounts of Canada for the fiscal year 1881-82; also, Report of the Auditor-General on Appropriation Accounts for the fiscal year 1881-82.—(Sir Leonard Tilley.)

Tables of the Trade and Navigation of the Dominion for the fiscal year 1881-82.—(Mr. Bowell.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 3.35 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS.

FRIDAY, 16th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### REPORTS.

The following Reports were laid upon the Table:—

Annual Report of the Minister of Public Works for the fiscal year 1881-82, on the works under his control.—(Sir Hector Langevin.)

Report of the Secretary of State of Canada, for the year ended 31st December, 1882.—(Sir Hector Langevin.)

Report of the State of the Militia of the Dominion of Canada, for the year 1882.—(Mr. Caron.)

Annual Report of the Department of Indian Affairs, for the year ended 31st December, 1882.—(Sir John A. Macdonald.)

Report, Returns and Statistics of the Inland Revenues of the Dominion of Canada, for the fiscal year ended 30th June, 1882.—(Mr. Costigan.)

Report on Adulteration of Food, being Supplement No. III. of the Department of Inland Revenue, 1882.—(Mr. Costigan.)

Ninth Report on Weights and Measures, being Supplement No. II. to the Report of the Department of Inland Revenue, 1882.—(Mr. Costigan.)

### PETITIONS FOR PRIVATE BILLS.

Mr. BEATY moved that the time for receiving Petitions for Private Bills be extended to Thursday, the 1st day of March next, in accordance with the recommendation of the Select Standing Committee on Standing Orders.

Mr. BLAKE. It has been urged, and one Session I thought we had almost prevailed in the suggestion, that there should not be a general extension of time for receiving Petitions, and that after the delay fixed by the Standing Orders, no Petition should be received except under special circumstances. We are now at the commencement of a new Parliament, and while I do not now make a motion, I do submit to the hon. gentlemen who have control of the procedure of the House, that if it is to be laid down as a rule, as our assenting to this extension every Session does lay it down as a rule, that the first delay is merely formal and not to be regarded, we had better extend to some moderate limit the period of delay prescribed by the Standing Order, and having so extended it, not to permit further extension unless for cause, because otherwise, of course, persons will not regard the first limit, and will look upon it as a mere *brutum fulmen*.

Sir JOHN A. MACDONALD. I quite agree with my hon. friend, that the rule laid down should be adhered to. Practically, I fear that the time is too short, it ought to be extended, and the Standing Order should be altered in that regard; and after that time has expired, I quite agree that no Petition should be received except on its own merits. The object of the rule is to prevent surprise on outside parties who do not know when they may be called upon to

Sir CHARLES TUPPER.

defend their rights which may be attacked by these bills. Perhaps the House had better consider whether, instead of extending the time for a fortnight, it would not be better to extend it three or four weeks, and then rigidly adhere to that rule, except under extraordinary circumstances.

Motion agreed to.

### LIBRARY COMMITTEE.

Sir JOHN A. MACDONALD moved that a Select Committee, composed of Messrs. Blake, Cameron (Huron), Colby, Daly, Davies, Desjardins, Fortin, Houde, Jenkins, Laurier, Ouimet, Scriver, Tassé, Weldon, Wells, and Wright, be appointed to assist Mr. Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned, and to act as Members of a Joint Committee of both Houses on the Library.

Motion agreed to.

### SELECT STANDING COMMITTEES.

Sir JOHN A. MACDONALD moved that the Report of the Special Committee appointed to prepare and report Lists of Members to compose the Select Standing Committees of this House, in so far as relates to the following Committees, viz.:—On Privileges and Elections; on Expiring Laws; on Railways, Canals, and Telegraph Lines; on Miscellaneous Private Bills; on Printing; on Public Accounts; on Banking and Commerce; and on Immigration and Colonization, be concurred in.

Mr. BLAKE. It has been proposed by some hon. gentleman opposite, to introduce a new system with regard to Committees, and largely to reduce the number of members of the Select Standing Committee on Public Accounts. I do not oppose the proposition as a general principle. On the contrary, my opinion is that we might very largely forward public business by the extension of that proposition with reference to all the Committees. While we adopt and continue the system of very large Committees, I look upon the reduction of the Public Accounts Committee as an experiment for this Session. I fear that a system which involves a great tax upon the more leading members of Committees who are called to serve, according to the present system, on three or four, will operate rather injuriously and unfairly to those who are in the minority on a small Committee, because it will be very difficult at times to find any degree of representation on that Committee of those who may be in the minority. I, however, submit cheerfully to the experiment for this Session, only reserving my right, if the practical results of the work done should indicate a change, to suggest one. It is of much more consequence that we should consider, and I would ask the hon. gentleman to take it into his consideration, whether he should not propose a small Committee to consider a plan for future Sessions of this Parliament, which would be more business-like, with the view of securing better results in that important portion of our business which is relegated to the Committees. With regard to the system in England, I will take one class of Committees as an example of their general principle—I refer to the Committees on what are called Railway Bills. There is a General Railway Committee which is not composed of 131 members like ours, but of some eight or nine members, who are called the General Railway Committee. Their function is to act as a Committee of selection, selecting from amongst the other members of the House some four members, I think, and appointing a chairman from amongst themselves. To those four members of the Committee are referred Railway Bills of a cognate character. For example, if there were a number of Bills for the construction of railways in the North-West, or a number of Bills for railways in

a particular section of Ontario or Quebec, they would be referred to this Committee. The result of having a small Committee of this kind, especially adapted for dealing with the work and acting according to a general principle—because the chairman being chosen from the General Committee, there is intercommunion between the Committees on the general question of policy and one line is adopted—is to produce very much better fruits than can be obtained by our system. There is another change which I think would be a very great improvement. You know, Mr. Speaker, that in this House it is a reason for an hon. member to be placed on the Railway Committee because his constituency is interested in the Railway Bill. In England that is a disqualification for being on the Committee. The members who are chosen to be on the Committee to deal with any particular Bill, or group of Bills, has to sign a declaration that he has not a personal and his constituency has not a local interest in that particular Bill, such an interest being regarded, and I think very properly so, as a disqualification for the occupation of the judicial position, which is the position which the committee-man occupies. There is another declaration which is also required to be signed by members, and I think it would pretty much astonish a good many old members here. It is that no member of the Committee shall vote on a Bill unless he has heard or attended to all the evidence. I have noticed an uncommon swelling of the number of the Committee shortly before a vote was taken on an important question, and I am afraid a very large portion could not sign such a declaration in respect to the Bill on which they voted. Moreover, a member who assumes the responsibility of sitting on a Committee in England—and he is bound to accept it unless he can give a valid excuse, such as illness—is bound to attend all its sittings. Without suggesting that we should adopt in all particulars the English method, which I think in some respects is perhaps complicated, we must agree that a system by which the Committees would be very much reduced in numbers would be a system which would be one of great importance; and if hon. gentlemen would adopt the example of the hon. Minister of Public Works, who I observe has declined to sit on any other Committee than that of which he hopes to be Chairman, and give a thorough and exhaustive attention both before the Committee meets and during its sittings to the business of the Committee, we would be able to do much more thorough work. I may mention in this connection a matter which has often struck me as one in which we might effect a great improvement, and that is with regard to the promotion of Private Bills before Committees. We have adopted a system wholly vicious, a system by which members of the House are expected, not merely to introduce and take the first steps in connection with the passage of Private Bills, but also to become their advocates and active promoters, and the position which we see is assumed with regard to such Bills is one which is quite inconsistent with the true position of Members of Parliament called upon to pass judgment on them. The active promotion of Bills should be accomplished by someone not a member of the House, or at all events not a member of the Committee, who will sit in judgment on the Bill. I make these general observations at the commencement of a new Parliament with the object of asking if the Government will not take into consideration the desirability of striking a small Committee to consider the whole subject and see if we cannot mend our ways.

Sir JOHN A. MACDONALD. I quite agree with the hon. gentleman that we should consider the reduction in the Committee on Public Accounts as being an experiment. It is a working Committee and its numbers are too large. We have not had the same members in attendance *de die in diem*; and you know, Mr. Speaker, as the late Chairman of

the Committee, that there was no certainty that members present one day would be present at the next sitting, or that members would keep up a continuous attention to the business before the Committee. So we quite understand that this is an experiment, and it will be quite open to the hon. gentleman to move for an increase in the number or some other change if the experiment should fail. The hon. gentleman says the system in England is just the opposite to the system existing here. Of the six hundred members of the British House of Commons very few sit on Committees at all. There is a selection made of experienced members acquainted with the specific subjects for which the Committees are struck; they are small in number and they work in the same way as sub-committees do to our large Committees on special subjects. I am not sure, however, that we ought hastily to adopt the English system, because they are now harking back to the old practice of Parliament, by the resolutions of the House of Commons last year. They are trying to introduce, indeed they have introduced, the system of Grand Committees which formerly constituted a most important branch of the House of Commons and did a great deal of the work. We, in a rather irregular mode, have had Grand Committees. Our Railway Committee is a Grand Committee, composed as it is of a large number of members of the House, and we have found it to be an advantage as regards that particular Committee to have that large number of members. Railway legislation has been fully discussed there with much more ease than could possibly have been the case with the Speaker in the Chair, and the consequence of having that large Committee, and having the different measures discussed there, has been that the House has been in a great degree relieved from the tedium and waste of time which would be involved in a re-discussion of the measure. And the Committee being a large one, there is not the same objection which would exist in England to hon. members sitting on the Committee, and discussing Railway Bills in which they, or their constituencies, are interested. The Committee being a large one it is right and convenient, I think, that all the railway interests should be represented, and have either, through a member, an agent, or counsel, an opportunity of being heard. In small Committees such as obtain in England, of course it would be exceedingly improper that six or seven of the seven, eight or nine members composing a Committee appointed to report to the House, should be interested in the individual railways. The report of such a committee under such circumstances could have no weight, and should have none. On the other hand, as all our railway interests are represented on our large Railway Committee, and as many of the interests are in rivalry, and thus operate as a check on each other, it is rather convenient as regards the Railway Committee that those interests should be represented. I am obliged to the hon. gentleman for the suggestion that a small Committee should be struck during the Session for the purpose of considering the question. We derive great advantage from the Committee which sat here some years ago and reconsidered the Standing Orders of the House. I will discuss the matter with my friends here, and I will give the hon. gentleman an answer as to whether we think it advisable to strike such a Committee now, or whether we should wait till next Session, when we will have the advantage of seeing how the new system in England will have worked.

Mr. BLAKE. The hon. gentleman has misconceived one point of my remarks. I did not say that the English system in its entirety would be desirable. I want the hon. gentleman to consider as a possible intermediate plan, that the members should be placed on only one important committee, that would considerably relieve the large committees and enable members to give closer attention to the subjects coming before them, instead of being obliged to run from

one committee to another, and not being able to look at Bills until they were in the committee, and called upon to pass judgment on them.

Motion agreed to.

#### JOINT COMMITTEE ON PRINTING.

Sir JOHN A. MACDONALD moved that a Message be sent to the Senate, requesting their Honors to unite with this House in the formation of a Committee of both Houses on the subject of the Printing of Parliament, and that the members of the Select Committee on Printing, namely:—Messrs. Baker (Missisquoi), Bergin, Bourassa, Bowell, Desjardins, Foster, Houde, Landry, McDonald (Cape Breton), Ross (Middlesex), Somerville (Brant), Tassé, Thompson, Trow, and White (Cardwell), will act as members on the part of this House on the said Joint Committee on the Printing of Parliament.

Motion agreed to.

#### BILLS INTRODUCED.

The following Bills were introduced, and read the first time:—

Bill (No. 10) to provide for the amalgamation of the Bank of Nova Scotia, with the Union Bank of Prince Edward Island.—(Mr. Tupper.)

Bill (No. 12) to amend the law with reference to procedure in criminal cases before Justices of the Peace out of Session, with relation to persons charged with indictable offences.—(Mr. Robertson, Hamilton.)

#### SPEEDY TRIALS ACT AMENDMENT BILL.

Mr. ROBERTSON (Hamilton), in introducing Bill (No. 11) to amend the law with reference to the trial of cases before the County Judges Criminal Court, said: The object of this Bill is to amend the law with reference to the speedy trials of persons charged with felonies and misdemeanors. At present, a person in order to be tried without a jury out of session must be committed to jail on some charge. In many cases persons are not committed to jail, but are bound over to appear to answer to the charge laid; and I submit that where parties are desirous of having speedy trials, they should not, under such circumstances, be compelled to go to prison; and therefore I propose to amend the law so as to enable any person who may be charged with any such offence, and who is bound over to appear before any court of competent jurisdiction, to give notice in writing to the Crown Attorney, that he consents to and is desirous of being tried without a jury before the Judge; that when this is done, it shall be the duty of the Crown Attorney to notify the Judge within the specified time mentioned in the Bill, of such consent and desire; and that the Judge shall then appoint a day for trial; but in other respects, the law with reference to the speedy trial of persons so charged shall have effect and be in force.

Bill read the first time.

#### PUNISHMENT OF ADULTERY AND SEDUCTION.

Mr. CHARLTON moved for leave to introduce Bill (No. 13) to amend the Criminal Law and to extend the provisions of the Act respecting offences against the person, by providing for the punishment of adultery, seduction, &c.

Some hon. MEMBERS. Explain.

Mr. CHARLTON. The Bill, which I introduce to-day is the same Bill that was reported on by a Select Committee last Session; but after the report was made, we were unable to reach it, and consequently no action of the House

Mr. BLAKE.

could be had on it. I introduce it in the same shape as reported, and when it is printed and distributed among the members, I think that then will be the proper time for the discussion of the Bill.

Bill read the first time.

#### CARRIERS BY LAND.

Mr. McCARTHY, in introducing Bill (No. 14) respecting Carriers by Land, said: The Bill is one by which I propose to deal with the subject of carriers by land. At present there is a law on the Statute-book enumerating and defining the duties and liabilities of carriers by water, but, strange to say, we have no similar law with regard to carriers by land. The Bill is substantially similar to the English law dealing with the same subject. By the first few paragraphs of the Bill it is proposed that the carrier shall not be responsible for the loss or injury of parcels beyond a value of \$50 unless they are insured in the manner laid down in the Bill. It provides, also, that with regard to other articles the conditions imposed by carriers shall not govern the contract unless they are in writing and signed by the owner or shipper, and not then, unless, in case of any question arising in any court or tribunal, the demand is held to be just and reasonable. Since the year 1854, the latter provisions have been in force in England, and in that country at the present time these conditions have to be pronounced to be just and reasonable, else they are not held to be binding. In this country the railway and express companies, who are our principal carriers by land, impose no end of conditions; in fact it would take a man an hour, with the aid of a magnifying glass, to read the conditions on the back of his bill of lading. No person in transacting ordinary business can afford the time to read these numerous conditions. If he did read them he would require one or two lawyers at his elbow to help him to understand them, and even then it might be impossible. He does not generally find them out until after the loss has happened, in which case the company points out to him a series of conditions by which he finds he has agreed that notwithstanding any injury to the article he has shipped—notwithstanding, perhaps, their own gross carelessness—the risk all falls upon him and not upon them. I propose to deal with the subject in the way in which I have stated, and I can see no good reason why the carriers themselves should object to the provisions of the Bill. It makes provision with regard to carrying small parcels, and it proposes that the conditions shall be submitted and subject to the approval of the Court or Judge.

Mr. BLAKE. I think some twelve or fourteen years ago an amendment was made in our Railway Bill dealing with the reasonableness of the conditions to which the hon. gentleman has referred. We succeeded in carrying it through this House, but it disappeared in the other.

Mr. ABBOTT. I think my hon. friend should consider one point, and that is as to the competency of this Parliament to deal with contracts of that description. I think it is a grave question whether this House can interfere with conditions of contract which I think should be regulated, and I think are regulated, by the laws of the different Provinces.

Mr. McCARTHY. I have not lost sight of that question. It seems to me that this is a matter coming under the description of trade and commerce, and with which therefore we can deal. We passed a law relating to carriers by water, and if we had power to pass such a law I think we have power to pass this one.

Mr. CAMERON (Victoria). A decision of the Court of Appeal of Ontario seems to throw some doubt on our power to deal with such a matter. That Court has just decided that the Warehouse Receipt Act, under which banks

can make advances on warehouse receipts, is beyond the competency of this Parliament, and an improper interference with the Chattel Mortgage Act and the Bill of Sales Act of Ontario.

Bill read the first time.

#### RAILWAY ACT AMENDMENT.

Mr. MULOCK moved for leave to introduce Bill (No. 15) to amend the Consolidated Railway Act, 1879.

Sir JOHN A. MACDONALD. Will the hon. gentleman explain the purport of the Bill?

Mr. MULOCK. The object of the Bill is to somewhat secure the independent working of railway lines. The sixtieth section of the Consolidated Act permits railway companies of their own motion—that is on the consent of the companies themselves—to enter into certain working arrangements for a period not exceeding twenty-one years. During the existence of that arrangement those railways are, in fact, in partnership, and during that time there ceases to be that competition to secure which may have been the object of Parliament in incorporating one or more of them, or of the people in aiding them by bonus. The Bill is not aimed in any spirit of hostility at the railways, but is intended rather to provide an impartial tribunal, whereby the interests of the public may be considered before the railways can give effect to any such arrangement. The proposition of the Bill is that before any such arrangements shall have validity, it shall receive the sanction of the Governor in Council.

Bill read the first time.

#### CANADIAN CONSOLIDATED FIVE PER CENT. LOAN.

Sir LEONARD TILLEY moved that this House will, on Tuesday next, resolve itself into a Committee of the Whole to consider the following proposed Resolution:—

That it is expedient to authorize the Governor in Council to raise by way of loan, in addition to the sums now remaining unborrowed and negotiable of the loans authorized by Parliament, such sum or sums of money as may be required to pay and discharge the Canadian Consolidated five per cent. loan, raised under the fourteenth chapter of the Consolidated Statutes of the late Province of Canada, after deducting therefrom the amount held as a sinking fund for paying off the same; the rate of interest on the sums so to be raised by loan not to exceed four per cent. per annum.

Motion agreed to.

#### TELEGRAPHIC COMMUNICATION WITH BERMUDA

Mr. DALY enquired, Whether any correspondence has taken place between the Government of Great Britain and that of the Dominion relating to the establishment of telegraphic communication between Canada and Bermuda; and, if not, whether the Government will take into consideration the promotion of so desirable and important an undertaking?

Sir HECTOR LANGEVIN. There has been no such correspondence. This is a work which belongs more to the Imperial Government than to this Government, and it is likely, if it is required, that we may call their attention to it.

#### LAND IMPROVEMENT FUND.

Mr. HESSON, in moving for copies of all letters and papers between this Government and the Governments of Ontario and Quebec, from June 1st, 1882, up to the present, relating to the Land Improvement Fund, and all the unsettled accounts with the said Provinces; also, a Statement showing the present balances, if any, due to the said Provinces, including interest thereon up to January 1st 1883,

said: My object in moving for these papers is to urge again upon the Government and Parliament the desirability of settling these long standing accounts. The present unsatisfactory condition of the matter has caused very great annoyance to the municipalities interested in the funds—I refer more particularly to the Land Improvement Fund in which a portion of my own county is very deeply interested. I understand that some progress has been made towards a settlement during the past year, and I desire to be put in possession of all the information now obtainable regarding the matter. I observe that some unfair statements have been made charging the delay entirely to the Government of the Dominion. I am in possession of sufficient information to say that I believe there is no ground whatever for that charge. Unscrupulous politicians are at present making use of the statement that the delay has arisen because of the Dominion Government not paying to the Ontario Government the moneys held by them in trust for the benefit of these various funds. I may state, from information I have obtained, that the moneys that have been paid to the municipalities during the past year were paid by the Government of Ontario, although no funds of any kind are specially set apart for the payment of these accounts. And I gather from that fact that the Ontario Government was in a position, long prior to this year, to have made these payments from funds in their own possession. Advances and payments have been made by the Dominion Government generally on account, but not any special account; and, therefore, I fancy that I am correct in assuming that if the members in the Local House had been discharging their duty to their constituents, the moneys would have been paid before now. I am exceedingly anxious, however, that these accounts should be closed, and that this source of annoyance to the counties should be removed by their being paid the moneys they are entitled to. If this Government are in a position to pay any unsettled balance, I suppose they will do so, and I understand that statements are now being prepared which will show us distinctly what the fund is. I hope these papers will be brought down at an early day, because unfair representations are being made to damage the reputation of members of this House, and to shift the responsibility from the proper shoulders.

Sir LEONARD TILLEY. There can be no objection to the passing of the motion of my hon. friend. I think the delay he has referred to has been occasioned to a very considerable extent by the fact that the accounts between the Province and the Dominion have not been finally settled. So far as the Dominion Government are concerned, they have been exceedingly anxious during the past two years that these accounts should be closed; but circumstances have prevented a settlement. I think, last year, our friends in Quebec were not prepared to take the subject up. In the early part of last year, the Government of Ontario, for a variety of reasons, were not prepared to take it up; but, finally, in September or October, representatives of the two Provinces met in Ottawa, and arrangements were entered into for the Dominion Government to prepare a statement from their standpoint for the Commissioners who were appointed to arbitrate upon the matter. Of course, the Legislature of Ontario met shortly after that, and the Legislature of Quebec is now in Session; but I have no doubt that as soon as the Legislature of Quebec is prorogued—I believe both parties are exceeding anxious, and as far as the Dominion Government is concerned, the papers are prepared—the case will be proceeded with, and we will have a final settlement of all these accounts, which will relieve my hon. friend and those interested from the difficulties they have experienced in the past.

Motion agreed to.

## MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Copies of the Order in Council dismissing Mr. Octave C. de la Chevretière from his position as keeper of a light-house situated in the parish of Lotbinière, in the county of Lotbinière, and of all complaints, petitions or reports, in relation to such dismissal.—(Mr. Rioufret.)

Statement of the number of veterans of 1812 now surviving; of the number of veterans who have died since 1875, and of the number of widows of deceased veterans who have applied for assistance.—(Mr. Massue.)

Copies of the account rendered by Doctor Lebel, of St. Gervais, for attendance on an employé of the Intercolonial named Dionne, during last autumn; of the account of Doctor Renouf in the same case, and a Statement of the sums to them paid.—(Mr. Amyot.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 4:30 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 19th February, 1883.

The Speaker took the Chair at Three o'clock.

PRAYERS.

## REPORT.

The following Report was laid upon the Table:—

Statement of Expenditure of the Dominion Police, during the year 1882; in accordance with the Act 31 Victoria, chapter 73, section 6.—(Sir Hector Langevin.)

## KING'S COUNTY, P. E. I., ELECTION.

Mr. CAMERON (Huron). It is known, Mr. Speaker, that by law the Electoral District of King's County, Prince Edward Island, is entitled to send two members to this Parliament. By the act of the returning officer it appears that three members have been sent to serve in the present Parliament. As to one of the seats I understand there is no question about it, the hon. gentleman who occupies it having had a majority of 184 votes. As to the second seat, the returning officer has sent two members to fill it. It is undesirable that such a state of things should continue; both the members have taken the oath prescribed by law and their seats. It is desirable that all the papers connected with the question in the possession of the Clerk of the Crown in Chancery should be submitted to Parliament, in order that Parliament may take such action in the matter as it may see fit. I, therefore, move:

That the Clerk of the Crown in Chancery do attend this House, to-morrow, with the Returns of the last Election for the Electoral District of King's County, P. E. I., together with the statements of the several Deputy Returning Officers, for the said Electoral District; and any documents used or required at such election, or which may have been transmitted to said Returning Officer by such Deputies.

Sir JOHN A. MACDONALD. Mr. Speaker, the hon. gentleman did not give notice that he intended to make this motion; but being a matter of privilege, I suppose the notice need not be given. I would, however, suggest that the motion be altered in such manner as to require the Clerk of the Crown in Chancery to attend to-morrow.

Mr. CAMERON. I have no objection to the change, on the understanding, of course, that such papers as may require it are printed.

Sir LEONARD TILLEY.

Sir JOHN A. MACDONALD. Such papers as are necessary will appear in the Votes and Proceedings.

Motion agreed to.

## CONTROVERTED ELECTION.

Mr. SPEAKER. I have the honor to inform the House that I have received from His Honor Chief Justice Palmer, one of the Judges selected for the trial of Election Petitions, pursuant to the Act of 1874, a judgment and report on the matter of the Controverted Election for the Electoral District of King's County, Prince Edward Island, by which Peter Adolphus McIntyre, Esq., is declared duly elected.

## BANK SHAREHOLDERS' LISTS RETURNS.

Mr. SPEAKER. I have the honor formally to lay before the House the lists of the shareholders of the Eastern Townships' Bank, the Merchants' Bank of Canada, the Union Bank of Lower Canada, and the Bank of Jacques Cartier, in compliance with the Act 34 Victoria, chapter 5, section 12.

## BILL INTRODUCED.

The following Bill was introduced, and read the first time:—

Bill (No. 16) for the incorporation of the Central Bank of Canada.—(Mr. Beatty.)

## PERMANENT BUILDING SOCIETIES BILL.

Mr. WILLIAMS moved for leave to introduce Bill (No. 17) to further amend the Act 37 Victoria, chapter 50, respecting Permanent Building Societies in Ontario.

Mr. BLAKE. Explain.

Mr. WILLIAMS. Mr. Speaker, as the law now stands, these Permanent Building Societies are only authorized to invest in debentures of municipal corporations and of school sections. My Bill is a very short one, and is simply intended to enable them to invest in the securities of other authorized corporations.

Mr. BLAKE. Of all corporations.

Mr. WILLIAMS. All other corporations.

Mr. BLAKE. All corporations.

Mr. WILLIAMS. All corporations. The Bill, I presume, will be referred to the Committee on Banking and Commerce, where it can be thoroughly discussed.

Bill read the first time.

## BILL STAMPS.

Mr. IVES enquired, Whether bill stamps can now be obtained for the purpose of stamping notes or bills made before the repeal of the law requiring them to be affixed; and if so, from whom?

Sir JOHN A. MACDONALD. Mr. Speaker, on enquiry I find that there are some few bill stamps remaining on hand, and the question whether the Government can now legally issue them is before the Minister of Justice.

## DEPOT PROVISION.

Mr. CASGRAIN enquired, Whether it is the intention of the Government to build a depot of some description at Elgin Station on the Intercolonial Railway?

Sir CHARLES TUPPER. I may say, Mr. Speaker, that this matter is being considered.

## CANADIAN TOBACCO REGULATIONS.

Mr. BOURBEAU enquired, Whether it is the intention of the Government to modify the Law and Regulations respecting the sale by retail of Canadian tobacco in the leaf?

Sir LEONARD TILLEY. Mr. Speaker, I would state to the hon. member that the intentions of the Government on this subject will be communicated to the House when the proposals with reference to the Tariff are placed before the House; before that period this cannot be done.

## IMPROVEMENTS ON YAMASKA RIVER.

Mr. DUPONT (Translation) enquired, Whether it is the intention of the Government to cause the works of improvement on Yamaska River to be continued during next summer, so as to render that river navigable from its mouth to the City of St. Hyacinthe, and, if so, what sum the Government intend to spend on those works during next summer?

Sir HECTOR LANGEVIN (Translation). I beg to inform the hon. member that it is the intention of the Government to continue the works already commenced. As to the amount which Parliament will be asked to vote therefor, the Estimates which will be laid before the House during this Session will give the answer, which I cannot give at present.

## TRIAL OF JULIE BOISVERT.

Mr. CURRAN enquired, Whether any action has been taken by the Government with reference to the petition of about fifteen thousand citizens of Montreal, praying for an investigation into the trial of Julie Boisvert, convicted of murder, or if the Government intends to take action thereon?

Sir JOHN A. MACDONALD. I would answer my hon. friend, and also my hon. friend from East Montreal who made enquiry of me on the same subject, that the Government have taken action thereupon; they have held an investigation and have already received a report on the subject.

## RAILWAY FROM EDMUNSTON TO RIVIÈRE DU LOUP.

Mr. GRANDBOIS enquired, Whether any railway company has taken advantage of the provisions of Chapter 14 of the Statutes of Canada, 45 Victoria, granting a subsidy of \$3,200 per mile, for a proposed railway from Edmunston to Rivière du Loup or Rivière Ouelle?

Sir CHARLES TUPPER. No company has yet applied to take advantage of the provisions referred to in the question.

## WHARF AT ST. JEAN PORT JOLI.

Mr. CASGRAIN (Translation) enquired, Whether it is the intention of the Government to build, during next summer, the extension of the wharf at St. Jean Port Joli, according to the vote of last Session granting money for that purpose?

Sir HECTOR LANGEVIN (Translation). I have the honor to inform the hon. member in reply, that this subject is now under the consideration of my department.

## SALES OR LEASES OF COAL LANDS.

Mr. BLAKE, in moving for copies of all applications for sales or leases, and all correspondence or reports touching, and leases of coal lands in the North-West, not already brought down; and statement of the payments made under any leases of coal lands, said: I observe, by the papers, that hon. gentlemen have altered seriously as to some particulars the regulations touching coal lands, and I presume that the

new regulations will be brought down in accordance with the Statute. I do not, therefore, move for them, but it will be material, in view of the proposed very serious modifications, to have in our hands, before we are called upon to judge of the propriety of permitting the new regulations to pass, all that has been done under the old ones, and particularly the existing leases of areas of coal lands.

Motion agreed to.

## ALLOWANCES ON GOODS REQUIRED BY THE CANADIAN PACIFIC RAILWAY.

Mr. BLAKE moved for copies of all correspondence, reports and Orders in Council, not already brought down, relating to the allowances proposed to be paid to the Canadian manufacturers of certain goods required by the Canadian Pacific Railway Company; of all applications for such allowance and correspondence in connection therewith; a statement of the calculations on which the allowances have been based, and the estimate, in detail, of the probable sums payable out of the Treasury, in respect of each class of goods, assuming them to be made in Canada, to the extent of the Company's requirements, and of the *ad valorem* percentages of allowances on each such class. He said: This motion, with the exception of some additional papers asked for, is in the same words as one which I moved last Session. I need hardly say that if there is no alteration in the estimates made by the Government upon subsequent experience from that brought down last Session, I do not require them to be duplicated; but in case subsequent experience has indicated a change, it is that portion that I require.

Motion agreed to.

## CUSTOMS SEIZURES.

Mr. BLAKE. Judging by the number of seizures made at the different ports of entry, it appears that the number of practical free-traders in this country is very largely on the increase, and with the view of informing the country and the House on that subject, I move:

For a statement showing the number of seizures made at each port of entry in the Dominion during the last fiscal year, and also during the six months ending the 31st December last,—the amount of fines exacted at each port during each of the said periods, and the manner in which the said fines are disposed of, giving the names of the officers receiving any portion thereof, and the amount received by each of such officers from said fund.

Mr. BOWELL. There is no objection to bringing down the return asked for. I merely desire to take exception to the statement made by the hon. leader of the Opposition, that free-traders are on the increase; the only difference being that the law is now enforced, which I regret to say was not the case when he was in power.

Motion agreed to.

## CANADIAN PACIFIC RAILWAY COMMISSION.

Mr. BLAKE, in moving for a statement, in detail, of all sums expended in connection with the Canadian Pacific Railway Commission, with dates and names of the persons paid, and particulars of the service in respect of which payment is made; copy of all correspondence, contracts, accounts or arrangements, not already brought down, as to the printing of the evidence or report, said: Last Session I moved for a return on this subject. Of course much has been paid and the business has been concluded since the date to which that return extended, and there is, therefore, more to be brought down. I observe, by the Public Accounts, that payments do not seem to have been concluded as late as the close of the last fiscal year. I am particularly anxious that hon. gentlemen opposite should look at the former return, which is very imperfect, in so far

as it purports to be an answer to an Order of the House for copies of all papers and correspondence in connection with the evidence. There are numerous gaps in the correspondence, which it would be well to have supplied. It appears to have been arranged, that this business, at least a portion of it, such as the appointment of the Commissioners and the taking of the principal portion of the evidence, should have been done at Ottawa, and that the headquarters of the Commission should be here; but I see that the printing was arranged to be performed by the Messrs. Stephenson, at Chatham, a very considerable distance from this city. The correspondence indicates, as was obvious, that very great inconvenience resulted from this arrangement, that there were demands for greater accuracy and greater expedition, and that revises had to go by mail, sometimes three, sometimes four, and once, I believe, five times, before the correct result could be obtained. So great was the delay and inconvenience that in the end the Commission were forced to notify Messrs. Stephenson that unless they made arrangements with somebody at Ottawa, to complete the work, the Commission, themselves, would cancel the existing arrangements, and make such others as would enable them to have the work done at Ottawa. Then, at last, the Messrs. Stephenson appear to have made arrangements with persons at Ottawa to complete the work. And with whom? With the Queen's printers, who, by law and custom, ought to have been charged with this work in the first place, so that the practical result was that the bulk of the work was done by the Queen's printers, but that the Messrs. Stephenson were allowed to job or farm out this portion, obtaining the profits which ought to have gone to those who did the work. It was necessary, of course, under these circumstances, that special arrangements should be made as to the prices, and I observe that very large numbers of copies of the report are allowed to be printed at what are called confidential rates, which means that the printers get something like twice as much as the ordinary rates. The printing of the French copy was divided between one newspaper office at Montreal and one at Quebec. On both of these points the correspondence is incomplete; in neither case is the amount paid given. I, therefore, would ask the hon. gentleman to look at the former return and complete it in so far as it is defective, and supplement it up to date.

Motion agreed to.

#### FRAUDS UPON CUSTOMS.

Mr. BLAKE, in moving for copies of all correspondence, not already brought down, with reference to frauds upon the Customs in the export of Canadian wheat or flour in satisfaction of bonds given on the importation of United States wheat or flour; all reports, evidence, and Departmental evidence upon such frauds; statement of the extent thereof; names of the parties concerned, and a statement of the action of the Department thereon, said: Last Session I moved more than once for information with reference to the frauds practiced upon the Customs in connection with the system of grinding in bond, or the importing, for particular purposes, of wheat and flour from the United States, and pointed out, what indeed was obvious, that such a trade was being carried on in these products, and at such prices as rendered it plain there must be some fraudulent practice carried on. The hon. Minister, I believe, issued a Departmental instruction for an enquiry and a vast mass of papers were sent down to us; but while they found out a number of things, they did not find out the one thing of interest to the House and the country, namely, where the frauds were and who was committing them, and what their nature was: and it was said there was nothing wrong. Since that time, the newspapers tell us that certain discoveries have been made, that certain frauds have been committed on the Customs,

Mr. BLAKE.

and that these have been going on for a long time, I think they said three years, and that the hon. Minister, having inquired into the matter and taken into consideration the report of some officer on the subject, has dealt with some one or more of the firms concerned, in reference to such particular frauds as they were still amenable to the law for, viz.: those which have taken place during the preceding twelve months. I desire to have information on such subjects, not merely with reference to the period referred to, but with reference to all the discoveries of the Government as to frauds committed even at an earlier date.

Mr. BOWELL, The hon. gentleman would leave the impression on the House that no enquiry was made into what, he termed, the frauds or the revenue at all, until after his motion was made in this House. Such is not the fact. When the hon. gentleman made the motion, I informed the House that full enquiry had been made into what he termed frauds. I did not state at that time, as the hon. gentleman says, that no wrong had been committed. On the contrary, I said that irregularities had existed in different parts of the Dominion, both in the West and in the East, but that the importers of the wheat, whose attention had been called to these irregularities, at once paid the duties which they should have paid, and that it was settled. The papers to which the hon. gentleman refers will be laid before the House, and it will be seen that, in the cases discovered since, the Department have been just as vigilant as they were previously, and that the action taken by the Government established not only that the amount of duty which should be paid would be collected, but that the heaviest fine should be imposed in addition.

Mr. BLAKE, There is a difference between irregularities and frauds. It is quite true the hon. gentleman said something about irregularities. I enquired, however, not about irregularities which were acknowledged and the proper duties paid, and which were found to be of a very limited amount, but of frauds—designed and deliberate frauds. It was about such designed and deliberate frauds of which the hon. gentleman has since discovered a part, and perhaps a part only.

Mr. BOWELL. Very likely.

Mr. BLAKE. And very likely a part only of these frauds which really were designed to cheat the revenue, and to produce an unfair state of things as between the fair trader and those in use of these fraudulent means. This, it was, I was anxious to obtain last Session and I am desirous of obtaining now.

#### CANADIAN EXTRADITION ACT.

Mr. BLAKE, in moving for copies of all correspondence not already brought down, touching the Canadian Extradition Act, and the Suspension of the Imperial Act within Canada, and of any Imperial or Canadian Orders in Council or Proclamation on the subject, said: It is now six years ago since this House and the Senate unanimously agreed in an address praying that the Imperial Act be suspended in the Dominion of Canada, in order that the Act passed in the Session to which I refer might have operation. Ever since we have been endeavoring to obtain action on that address, and the newspapers tell us there has been an Imperial Proclamation lately, but I have not noticed in the official papers of this country any reference to such proclamation. A considerable interest exists upon the subject of what the state of the law now is. Upon the proclamation issuing, of course the new Act will come into force. It is extremely important we should learn what is the condition of things on this question of our relations with the neighboring Republic.

## COMMUNICATION BETWEEN P.E.I. AND THE MAINLAND.

Mr. DAVIES moved for (1) copies of all contracts or agreements entered into by the Postmaster General, since the last Session of the late Parliament, for the conveyance of the mails to and from Prince Edward Island, and all correspondence relating to steam communication between the Island and the mainland while the navigation remains open. (2) Of all correspondence and papers relating to the winter crossing between Cape Traverse and Tormentine. (3) A Return of all trips made by the *Northern Light* during the winter of 1881-82, with her receipts for freights and passage moneys, and the expenses of her management and running. (4) Copies of all reports and correspondence relating to the survey or construction of the Railway authorized to be built between Cape Traverse and the mainland on Prince Edward Island. He said: The subject matter of my motion has been before The House on more than one occasion, and I dare say some hon. gentlemen may be tired of hearing it. But I make no apology for bringing it forward again, because of its immense importance to the interests of the people of the Island, and because the good faith of the Dominion Government is pledged to carry out the terms upon which Prince Edward Island entered the Confederation. That has not yet been done, though I am sure the hon. gentleman who has charge of the Government must be anxious that no charge of breach of faith can fairly be brought against the Dominion by even the smallest member of the Confederacy. Now, I may be pardoned if I call the attention of hon. gentlemen to the history of this question. It is a painful history for us in Prince Edward Island. At the present time an agitation is going on throughout the Island, meetings are being held and the people are expressing themselves in decided language. They have come to the conclusion that they are being trifled with on this question, and though I should be sorry myself to adopt the extreme language of some of the resolutions, still there is no one, on whichever side of politics he may be, who is not in unison with the prevalent feeling of the people, that they have not been treated with fair play. When we entered Confederation in 1873—I think it was—one means of communication with the mainland consisted of the steamers which we now have, and a contract was made at that time with the Steam Navigation Company for a period of ten years. That is important in connection with the subsequent history of this question, because before the late Government came into power, that contract had been entered into, and there was some excuse for them in not providing better accommodation in view of the contract then running. My main reason for bringing this subject before the House at the present time is, that the contract for the conveyance of the mails, during the summer months, is now about expiring, and I believe the hon. the Postmaster-General has entered into negotiations, the nature of which I am not aware of, for the renewal of that contract. In the renewal of that contract provision should be made to improve the communication in the autumn months. The provision in the Terms of Union, which had reference to this subject, reads as follows:—

“Efficient steam service for the conveyance of mails and passengers to be established and maintained between the Island and the mainland of the Dominion, winter and summer, thus placing the Island in continuous communication with the Intercolonial Railway and the Railway system of the Dominion.”

Now, it is well known that Prince Edward Island was averse to casting in her lot with the Dominion, and that one of the chief arguments which were used to gain the people's consent was the promise made in that very clause. They felt that the communication previously existing between the Island and the mainland was not sufficient

to take their products to market, and did not afford proper facilities for passenger traffic. They felt the resources of the Island, taxed as they were for the construction of a railway, were inadequate to cope with this question; and I believe—and I think my fellow members from that Province will bear out the statement—that the inducement which operated most strongly in gaining the consent of the people to enter into the Union was the solemn compact, offered by the Dominion and accepted by the Island, that efficient steam communication should be maintained. The Island may be small in point of population, but no one can conceive, unless he lives there, the difficulties we are under during several months of the year, in respect to our communication with the mainland. Not only is passenger traffic seriously interfered with, but our people are unable to carry their products to market or to purchase the goods they require. After we came into the Union an attempt was made—a very miserable attempt—by the late Government, but I suppose it was the best they could do under the circumstances, when they put the steamer *Albert* on the route. They employed, as I am given to understand, the best one they could get, and she performed the service two seasons. She did that in an unsatisfactory manner, but the people were not disposed to grumble. They were disposed to give fair play to the Government, and they had plenty of time to carry out the compact. There was some political grumbling, of course, but the mass of the people felt convinced that before many years this compact would be faithfully performed. Then the *Northern Light* was put on. A great deal of opprobrium has been cast upon that vessel, and upon her builders, but I think those who know anything about the question at all will admit that the *Northern Light* was a great success, in many respects a complete success, and experience has shown us wherein her defects lay and how they can be improved. She was a success, in that she solved the question of the feasibility of crossing the straits in winter by a steamer. It was contended by many that it was a mad scheme, that no steamer could be built capable of pushing through the ice in the winter months, and even some practical men shared in that opinion. But the Government of the day, led by the hon. member for East York (Mr. Mackenzie), put on this boat, and I believe those efforts of the Government received full credit from the people as showing an honest intention to grapple fairly with the question. At that time pressure was brought to bear upon the Government to induce them to improve the communication between Cape Traverse and Cape Tormentine. I do not know whether hon. gentlemen are aware of it, but the service now carried out between these two capes, a distance of only nine miles, is no better than it was thirty or forty years ago. When the *Northern Light* was put upon the route between Georgetown and Pictou, the Government of the day asked, I believe, that they should not be pressed to make any large expenditure in connection with the Cape route until they saw whether the *Northern Light* answered the purpose required of her. That was some little excuse; the people of the Island were patient and they took the boat the Government gave them, although there was a very violent attack made upon her from time to time by some politicians. Nevertheless the *Northern Light* is a success, and has solved the problem in so far as she has proved that the compact the Dominion Government undertook is capable of being carried out. It is only a question of willingness on the part of the Government to do it; it is only a question of a small amount of money. When the hon. gentleman who held the position of Minister of Marine and Fisheries three years ago was elected from the Island, he expressed a strong opinion that the *Northern Light* was not what she ought to be, and he made repeated promises to improve the means of communication. I may say that when that hon. gentleman took a seat in the Ministry

there was a feeling of great disappointment in the Island, because, after the year 1878, when the present Government came into power, nothing was done in reference to that question, although the Island was represented in the Ministry. I think I am not going beyond the facts in stating that up to this time, since the advent of the present Government to power in 1878, not a single step has been taken in connection with this service, with the exception of the motion made by the hon. Minister of Railways last Session for the construction of the branch railway. Time and again we are promised that efforts would be made to fulfil the compact, but so far nothing has been done. We are willing to acknowledge, indeed subsequent events have shown that the late Minister of Marine and Fisheries was not, perhaps, altogether responsible for his neglect in that matter. I should be very sorry, in the present sad condition of his mind, to say a word which would reflect on him or hurt the feelings of his friends. We are disposed to acknowledge that it was owing to the fact that his health was breaking up that nothing was done, because if he had possessed the push that once characterized him in public life he would have taken steps to have had the agreement carried out. I will do him that justice; I believe he is excused on that ground by people generally, because subsequent events have shown that his mind was more or less giving way, and that he was not able to grapple with questions in the able way in which he had once dealt with them. In 1880 the people began to think that it was time for them to move, and through their representatives in the Local Parliament they presented a joint address to His Excellency the Governor General, which set forth the shortcomings of the Dominion Government in this respect. I have refreshed my mind by looking over that address, and I see the charges are very plain and specific; and I wish to call the attention of hon. gentlemen opposite, particularly the Minister of Railways, who, I believe, takes great interest in this question, to the fact that the address was voted unanimously, by both branches of the Legislature, and by both political parties. I am proud to say it has not been made a political question, at all events for the last year or two. It was made a political question, however, when the late Government were in power, and we deprecated that mode of treating the question; but since the present Government have been in power it has not been made a political issue, because we believe the best interests of the Island will be advanced by all parties joining hands to aid the Government to do what is reasonable and just. We do not demand anything unfair, or that which cannot be carried out. We submit that this compact, made with the Dominion, can be carried out without Prince Edward Island receiving anything unfair in the shape of a money grant, or asking the Government to do a thing which is impossible. I do not deny that some people ask impossible things. I received papers containing resolutions from Prince Edward Island to-day, asking for more than I can approve, resolutions not calculated to advance the question, because they ask for the impossible. But we do not ask anything of the kind; we ask simply what is reasonable and just. No notice was taken by the Dominion Government of the address passed in 1880, further than to acknowledge in a despatch to the Lieut.-Governor that such an address had been received. When the Local Legislature met last year, I looked through the Journals to see what had taken place. I found that the hon. the First Minister telegraphed to the Local Premier stating that he was fully alive to the importance of the question. I am not aware that any member of the Government has ever denied that we have a grievance which ought to be remedied; they all acknowledge the fact, but we get nothing more than a simple acknowledgment, and that does not give us continuous communication. The hon. the First Minister telegraphed, on the 21st March, as follows:—

Mr. DAVIES.

OTTAWA, March 21st, 1882.

HON. W. W. SULLIVAN.

The Government are giving their earnest consideration to the question of winter communication between your Island and the mainland. I will write in a day or two.

(Signed)

JOHN A. MACDONALD.

I am not aware whether the First Minister found time to write at greater length; no letter has ever been published in our Journals or in the records of this House. But the Government were giving their earnest attention to the question then, and I hope and trust that before very long we shall hear from the lips of some of the hon. gentlemen responsible for the carrying out of the compact the result of that earnest consideration, and what the Government has determined to do. That telegram was sent shortly before the local elections. I would not for a moment intimate that it was intended to have any effect on the elections. I am sure the hon. gentleman would not attempt anything of the kind, but it came down just before the local elections took place, and was circulated throughout the length and breadth of the Island. Mark you, it was promulgated through the Island for years, that the late Government were no friends to the people, but that the present Government were their friends and would do everything for them. The people waited. Nothing was received in answer to the joint address sent to the Governor General beyond a simple acknowledgment of its receipt, but a telegram was sent just before the local elections stating that the Dominion Government were earnestly considering the subject, and I hope the result of that consideration will be that the Government will come to the conclusion—it is the only conclusion that they ought to come to—that the matter should be practically dealt with, and that at once; that they will acknowledge the justice of our case and not keep it open any longer. After that telegram came down they went to the polls, and the Local Government were sustained by a very narrow majority—I do not know whether they would have been sustained at all except for that telegram. They were, however, sustained by a narrow majority, and are no doubt willing that the subject should receive the earnest consideration which the hon. gentleman is willing to give it. The Mackenzie Government, in addition to building the *Northern Light* and placing her on the route between Georgetown and Pictou, had a survey made for a railway between Cape Traverse and the Island railway; and if they had been returned to power in 1878, no doubt they would have completed the surveys and built the road. In introducing a Bill for the construction of a branch railway in Prince Edward Island, the Hon. the Minister of Railways last Session said the Dominion Government had entirely failed to carry out its obligations to Prince Edward Island. I quote from *Hansard*:

“To carry out the engagement of the Dominion Government with Prince Edward Island, the Dominion Government had the steamer *Northern Light* constructed, but that steamer, though effecting considerable improvement in the existing communications, entirely failed in maintaining continuous communication. The late Government directed a survey to be made between the Intercolonial Railway and Cape Tormentine on the one side and Cape Traverse and the Island Railway on the other. This survey was completed and a Report made by the able engineer appointed by the late Government, recommending the best points for railway connection. And we are now carrying out the policy contemplated by the late Government in ordering this survey to be made.”

The hon. gentleman thus attempted by a Bill which he introduced subsequent to his speech on the construction of the railway, to carry out the policy of the late Government; but they have not made any further proposal with a view to remedy evils which admittedly exist. Just before the late elections you could not visit any district of the Island without meeting one or two officials connected with the survey. We do not complain of that for we were glad to see them; but what we do complain of is the delay which

has taken place. I hope, Sir, that this matter will not be kept over until another general election for party purposes; and I protest against this being done. We have been trifled with already too long. An hon. gentleman smiles, and I do not wonder at it; but this is no smiling matter to us. It is, in fact, no smiling matter at all. Now, when the late elections were over, what became of the surveyors? We could not find one of them; a week afterwards not a surveyor was to be found; they packed up their tents, like the Arabs by night, and stole silently away. Not one of them was to be seen throughout the length and breadth of the Island. Some surveyors, it is true, were at East Point; but, I will not drag that question in here to day. What I want to press on the attention of the hon. gentleman to-day is, since he has acknowledged, and acknowledged frankly and fully, that we have a substantial grievance, and that the Dominion Government has failed to carry out their compact, Parliament having been induced to grant the money for the purposes, to see, that the Government carry out at any rate their part of the compact; and see that this is done at once. What earthly reason can there be for adopting any other course. I understand that the money will have to be re-voted this Session. The hon. gentleman, I believe, gave some private reason for the Government's delay; they were waiting for some private company in New Brunswick to build the Tormentine Branch Railway. But that is no reason in the world. It is no legitimate excuse. The hon. gentleman has acknowledged that the road ought to be built; Parliament has voted the money with which to build it, and I think it is not going too far when I insist that as far as he can the hon. gentleman will carry out the wishes of Parliament, and his own intentions, as he has here expressed them. Well, now, Mr. Speaker, one word before I close, as to what we really want—and I do not think that our demands are unreasonable. I will call the attention of the Postmaster General to this point: The contract for the conveyance of the mails during the summer is now, I believe, about at an end, and the Government either have renewed it for a limited time or are about doing so. I do not wish to make a charge against the company who have been doing this service. On the contrary, I believe they have carried it out—as far as their contract compelled them—very well. They have had excellent captains on the boats. Better men could not be found in any part of the world. What I complain of with reference to the summer communication is this: Paddle boats do very well during the summer months, but we must have daily communication with Pictou. I see the hon. member for Pictou opposite, and I hope that he will join with me in making this demand; and his constituents are as much interested in this matter as are mine. We must have daily communication with Pictou; but the boats only run there now three or four times a week, which is most inconvenient in connection with our business with Nova Scotia. Answers to letters cannot be got for two or three days; and in no respect are we on the same level in this relation with other parts of the Dominion, where a telegram can be sent for twenty five cents; while if we do not get our letters, we cannot send a telegram even of ten words from the Island under seventy-five cents; and, therefore, it is of treble importance to us to have mail communication well maintained. The demand which we make with reference to mail communication is—that there must be a daily boat between Charlottetown and Pictou, as well as between Charlottetown and Summerside, and I hope and trust that provision will be made in the new contract, to whomever the contract is given, whether to the present or a new company, by which the company will be sufficiently subsidized to enable them to put screw boats during the fall months on the route, in order to

keep the harbors open for at least two or three weeks later than is now the case. In Prince Edward Island the shipping season is confined to very few weeks, and by the time that our farmers have their grain and other crops out of the ground and hauled to market, the season is almost at an end. There is consequently a very great rush; and this is the crucial point—keeping the harbors open for one or two weeks longer than is at present the case. Now, paddle boats are capital boats during summer and mild weather, but they will not do during the fall months and December, because the moment that two or three inches of ice forms in the harbors, these boats have to be laid up; therefore I submit that the hon. gentleman in his new contract with the Steam Navigation Company should adopt the course I have recommended. I believe, for my part, that the present company has conducted the service excellently well. They have done what their contract compels them to do, but the moment that ice forms, they are allowed by their contract to stop their boats. I hope that the hon. gentleman, when he makes a new contract, will see that the contractors are compelled to provide boats which can keep our harbors open at any rate for a fortnight longer in the fall of the year. Why, last autumn, the harbors froze up very early; and there is still an immense quantity of all kinds of produce lying in the warehouses of Summerside and Charlottetown, such as pork, lard, butter and hides, and everything else which the Island exports, and this produce must there remain until next spring. It occasions great loss to the commercial community, when they are not able to ship this produce in the fall, and also to the farmers, although the loss is not so heavy to the latter, owing to the fact that they have then disposed of most of their produce to the merchants, a large number of whom are thus almost ruined. Then there is the canned goods industry, which is a very large one. Large quantities of canned fish and other canned goods are sent from the Island; but the moment a little frost comes the paddle steamer stops, and these canned goods and all the other produce of the Island, awaiting shipment, have to be left in the warehouses all winter. Of course many hon. members may not think that this is a great grievance; but it is really a very serious matter. It affects Prince Edward Island almost more than anything else, and I hope and trust that when a new contract is entered into the hon. the Postmaster General will increase the subsidy, and, as a *sine qua non*, will insist that the company shall provide a proper boat, capable of keeping the harbors open a little longer in the autumn than is at present the case. That is all I have to say with reference to the summer service. I now come to the winter service. The *Northern Light* has solved a good many points for us. It has taught us this: while the navigation of the straits can be kept open for the greater part of the winter, for a period of four or five weeks they cannot be navigated by a steamer at all, and we are then driven to take the Capes route. I believe that every member of this House and of the Senate, from the Island, crossed at the Cape in a small open boat of fourteen or fifteen feet keel; but the House will hardly credit the statement, that on neither side is there a boat house or shed of any kind, with which to cover the boats. You come down on a cold morning with wife, or lady friends, and are compelled to pass to the boat amid slash and wet. I must say that the men do their best to keep the passengers dry and clean, but how can they do so completely? They have no boat house to cover their boats, which they have to tug at, and pull over the ice at the Capes at the risk of their lives. I hope, that the Government will remedy this state of affairs. It is the least that they can do; and I think that they will do it. I do not know who is to blame for the supineness shown in not providing a proper boat house. The blame rests somewhere; and not only is a boat house required and accommoda-

tion for the crews, but proper water boats to enable the passage to be made when there is a mile or two of open water and the wind is blowing hard. The passage has to be made in these little ice boats, and luggage is frequently damaged by the water and sometimes the lives of the passengers placed in jeopardy. I believe that the contractors offered to put on two better boats, and man them with a proper crew, in order that the passengers might not be detained, as they are, and have been during the past winter, as well as during the present winter. This detention has lasted sometimes for a week, or ten days at a time. The Government have acted foolishly in entrusting this matter to the Postmaster of Charlottetown. I do not want to make any positive charge against this person, for I am not aware what his instructions are, but somebody is very much to blame for haggling about a couple of hundred dollars which ought to be paid in order to secure these necessary water boats and sheds. When I came over with four or five others, we had to wait for four or five days at the Cape, simply because there was no water boat to take us across a mile of water. This ought not to be. From eighteen to twenty ladies and gentlemen, including commercial travellers, who were, for many reasons, very desirous of crossing, were delayed, when I was there, simply because the party who is authorized to deal with this matter, would not take the responsibility of spending a few hundred dollars to remedy the present state of affairs. I ask the hon. Minister who has this matter specially in charge that he will see that proper sheds are built on both sides for the purpose of protection, and that sleeping apartments are provided for the men. A hardier and better class of men cannot be found anywhere; they are trained to the service, and only trained men can perform the service. The work cannot be done by ordinary men, for it requires that they should be as agile as cats or chamois goats, so that they may be able to spring from one cake of ice to another. These men come from miles around and are are totally destitute of shelter, so far as the Government are concerned, and they have to sleep where they can in the farmers' houses. This protection should be afforded without delay, because whether the Government put on a new steamboat, or two new steamboats to take the place of the *Northern Light*, there always will be a period of four or five and sometimes six weeks during the winter months when people must cross by the Cape. In the year 1880 the Minister of Railways addressed this House at some length on the subject of the *Northern Light*. He acknowledged our grievance and promised to provide the remedy. He said:

"The subject has remained in abeyance until the further experiment be tried of how far steam communication between the capes can be established for mail service. The mails are now carried between the capes by ice boats; but I am in hopes it will be found that either the *Northern Light* or a boat more specially constructed for that service will be able to maintain regular communication, or decidedly improve it, by making it less trying to passengers than by the ice boat system. It is incumbent upon the Government to carry out, as far as possible, the obligation of steam communications between the Island and the rest of the Dominion; and, no doubt, although a very large expenditure is involved in the proposed wharves at the capes, I believe it can be greatly reduced by getting a boat of lighter draught."

The hon. gentleman made this statement frankly and fully, and I hope he will now carry out his promise. At other times the hon. Minister has acknowledged that this subject was one which required attention at the hands of the Government, but the matter has gone on from year to year without action being taken, until the patience of those who are interested is almost exhausted. The *Northern Light* has done good service in the past but she can be greatly improved upon, and besides the boat is almost worn out. The Minister of Marine and Fisheries will not say I am mistaken when I state that though she was repaired last summer she was not subjected to Lloyd's inspection. It was not expected when the boat was built that it would last more than eight years, and it has now performed the service for about that time. Under the fiscal policy of the present Government we are com-

Mr. DAVIES.

pelled to buy our goods from Canada instead of from England, where we could purchase them cheaper. At the present time the warehouses of Picton are filled with goods awaiting transportation to the Island, but the *Northern Light* is not adapted to the carriage of freight. I am informed, and it is currently reported in the Island, that the Minister of Marine and Fisheries, or some one in his Department instructed his agent in Prince Edward Island, or the captain of the boat, not to allow her to run this winter unless he was perfectly certain that no possible danger could be incurred. I do not say this statement is true; in fact I hope it will be contradicted, but it is said that the captain was informed that if he went out he would go at his own personal risk. If these instructions were sent the whole service will become a farce, for the boat never could go into the ice without great risk. But though the boat is worn out and will not be able to last more than another season she has done good service in the past, and the experience of her officers has been such as will enable them to give useful hints to the Government for the construction of a new boat. Year by year the quantity of produce to be shipped, and the number of passengers to be carried, are increasing, and I do not think we are asking too much in demanding that the Government should put on two boats instead of the *Northern Light*, as they would be pretty well occupied with freight all through the winter months. It seems to me that this demand is a reasonable one, even if we had not a contract with the Dominion at all. But when they solemnly entered into this contract, we are entitled to ask that it shall be faithfully kept. I do not think there is one hon. member from the Island who will say that this matter is one that should be referred to a Commission. There is nothing to enquire about; the facts are all well known to the Minister of Railways and the Minister of Marine and Fisheries—just as well known as they could be after months of enquiry. The captain and engineer of the boat can give the Government all the information they require as to improvements which might be made in the new vessels. No delay should be incurred in making that service—to use the words of the compact—efficient, and in giving us continuous communication with the mainland. The mass of the people are willing to be taxed for the construction of great public works in other parts of the Dominion, and all they ask in return is that the compact made with them, that they should have continuous steam communication connecting them with the railways of Nova Scotia and New Brunswick, shall be carried out. I make this motion as no mere matter of form; I make it because the people from one end of the Island to the other are agitating this question with the greatest possible earnestness. I believe that the faith which a large number of the people of the Island have expressed in the present Government—a faith which I never profess to have had myself—that they could carry out the Terms of the Union, and their belief in the promises which leading members of the Administration have made from time to time will be seriously shaken, unless some active measures are at once taken by hon. gentlemen opposite to carry out these terms and to fulfil these promises.

Mr. YEO. I am pleased that this question has again been brought up in this House. I had hoped from the action of the Government last summer, about the time of the elections, that the matter would have been attended to before now. It has been before the House for nearly eight years, but it seems as if it were no nearer settlement than ever. I hope the Government who have again been returned with a large majority—a fact which I, for one, greatly regret—will take up the question at once and deal fairly with the people of Prince Edward Island. I would just like to see some of the Ministers undergo the experience that we have undergone, who have had to cross the strait once or twice a year, for if they had that experience I believe they would

lose no time in providing the proper means of crossing. I certainly would like to see one or two of the gentlemen make a trip down to the Island for the benefit of their health and the good of Prince Edward Island. The hon. member for Queen's has spoken of steam communication in summer, which is a matter of great importance to us. What we want is new boats. The boats now used have been there a long time, and are altogether unfit for the service. We want two new paddle-wheel boats of large capacity for freight and passengers for summer, and two strong screw boats for the fall and winter service. The screw boats to run between Summerside and Shediac as long as possible. This would lengthen the season of navigation at least three weeks, which would be of the greatest importance to the inhabitants of the west end of the Island. With all the great cry about the National Policy and the benefit it was to do this Dominion, we do not feel any good results from it there. In fact, we are very much against it; but, if we had boats which would run late in the fall, and enable us to transport our goods to and from the Islands, there would not be so much discontent. We need two new boats for summer and two for winter service, so that one might leave Pictou and one Georgetown at the same time. If there is nothing done now, I believe the people of the Island are getting so excited over the matter that they will either go in for a tunnel or appeal to the Imperial Parliament for separation, and I do not know but one of these courses is as good as the other. But something must be done. The Minister of Railways, when he sat on this side of the House, and the late Government was in power, was as active as any gentleman from Prince Edward Island in demanding that this grievance should be remedied, and I thought we only needed a change of Government to have that done. I do not know what the reason is, but the hon. gentleman has kept very quiet on the subject ever since he has been in a position to do anything for us. It is probable that the branch railway will be built, but in connection with it the winter cape service should be made more efficient. Sheds should be built for the boats and their crews, and larger ice boats and water boats provided. The men who perform that service should also be better paid, as hitherto they have been very inadequately remunerated for their difficult and dangerous work. I hope and trust, however, that the Government will take this matter into their consideration at once, and deal liberally with the people of Prince Edward Island.

Mr. JENKINS. The question brought before the notice of this House by my hon. colleague is one possessing the deepest interest for the people of Prince Edward Island, and I cordially endorse all that he has said as to its great importance to their trade and commerce. But, Sir, when my hon. colleague questions the sincerity of the present Government and their intention to improve the means of communication with the Island, I cannot agree with him. I have firm faith, not only in the sincerity of their intentions, but also in their ability to carry out any scheme for improving steam communication between Prince Edward Island and the mainland. My hon. colleague says he does not believe in a Committee; he says there is nothing to enquire about. On this point I differ entirely from him. I think there is everything to enquire about, and I think the fact that no Government has ever had any reliable information with regard to the difficulties of communication, is a very good reason why they may not have taken action in the matter. My hon. colleague thinks the late Government were entirely sincere in their efforts to give us steam communication. I will not differ from him on that point; I will not question their sincerity, but I do question their wisdom. They took the *Northern Light* off the hands of its builder. She was not built for crossing the straits, but for passing up and down the St. Lawrence—a very different service. She is built very light and narrow, in the shape of a ram, and

when she tries to pass through the fields of ice in the straits, she sticks, and cannot stand the constant concussion to which she is subjected. If we want to overcome the difficulties of winter navigation, I believe we must take the *Northern Light*, not as a model, but as a model to avoid in every particular. She was not intended for the service and was utterly unfit for it. When she first came to Charlottetown I walked out on the ice, which was just sufficient to bear the weight of a man, and she was not able to go through more than one third of her length at each attempt. I told the captain: "If you turn her stern foremost she will go," and Admiral McClintock, who visited Prince Edward Island last summer, made the same remark. Although she is unfit for the service, I think a ship may be built which will overcome the difficulties of winter communication on almost all occasions. These difficulties are a given weight of ice, impelled by a given force of wind and tide. To overcome these obstacles, we must get a greater weight and greater force. I see no difficulty in this. I may say that I placed on the Table, a day ago, a notice to have a Committee formed to enquire into that point, on which we have at present no reliable information. No two men will agree as to the depths of ice a steamer will go through, or as to the amount of ice that comes in a conglomerated form, piled together. Nor do they agree as to the power of resistance required. I think a Committee may be very useful, not only in acquiring reliable information, but in sifting that information. We know that in Prince Edward Island there are sectional interests, and these interests are conflicting. Of the people who reside in different localities, each one thinks his is the proper locality for winter navigation. I was coming up in the train with a gentleman who lives in Georgetown, and he said: "There should be no sectional jealousy: Georgetown is the place." Every man thinks the same of his own locality. I believe if this Committee is formed and if it sifts the evidence properly, it will have this good effect: that the people belonging to the different sections will see that their interests have not been overlooked, as they would think they were if it were merely a scientific committee, without a representation for the different districts. My view of winter navigation is: that we should put a steamer where the men now cross and put ice boats on board the steamer. If the steamers were unable to pass through the ice, then the ice boat could easily get over it, because the heavy ice which would obstruct the steamer would make easy work for the boats. My hon. colleague has spoken to the effect that efficient steam navigation was a strong factor in inducing the people of the Island to overcome their reluctance to Confederation. I can endorse that statement. When Confederation was first propounded, only ninety-four of the whole inhabitants of the Island could be found to endorse it, and I may say I was one of the ninety-four. Again, when the subject was brought up in the Local Legislature, a resolution was passed, stating that no terms could be offered to Prince Edward Island which could be accepted. That resolution was passed by a majority, I think, of twenty-five to four, and I may add I was one of the four. Better terms were afterwards offered, but they also were rejected. Afterwards what are now known as the "better terms" were offered, and I am certain that the policy of continuous steam navigation between the Island and the mainland was a strong factor in inducing the people to overcome their reluctance to Confederation. It is impossible to over-rate the importance of steam navigation to the people of our Province. We are in an isolated position. We are unable to benefit directly by the National Policy, which has had so very beneficial effect on the other Provinces, because we are unable to enter into manufacturing. If we had continuous steam navigation, I believe manufactures, to a certain extent, would be carried on, and we would benefit, both directly and indirectly, by the National Policy. The people of the Island in 1878,

when the National Policy was first proposed, saw that they, individually, could not benefit by that policy, but they loyally acceded to it and sent five out of six members to endorse it. I think that that fact should induce this House, if Prince Edward Island required more than justice, to give us a little more than justice; but we do not look for more than justice. We look simply for the carrying out of the Terms of the Union in regard to steam communication. My hon. colleague has spoken as to the branch line at Cape Traverse and seems rather to doubt the sincerity of the hon. Minister of Railways in having had an amount voted last Session for the construction of that railway. The people of the Island are not in unison as to the point at which that branch should tap the main line. The hon. member was in favor of the branch from the county line to Cape Traverse. A very important section of country along the line between Wiltshire and Cape Traverse are in favor of having a longer branch from Cape Traverse to North Wiltshire. This will have the advantage of passing through a very fertile country, four of the largest and most fertile settlements of the whole Island lying in that line, and the inhabitants of those points are very anxious the line should run in that direction. The hon. Minister of Railways gave me a promise, that before any action should be taken in regard to the building of the line, that route would be surveyed, and if practicable, adopted. That, I believe, is one of the reasons for the delay in building the branch. With regard to the boat houses, I may also say that in November I had an interview with the hon. Postmaster General, and he promised that the boat houses would be built and the water boats put on, if the contractors would place them in the contract at anything like a reasonable sum. When I returned to the Island I had an interview with Captain Irvine, and we agreed on what was a reasonable sum, to build the boat houses and put on the water boats, but when he conferred with his partner, they came to the conclusion the season was too far advanced, and they could not get lumber to build the boat houses. That is the reason the houses were not built. As to the water boats, the contractors did not seem prepared to put on the water boats this season, but I believe next season boat houses will be built and water boats put on. I am sure they will prove of great benefit to the passengers, because, as my hon. colleague has said, one of the greatest hardships in crossing is to get into an icy cold wretched boat. The people of the Island have for a long time been very patient, I think too patient. They have now awakened to the necessities of their position. This year they have been aroused, because it is a matter of fact that a very large proportion of the products of the season remain on the Island to the great loss of the farmers and shippers and the consumers on this side. The necessities of their trade are so great, owing to the increased acreage of cultivation, that the people of the Island are alive to the fact that they must do their best and put their shoulders to the wheel. A meeting was held lately at which strong resolutions were passed. I wish my hon. colleague had delayed his notice of motion until we would have had these resolutions, and the petitions being signed throughout the country, before this House. They, I think, would have strengthened our position. As to steam communication, I have an idea of my own. I believe that the Terms of Union will never be carried out until we have a steamer running between Capes Traverse and Tormentine, which will be able to carry cars from the Island line to the Intercolonial. Now, the advantages of that to Prince Edward Island would be incalculable. It would prove also a very large feeder to the Intercolonial Railway, and would draw a large traffic to the Prince Edward Island Railway. It would be of immense benefit to the farmers by enabling them to send their fresh meat, fish, and eggs to the large manufacturing towns in the United

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States, and I believe it would revolutionize the system of farming as well as the carrying trade of the Island. That is a question which I hope to see brought before the House in a more mature form at a future time. My hon. colleague has expressed doubts as to the sincerity of the present Government, but I am quite sure the present Government has the best feeling towards Prince Edward Island, and I am sure that under their rule Prince Edward Island, instead of being the step-child of the Dominion, as she was under the late Government, will become the pet child. I think we have every reason to hope so. The hon. the leader of the Opposition said a few days ago, in the debate on the Address, that he felt it his duty to throw a shadow over the bright picture of sunshine and prosperity that had been presented to the House. I think we ought to hope that it may long remain the province of the hon. member to cast only a metaphorical shade over the prosperity which now gladdens the hearts of the people of the Dominion.

Mr. McINTYRE (King's, P.E.I.) This question has been so thoroughly discussed by the hon. gentlemen who have preceded me, that I shall say but little more on this occasion. This is not a new subject on the floor of this House. In 1874, when I had the honor of a seat here before, it was a subject of discussion on several occasions. As a consequence of those discussions, the *Northern Light* was placed on the route between Pictou and Georgetown, and I think that all parties since that time have come to the conclusion that the boat has performed excellent service, both sides of politics in the Island to-day agreeing on that point. Of course she has not accomplished all that we desire, but she has done remarkably well so far as shortening our winter is concerned. She has cut off three or four weeks on each side of winter, both spring and fall. This year, unfortunately, navigation closed very early in the season; in fact, large masses of ice were drifting down from the north-east at the very time our lakes and rivers were being frozen. The *Northern Light* does very well in the fall and spring of the year, as long as the ice is loose. But an experience of six or seven years shows that we require a better service, and we shall expect to see all these improvements effected which hon. gentlemen have suggested. We shall expect that the hon. gentlemen who now govern the country will make such improvements in our communication as the people of the Island may justly ask for. I have long been of the opinion that Pictou is not the proper place for the boat to go. I think Cape George is a much better place, because there is open water between the Island side and that Cape; however, I understand that the breakwater there has been destroyed, so we must depend on Pictou, for a while at least, as the mainland port. What we require now is a large boat, in fact two of them, to make our winter communication what it ought to be. We also require more attention paid to our summer communication in the eastern and southern sections of King's County. One of the Fishwick boats now calls at Murray Harbor. I believe she should also call at the Port of Souris, from which, in summer, a large quantity of canned fish and other freight might be shipped. For several weeks of the year it is very difficult for any ship to get through the ice between Pictou and Georgetown. In the present year the 10th of January was the last occasion that the *Northern Light* made any attempt to cross. As far as the branch railway is concerned, I think, as the money has been appropriated for that purpose, the branch ought to be constructed, because in the dead of winter this will be our only means of communication to and from the New Brunswick shore. For that reason we have every right to expect that the Government will go on with the construction of that railway. In fact from what we saw last summer, when the elections were in progress, we expected the branch would be completed before the elections were over. I have always contended that we should have improved communication in that direction. It is impossible for the

people much longer to suffer the present inconvenience; in fact, we are no better off now than when we entered Confederation. In connection with this, I must say that whatever favors the Island received from the Liberal Administration, for the last four years at least, no attempt whatever has been made to improve the service of the *Northern Light*. I am sure that the House must have been surprised to learn from the hon. gentleman who has just taken his seat that the *Northern Light* was built for the St. Lawrence River. This is the first time I have heard of it. There are one or two gentlemen from the Island in this House who were here in the spring of 1876, and they will remember that that boat was built expressly for the Island. The model was approved by the members who were then in this House. She was built expressly for the service in which she was then engaged. I quite agree with the hon. member for Queen's (Mr. Davies) who spoke first on the Opposition side of the House. I think it would be useless at this stage to ask for a committee of enquiry. A committee of enquiry can only result in further delay, and we do not want any further delay. What we want now is the immediate construction of the branches, and the immediate construction of two boats to take the place of the *Northern Light*, as she is getting old and worm-eaten, and will not be able to drag out more than a year or two more. I am surprised that any hon. gentleman from Prince Edward Island can come to this House and approve of the National Policy with the present condition of the Island staring him in the face. We were never in a worse condition, within our recollection or within the recollection of the oldest inhabitant, than we are just now. A great deal of the misery and poverty we now suffer, and the exodus of our young men, are due to that policy. Emigration has never been so large as it has been this last fall and summer. There is nothing on the Island for the people to do. I think that the motion of the hon. member for Queen's (P. E. I.) is scarcely sufficient, and I therefore beg leave to move the following amendment:—

That the following words be added at the end of the said motion:—  
"also copies of all instructions issued to the Agent of the Marine and Fisheries Department at Prince Edward Island, relating to the running of the *Northern Light* during the present season, and all correspondence on that subject."

Mr. HACKETT. The question referred to in the motion of the hon. member for Queen's is one of very great importance to Prince Edward Island. It is not a new question; it has been discussed by Parliament, within my knowledge, every Session for the last four years, and the representatives of the Island have availed themselves of every opportunity to have it fully discussed. At the time of Confederation great inducements were held out to the Island to enter into the Union, tempting offers were made, but they were all rejected by the people for the simple fact that owing to our isolated position and our being shut off from the mainland during four months of the year, it would be quite impossible to consummate the Union. They said it was impossible to expect that we on the Island, having to contribute large sums for the construction of public works on the mainland, could enter the Canadian Confederation unless the Island was placed in continuous communication with the mainland. To meet their views on this question the following clause was inserted in the Terms of the Union. I will read it to show there is no reservation whatever in the clause:

"Efficient steam service for the conveyance of mails and passengers to be established and maintained between the Island and the mainland of the Dominion, winter and summer, thus placing the Island in continuous communication with the Intercolonial Railway and the railway system of the Dominion."

I want to show how this has been carried out. The service may be divided into two branches, the summer and winter service. The same boats are running in summer as were running in 1873 at the time of the Union—there has been no improvement at all. I believe the subsidy has been

increased, but there has been no improvement in the means of communication. The services are performed by an Island company, and I do not want to say a word in disparagement of the company; they have performed the work to the best of their ability, their boats are well manned and the officers are obliging and courteous; but the trade has overgrown the accommodation provided by the company during the last four years the National Policy has been in force. The result has been, as was predicted by hon. gentlemen at present occupying the Treasury benches, that there has been an increased volume of trade in the Province. I am very happy to state that such has been the result with respect to Prince Edward Island; the volume of trade has increased immensely during the time the National Policy has been in force, and in consequence of that increased trade the Government should be called upon to afford additional facilities for the purpose of carrying on that trade. We, in Prince Edward Island, are not in a position to embark to any great extent in manufactures; we are an agricultural people; but we are benefiting by the growth of manufactures in other Provinces—by the erection of sugar refineries at Moncton, Halifax, and other centres, and of cotton factories at Moncton, St. John and elsewhere—and it will doubtless be the policy of the Government, in carrying out the system of protection and fostering the manufactures of the country, to afford the agriculturists of Prince Edward Island facilities to develop in like manner and allow them the means of taking advantage of the markets created by the National Policy. The hon. member for King's (Mr. McIntyre) has spoken of great poverty existing on the Island at the present time. It has always been the case that Grits have proclaimed poverty, disaster and ruin, but I am somewhat surprised that my hon. friend coming from Prince Edward Island should have proclaimed the opinion that the people of the Island are in want and misery. Such is not the fact. Let me show what has been the result of the National Policy in the county I represent. In 1878 the exports from the port of Summerside in Prince County to other ports of the Dominion, not foreign exports, amounted in value to \$136,940. In 1882 the value had increased to the enormous sum of \$466,415, or an advance of 300 per cent.

Mr. DAVIES. Of what did the exports consist?

Mr. HACKETT. I am very happy to inform the hon. gentleman that they consisted largely of the agricultural produce of Prince County. In 1878 when we were unable to sell those products in the neighboring Provinces we were obliged to seek a foreign market, but now we are able to sell them in Moncton, St. John, Halifax and other rising towns in the neighboring Provinces of Nova Scotia and New Brunswick, and are not obliged to seek a market abroad. Without dealing at greater length with this branch of the subject I may state, in relation to the Port of Summerside that being in Prince County and contiguous to the neighboring Province it will be the port from which this trade will be carried on, and I hope, from the fact that there is a good harbor at Summerside, and that the railway runs down to the water, and that there is a good harbor at Point Duchene in the other Province, and that the Intercolonial runs down there, the Government will place on that route better means of communication than at present exist. Those boats, while suitable for the service eight or ten years ago, are not adapted for the present trade. We want better boats. It has been stated that freight was lying on the wharf. The people have been unable to obtain facilities for transport, and the consequence has been great loss to them. Although I do not want to say anything disparaging to the Island Navigation Company, it must be remembered that the interests of the whole people are greater than those of a private company, and I hope before another year has

passed, if the present company will not enter into a contract for carrying on the service more satisfactorily than for the last few years, the Government will call for tenders, and offer a sufficient subsidy to any company that will provide satisfactory boats to perform the service. I do not think that I need say a great deal more with regard to the summer route. I shall now come to the winter service, and I may say with reference to this question, that it has been discussed at some length in this House during the last four years and more. At the time when we entered the Confederation—as I have just read—it was stipulated, that continuous steam communication, winter and summer, should be maintained at the expense of the Government of the Dominion between Prince Edward Island and the mainland. Well Sir, that clause in the contract was hailed with delight by the people of Prince Edward Island. They said: "Now, we will get into a new groove; we will take a new departure; "This will mark a new era in the history of Prince Edward Island." And they accepted with great readiness the Terms of Union; but what has been the fact—so far as the winter service is concerned? There has been no change with the exception of the *Northern Light*, to which I will refer a little further on; and as has been shown, there has been no change in the summer service; everything has remained in the same state. The crossing at the Capes is performed by little boats, which are hauled across the Straits of Northumberland, a distance of nine miles. This was the system which prevailed fifty or sixty years ago. There has been no improvement. I do not censure in this relation one Government more than another. With regard to the Cape crossing before we entered the Union, the men who lived at the Capes kept up the communication for mails and passengers, in mid-winter between the Island and the mainland; and were it not for these men—and such men are not found frequently—we would be shut out altogether, at times, from communication with the mainland. These men have spent their lives at this work; they have become worn out in the service, and still we find them doing this important work, and I think that the least the Government can do, is in some way to improve this communication. My hon. friend from Queen's (Mr. Jenkins) has stated that he had an interview with the leader of the Government, with respect to this service. I may say that I accompanied him on that occasion, and owing to the very friendly and courteous manner in which we were received, and the inducements which were held out, I am very certain that before another year elapses—it is too late to do anything this season—the communication at that point will be improved. With regard to the *Northern Light* winter service, my hon. friend of the Opposition (Mr. McIntyre) stated that the *Northern Light* had fulfilled in great measure the Terms of the Union; but, I contend that she has not done so. No; there has been no fulfilment in this respect of the Terms of the Union. The hon. gentleman makes the statement that she was built expressly for this service. Nothing is farther from the truth. I have it from the gentleman who built her, the late Mr. Sewell, of Quebec, that she was intended for the navigation of the lower St. Lawrence, and not at all for the Gulf, when the late Government came and took her off his hands.

Sir JOHN A. MACDONALD. Hear, hear.

Mr. HACKETT. That is the fact. Mr. Sewell stated to me—he has since said—"He advised the Minister of Marine and Fisheries, and the Government at that time, to lengthen her twenty feet; she was too short, and not heavy enough to contend with the ice in the Gulf. She was too light and too short; she required lengthening for twenty feet; but they would not consent. They said that they were going to try her. It was a mere experiment, and in the meantime they would make a trial of the vessel." What?

Mr. HACKETT.

It was only an experiment? An experiment with the people of Prince Edward Island in the carrying out of the Terms of Union! Why, Sir, I say that no greater insult was ever offered to a free people. Why should they experiment with us? It was no experiment to cross such a body of water in mid-winter. It is well known that on the coast of Newfoundland, in their seal-fishing expeditions, they go through hundreds of miles of ice, heavier than is encountered in the Straits of Northumberland. Why, if they really wished to carry out the Terms of Union, did not the late Government bring one of the sealing vessels, which would have been suitable for the service, and put her on this route? They should not have trifled with the people of Prince Edward Island, by making any experiment at all. They should have taken the course I mention; and had they done so, we would now have some practicable service. But they did not do so. They sent down the *Northern Light*, which, as every person who knows the record of the vessel is aware, cost this country \$60,000 or \$70,000 before she reached the Island. Her first attempt was a failure—a most ignominious failure. It was supposed that she would pass through three feet of green ice; but, as my hon. friend beside me (Mr. Jenkins) has stated, she would not go through six inches of soft and one foot of heavy ice. At that time she had actually to be cut out. She has done a little better since, I am willing to admit; but I contend that she has not fulfilled the Terms of the Union with respect to steam service. On the other hand, if the late Government had not placed this steamer on that route—had they been wiser, instead of buying such a vessel as the *Northern Light*, and putting the contract in the hands of a political friend, thereby being guilty of political corruption—but had invited tenders and said: "We will invite the world to come and build a boat for this service," then the people of Prince Edward Island would have thanked them and declared that the late Government were willing to carry out the Terms of Confederation. But instead of pursuing this reasonable policy, they took a cockle-shell off the hands of a friend of theirs and used it for this service. It has now cost this country \$120,000, and it stands in the way of securing better winter communication with Prince Edward Island. Now my hon. friend from Queen's (Mr. Jenkins) has made some reference to the captain of this vessel, but her captain in 1878, as you will remember, Mr. Speaker, is the same captain who now commands her; there has been no change. I saw in the office of the Deputy Minister of Marine and Fisheries a telegram from her captain, in which he said that he had gone out from Georgetown to cross over the straits to Pictou, but after being two days out he encountered very heavy ice and was obliged to return to Georgetown. The Minister telegraphed in reply: "Use your own judgment, and cross the straits when you think you can do so." This was the order given. This captain has been in that vessel since she was placed on the route, and if he had a better ship, there is no doubt at all that he could make the crossing regularly. In the *Northern Light*, however, he has been in danger of his life, since he placed his foot in her; and he is often afraid now to cross the straits in her. We all know that, two years ago, in a letter published in the press it was stated that the *Northern Light* was the most dangerous ship afloat; and can it be fairly said that this vessel, which has been sent to the people of Prince Edward Island, is fairly carrying out the Terms of the Union. I regret very much that she was placed on the route at all, for if she had not been put there we would have had a better ship on the route before this. My hon. friend from Queen's County (Mr. Davies) is in very great dread lest the railway to Cape Traverse was not going to be completed, in connection with the Prince Edward Island Railway; and he wants to make it appear that it was merely a political dodge, on the eve of the September elec-

tions, that promises were made in this particular. He stated that the right hon. gentleman who leads the Government telegraphed last year, previous to the local elections, that the subject of railway communication with the Island was under consideration, making the insinuation I have mentioned. Well, Sir, I am happy to state that I can corroborate the telegram which was sent down to us by my right hon. friend last year. The members who represent Prince Edward Island, the Senators and almost all the members from the Island sitting in this House, signed last fall a memorial and sent it to the Government, requesting them to take up this matter of steam communication; and it was at that time that my right hon. friend telegraphed with regard to this subject that it was under consideration. I am happy to find, as the result of its having then been under consideration, that \$189,200 were placed last year in the Estimates for the building of a branch railway to Cape Traverse. This will show that the Government is sincere in the matter and intends to carry out the Terms of Union; but the great trouble was, Mr. Speaker, that the people of Prince Edward Island themselves could never agree on a route for the road. One party in Souris desired thus to connect Souris with Cape George; another party favored Charlottetown in this relation; another Cape Tormentine; another Cape Traverse; another Summerside; and in the district of my hon. friend from Northumberland it was desired that it should run to Point Escuminac. They could not agree upon a route, and it comes with a very bad grace from the hon. gentleman to charge the Government with dereliction of duty in the matter. Last year a meeting of the people of Queen's County was called at Charlottetown to discuss this question. It was presided over by the high sheriff, and was intended to afford an opportunity of laying before the Government the wants and requirements of Prince Edward Island. Several gentlemen attended that meeting and made good, sensible, and practical speeches. The hon. gentleman who sits beside me made a good speech, and the hon. Mr. Brecken also delivered a sound, practical address. Another gentleman was called upon to speak, by the name of Louis H. Davies. In a report of the meeting in an Island newspaper I find it stated that this gentleman was repeatedly called upon, but with becoming modesty he did not come forward for some time. The meeting took place on the first of February 1882—just one short year ago. What were the views of Mr. L. H. Davies at that time—a gentleman who has been Premier and Attorney General of Prince Edward Island, and one who has been in public life ever since Confederation. The report says:

"Mr. L. H. Davies after repeated calls came forward and said he was never backward in expressing his opinion upon a subject he understood; but with respect to the subject under discussion he would very much rather remain a listener."

This, Mr. Speaker, was just a year ago, and notwithstanding the important positions which the hon. gentleman had held in the Island, he did not sufficiently understand the question to express an opinion upon it, and he said, with becoming modesty and reserve, that he would prefer to be a listener. To-day he is the raging lion from Prince Edward Island on the floor of this House. He says the Government should have done this work long ago, though according to his own statement he did not sufficiently understand the question one year ago to express an opinion upon it. This is of itself sufficient to exonerate the Government from all blame.

Mr. DAVIES. Read the whole of it.

Mr. HACKETT. Yes, I will read the whole of it, for the hon. gentleman's speech on that occasion was a very short one, a fact which I regret in the interests of his Province. He said:

"It certainly seems very advisable to have railways to the Capes, and money is no object nowadays.

"A VOICE—If that is the case, we had better have the tunnel at once.

"Mr. L. H. DAVIES thought, however, that there were some considerations in connection with the proposed improvement. If the Capes railways are constructed, shall we also have daily communication in summer, between Charlottetown and Pictou. Shall we have, what we greatly need, viz., better boats than those at present in use. Suppose the routes by way of Cape Traverse be adopted, what is to become of the other route? Are the statements of a correspondent of the *Examiner* of this evening true? To lengthen the distance to travel by the narrow gauge railway would he thought be a mistake. He could not rid himself entirely of sectionalism, and he asked how will the proposed change affect the interests of Charlottetown?"

Here was the sectional feeling cropping up—how would it affect Georgetown or Charlottetown or Summerside?—and that feeling is one thing that has weakened and hampered the Prince Edward Island members in this Parliament. I am happy to say, however, that on the present occasion the people of the Island are united, and they say they want a strict fulfilment of the terms of Confederation. I have already said what I think the Government should do—that they should give the additional facilities for exporting the produce of the Island in the summer time. We should have a railway built to Cape Traverse. My hon. friend has advocated a point other than the county line as the place of junction, but for my part I think the county line would be the best in the interests of the Province. It is the shortest way between the two leading points of the Island; it shortens the mail route between them, and it is important to have the shortest possible route for the road. I wish to say that when we stand up in this House to look after the rights of our Province, we are not in the position of mendicants or supplicants looking for favors. I was astonished to read that in the Legislature of Quebec the other day, the leader of the Opposition speaking of the financial relations between the Island and the Dominion, said the Island had sought many favors from the Dominion, and was still clamoring for more. No statement could be further from the truth. We have not received any favors from the Dominion. We have confined ourselves strictly to the letter of the law; and this question of steam communication, winter and summer, has been neglected to the great injury of the Province. Our Province has a fertile soil, capable of yielding as much agricultural produce to the acre as any other in the Dominion; we have a good climate and an energetic, industrious and active people. All that we require in order to place these products in the markets of the neighboring Provinces, is this winter and summer communication; and I hope the Government, before any great length of time elapses, will place us in direct and continuous communication with the mainland and so render our people contented, prosperous and happy.

Mr. CASEY. I do not know that this question should invariably be treated as one of interest only to the people of Prince Edward Island, for I venture to say that it affects the people of the whole of Canada, though perhaps not to as large an extent as those of that particular Province. They have no market for their produce during the winter, but on the other hand we lose the benefit of selling to them, because an Island containing an industrious population of 120,000 must be of very great importance to us from a commercial point of view, and especially to the infant manufactures we are endeavoring to foster in every part of Canada. I have another reason for taking part in this debate besides the fact that the question concerns the whole of Canada as well as Prince Edward Island, and that is that a general political element has been imported into the discussion by some hon. members who have taken part in it. The hon. gentleman who has just spoken has attempted to cast a great deal of blame on the late Government because of the manner in which they dealt with the question. He says that they were experimenting with the people of Prince Edward Island, be-

cause they tried to open up communication with the Island upon the present system. I would like to ask how, in the name of all that is peculiar, they could determine whether or not the plan was practicable, unless they tried an experiment? They were not experimenting with the people of Prince Edward Island but with a particular build of steamers. Hon. gentlemen opposite appear to be experimenting with the people of the Island in trying to find out how long the Conservatives of the Island will remain content without winter communication, with a Conservative Government in power. Their experiment however may be terminated very soon, because I believe the people of that Province are not in the habit of suffering grievances without grumbling, and when they do grumble they are simply performing their duty not merely as citizens of the Island but as British subjects whose prerogative it is to grumble. The hon. member for Prince County says the *Northern Light* was not built for this service. Well, Sir, he admits that it was built for winter service in the Gulf of St. Lawrence, and hence for similar conditions to those to be met in the straits, and it was finished with special reference to the needs of the straits. It was designed and built by experts in such matters. I ask what better experiment could be made for winter navigation what more likely to succeed, than to take a vessel so built and try to use her for several winters in the straits? The hon. gentleman said that if competition had been invited from the world, tenders obtained, and better steamers put on the route, communication might now be open. Well, Sir, his friends have been in power for four years—why have they not got better steamers? Why have they not carried out their pledges and kept the communication open? Simply because they are making an experiment with the people of Prince Edward Island. I think, however, that my hon. friend who opened this debate need not be so anxious about the carrying out of this pledge, because he has the former pledge of the hon. Minister of Railways—given, however, while in Opposition—to carry out these Terms. In a debate in 1876 on this matter, the hon. Mr. Tupper is reported to have said:—

“I do not say the service ever will or can be done by anybody, but I say that the Government of Canada are pledged to the people of Prince Edward Island, to use all the means in their power to establish this service, and until every means is exhausted, whether it succeeds or not, the Government will not have fulfilled that pledge. \* \* \* I do not say it is possible for the Government, by any policy they can adopt or by any efforts they can make, to bridge the Straits of Northumberland in the winter season, but I do say, in the Terms of Union, the Government and Parliament of Canada have bound themselves solemnly to accomplish that object. \* \* \* Then the hon. gentleman will see it is still more necessary to prove it is impossible to do it before we can be relieved in the slightest degree of the obligation we have undertaken, and show we have not been guilty of bad faith.”

Now, Sir, they have not shown that it was impossible. An experiment has been made, not by them, but by the Liberal Government. An effort has been made to bridge these straits, and it failed for the time being. Does that show that it was impossible? That was the attempt of a lot of “blundering incapable Grits” who were not supposed to know anything about such matters. Hon. gentlemen opposite have had four years in which to see whether it was possible or impossible, and they have not made any attempt to decide the matter. One would think, from the hon. the Minister of Railways portentous eloquence in 1876, that he would have made the thing possible, and then have done it; but up to the present time he has done nothing. Under these circumstances, it is not the people of Prince Edward Island alone who should grumble, but the people of Canada who are separated from them by the failure of the Government to carry out their pledges. There was another consideration which should lead us to think that they would do so. It was part of the Terms of Union with British Columbia that a railway should be built to connect that Province with the rest of the Dominion. We have seen how millions of dollars

Mr. CASEY.

have been spent to carry out this agreement, and it is reasonable for the people of Prince Edward Island to demand that similar efforts should be made to secure connection with the far more important Province of Prince Edward Island.

Motion, as amended, agreed to.

#### MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Copies of all correspondence, petitions, and other documents, respecting the appointment of a Postmaster at Scottsville, in St. John's County, Province of Quebec, from the date of the resignation of Daniel Salt, up to the present time.—(Mr. Bourassa.)

Copies of all Order in Council and the Commissions issued to certain persons, in connection with claims made on the Government, arising out of the construction of the Intercolonial Railway; of all instructions to and correspondence with the Commissioners, and Statements of the matters referred to them so far: and of the remuneration to be paid to them and the Secretary of the Commission; Statement of the number of days during which the Commission has sat so far.—(Mr. Blake.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 6 o'clock p.m.) the House adjourned.

#### HOUSE OF COMMONS,

TUESDAY, 20th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 18) to incorporate the University of Saskatchewan, and to authorize the establishment of Colleges within the Diocese of Saskatchewan.—(Mr. Williams.)

Bill (No. 19) to incorporate the Révérends Pères Oblats de Marie Immaculée des Territoires du Nord-Ouest.—(Mr. Royal.)

Bill (No. 20) to empower the National Insurance Company to wind up its affairs, and relinquish its charter, and to provide for the dissolution of the said Company.—(Mr. Coursol.)

#### KING'S COUNTY (P.E.I.) ELECTION.

Mr. SPEAKER. I have the honor to inform the House that, in obedience to the Order of the House made yesterday, the Clerk of the Crown in Chancery is in attendance at the Table, with the Returns of the last Election for the Electoral District of King's County, P.E.I.

Mr. CAMERON (Huron). I suppose these documents, or at all events as many of them as are necessary to a clear understanding of the circumstances of the election in King's County, P. E. I., will be printed. I wish to state to the hon. the First Minister, that I purpose following up my motion of yesterday with such a resolution as, in my judgment, the facts, when we shall have mastered them, will warrant. I understand there are some complicated and difficult questions involved in the case, and it will be import-

ant, in the interests of the House, in order to understand the position, the duties, and responsibilities of returning officers, that the matter should be fully discussed. I purpose moving this other resolution at an early day—perhaps to-morrow if it suits the convenience of the hon. the First Minister, but if not to-morrow I shall be glad to move it any day he may see fit to appoint.

Sir JOHN A. MACDONALD. Will the hon. gentleman be kind enough to communicate what his motion will be?

Mr. CAMERON I am not in a position to say what form the motion will assume because I have not read the papers. I suppose such of them as are necessary will be printed to-morrow, though it is certainly not necessary to print all the papers which the Clerk of the Crown in Chancery has brought down.

Sir JOHN A. MACDONALD. I may as well tell the hon. gentleman, as he does not appear to have made up his mind as to what motion he will move, that I have made up my mind as to what the motion should be, and, unless he does so, I shall move that the question shall be submitted to the Committee on Privileges and Elections.

Mr. CAMERON. When does the hon. gentleman purpose making that motion?

Sir JOHN A. MACDONALD. The matter is in the hon. gentleman's hands as I understand.

Mr. CAMERON. So far, I may say it is, but I do not care to move the resolution in the present condition of the House as the discussion will probably be one in which almost every lawyer will desire to take part. At present nearly all the legal members of the House from Ontario are absent. Perhaps some day when these hon. gentlemen will be in their places would suit the convenience of the Government—say some day next week.

Sir JOHN A. MACDONALD. Any day the hon. gentleman fixes.

Mr. CAMERON. Supposing we say Wednesday or Thursday week?

Sir JOHN A. MACDONALD. Thursday week.

Mr. BLAKE. With reference to this matter it certainly will not be necessary, so far as we can judge from what the public newspapers have informed us, that all the documents contained in these large bundles should be printed. I suppose they mostly contain the voters' lists, which are quite immaterial. Perhaps Mr. Speaker would have no great difficulty in directing that the relevant papers should be printed. I presume that the return made by the returning officer with the papers transmitted with it, and a portion of the voters' lists, are all that will be necessary for the purpose of a preliminary discussion.

Sir JOHN A. MACDONALD. I quite agree that Mr. Speaker should look through the papers and select what really is relevant—what really would be the subject of discussion in the House or Committee.

Mr. DAVIES. As the return does not state the sum total of the votes polled, the respective papers with the totals might be printed along with the return.

Mr. SPEAKER. Some motion must be made that the papers be read, or taken as read, otherwise they will not appear on the Votes and Proceedings.

Mr. CAMERON. I move that the papers submitted by the Clerk of the Crown in Chancery be now read.

Motion agreed to.

#### COLLECTION OF SEAMEN'S WAGES.

Mr. O'BRIEN, in moving the discharge of the order for the introduction of the Bill respecting the collecting of

seamen's wages, said: Permit me to say that the Bill to which the motion refers was drawn by an hon. gentleman fairly conversant with the subject, but on asking the opinion of those who were interested in the legislation of last Session, I find that, so far as I am able to judge, the legislation of last Session was quite sufficient for the purpose I had in view in introducing the present Bill. I ask, therefore, that I may be allowed to withdraw the Bill.

Order discharged, and Bill withdrawn.

#### CANADIAN CONSOLIDATED FIVE PER CENT. LOAN.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider a certain proposed resolution (February 16th) to provide, by raising a loan, for a sum or sums of money required to discharge the Canadian Consolidated Five per cent. Loan, &c.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Sir LEONARD TILLEY. The resolution which is now about to be considered by the Committee is one that requires very few remarks from me, further than a statement of the circumstances which I think render it desirable that the resolution should pass. In 1860, a loan was issued amounting to £6,446,636 2s. 9d. sterling, under the authority of the Parliament of Canada, for the purpose of consolidating a certain portion of the debt then existing. That loan was issued bearing five per cent. interest payable at the will of the Government in twenty-five years. The twenty-five years expire on the first of January, 1885, and it is considered desirable to ask Parliament at this Session to give authority for the issue of debentures for its redemption, not bearing interest above four per cent. per annum. It is true that some time has yet to elapse before the Government will be in a position to redeem them without the assent of the parties holding them; but a considerable portion of the five per cent. debentures which are redeemable in 1885, are held by Insurance Companies and others, who will very likely wish to re-invest in Canadian securities, though it may be at a lower rate of interest. Under these circumstances, it has been considered expedient to ask Parliament for the authority to issue debentures at any time that may be considered most in the interest of Canada, for the redemption of these consolidated five per cent. debentures, or at least to substitute for a portion of them debentures bearing interest not exceeding four per cent. An arrangement was made recently with our agents in London, by which they have undertaken to reduce the rate of commission and to make this exchange previous to January, 1885, and it is very probable that satisfactory arrangements may be made to redeem one half of this debt before that time. If so, we should have to place upon the market a smaller amount, which would probably bring a larger price than if we placed the whole sum proposed in this resolution, namely, \$24,651,176.16. A portion of this loan has been to a considerable extent redeemed by a sinking fund which we have for this class of securities, which, on the first of January last, amounted to £1,381,325 15s. 3d., leaving the amount to be redeemed £5,065,310, against £6,446,636 in all. The resolution asks for authority to issue these debentures at a rate of interest not exceeding four per cent. It will become a question with the Government, when these are issued, whether it is desirable to continue the four per cents. at a lower rate of interest; but the provision is that it is not to exceed four per cent.

Mr. BLAKE. Perhaps the hon. gentleman would state the rate of commission which has been agreed upon with the agents.

Sir LEONARD TILLEY. Upon whatever amount is exchanged between the present and the first of January, 1855, they will receive one-half per cent.

Mr. BLAKE. Is it proposed to enter into private bargains with the holders of the five per cent. securities to exchange them for others at a lower rate?

Sir LEONARD TILLEY. It is not proposed to do that. I think that the course we may have to adopt is to give notice that the securities would be exchanged for others at not more than a certain rate; then we would have proposals from parties, who would name the rate they would accept, which might or might not be lower than our minimum.

Mr. BLAKE. Has the hon. gentleman considered whether it would not be in the interest of the country to alter somewhat the arrangements as to the sinking fund? The late hon. member for Centre Huron once or twice called attention to that subject, and it does seem to me to be a suggestion worthy of consideration. Our sinking fund accumulates very rapidly, and it seems to me that the credit of the country is such that we might negotiate a loan with a smaller sinking fund, but at a longer period than we have been accustomed to do. I would also like to ask whether the hon. gentleman has thought of establishing permanent consols without any sinking fund at all.

Sir LEONARD TILLEY. The hon. gentleman will see that the authority asked in this resolution is the same as that asked in connection with previous loans, and enables the Government to issue consols, if they think proper, payable in the currency of the Dominion as well as in English currency. There is no doubt a great deal to be said in favor of that mode of dealing with the question. There is also much to be said in favor of dispensing with the sinking fund. But, on the other hand, our agents in London, when I discussed this question with them on the occasion of my last visit, were of opinion that, as almost every Colonial security was floated with provision for a sinking fund, our securities would not bring so high a price without a similar provision. In that way we might lose more in one direction than we would gain in another. Though it is a question worthy of consideration, up to the present time, I think the weight of argument is in favor of our having a sinking fund. The amount of the sinking fund is also worthy of consideration. Some of the Colonies have had large sinking funds. We have paid some loans of British Columbia, of which the sinking fund amounted to more before it was due than the loan itself. Under such circumstances a large sinking fund is decidedly objectionable, but it does give increased value to have a sinking fund of at least one-half per cent., payable yearly.

Mr. BLAKE. I do not suggest the entire extinction of sinking funds, but I think the experiment of reducing the sinking funds is one that might, perhaps, be tried, though considerable enquiry would have to be made before we proposed such a cardinal departure. It is one thing to dispense altogether with a sinking fund, and another thing to keep up such a large sinking fund as we have; and if we have got immediately afterwards to issue other securities in order to redeem it, it becomes still more onerous.

Resolution agreed to and reported.

Sir LEONARD TILLEY introduced Bill (No. 21) to authorize the raising, by way of loan, of certain sums of money required for the Public Service.

Bill read the first time.

#### FRONTENAC TERRACE.

Mr. AMYOT (Translation) said: Mr. Speaker, my object in moving for copies of all papers and documents relating to the cession of several lots of land, and especially of the one on which Frontenac Terrace, in the City of Que-

Mr. BLAKE.

bec, is now erected, is this: It appears that several lots of land belonging to the Imperial Government had been promised to the Federal Government, and that, on the faith of these promises, the Federal Government had subsequently made over these lands to the Provincial Government. At Quebec, especially, there is the lot upon which Frontenac Terrace has been erected. Subsequent to the cession of this ground by the Imperial Parliament, the Federal Parliament divided them into first and second classes. The first class comprises the lands generally useful for the defence of the country, which may be called lands of the large domain, or that cannot be alienated. The lands of the second class can be alienated. Now, Frontenac Terrace in Quebec forms part of the first class, and cannot, therefore, be alienated; hence the Federal Government would have had no right to transfer to the Provincial Governments more than they themselves received from the Imperial Government. A company having recently been formed in Quebec, with a large capital, to build an hotel on the spot, and it being their intention to commence operations at an early date, it is important that such works be not commenced by the company upon land which may not belong to them, nor to construct a building which could be demolished by the military authorities as soon as built. It is in order to verify these facts that I ask that all papers and documents in this matter be laid before the House.

Sir HECTOR LANGEVIN (Translation). The papers asked for by the hon. member will be supplied. Nevertheless, I think I should state that the Government have submitted the case to the Minister of Finance, to know whether a transfer of the land in question has been made by the Federal Government in favor of the Government of the Province of Quebec, and whether the latter Government have power to transfer the same to a company, as stated by the hon. member. This question is still under consideration; but the documents will, ere long, be laid before the House.

Motion agreed to.

#### ORDNANCE LANDS OR NAVAL RESERVES.

Mr. O'BRIEN, in moving for statement showing the gross amount of receipts arising from the sale or leasing of Ordnance Lands or Naval Reserves, in the Provinces of Ontario, Quebec, New Brunswick and Nova Scotia, from the 1st day of July, 1856, to the 1st day of July, 1882, and the purpose to which the sums so received have been applied; also a statement showing the several properties of which portions have been sold or leased, and the number of acres in each case, said: In laying this motion before the House, I would like to call the attention of hon. members to the conditions upon which these lands were granted, with a view to enquiring whether or not those conditions have been fulfilled under the various Governments who held office since 1856, so that the information might be laid before the House before the Militia Estimates come down. The Estimates, I trust, will be framed on a scale commensurate, not only with the growing prosperity of the country, but also having a due regard to the wretched, inefficient condition of affairs as regards material and equipment. In 1856, an arrangement was entered into between the then Parliament of Canada and the Imperial Government with reference to certain lands which were held by the Imperial Government as reserves for various military purposes. Under that agreement the Government undertook to provide for our internal security. It is important to remember the extent and value of these lands, as well as the condition. I find, on looking into the schedule of the Act that there were no less than 60,000 acres of land, a great portion very fertile and valuable, conveyed to the Provincial Governments under the agreement I have mentioned. I cannot find that any information has been laid before the House-

a similar nature to that for which I have asked, but in 1872 a similar motion was made. The returns were, however, not brought down, owing, I suppose, to the lateness of the Session. In 1857, a return was laid before the House of a sale made in Toronto of lands from which a sum was realized a little short of \$100,000. The conditions I have mentioned certainly did give rise to the inference that the lands were acquired upon these terms, and I think there was an understanding at the time of Confederation by which those terms were not only ratified, but carried still farther. When these returns come down I think we shall be able to judge whether the Government of that day and the Governments that succeeded it have fulfilled the conditions upon which this valuable property came into their hands. In fact the history of these lands is almost the history of our transactions with the Imperial Government at the various stages by which we have risen to our present position. In 1856, a portion of these lands thus held were reserved for military purposes, because the Imperial Government then maintained garrisons at Quebec, Montreal and other places. Subsequent to Confederation these lands, which were then vested in the Imperial Government, were entirely made over to this country, because at that time we undertook our own defence. So that at every successive stage of these negotiations the responsibility has increased, and for that reason we are still more strongly bound to see that that understanding has been properly carried out.

Motion agreed to.

#### COLONIZATION LANDS.

Mr. CAMERON (Huron), in the absence of Mr. CHARLTON, moved for a return showing the total number of applications for land for colonization under Plan Number One of the Land Regulations of December 23rd, 1881, up to January 1st, 1883, with the names of the applicants, the date of applications, and the quantity of land in each case applied for; also, for a return showing the total number of applications for land for colonization under Plan Number Two of the Land Regulations, of December 23rd, 1881, up to January 1st, 1883, with the names of the applicants, the date of application, and the quantity of land in each case applied for.

Sir JOHN A. MACDONALD. I do not object to this motion, nor do I object to the other motions of the same hon. gentleman which I see upon the paper. At the same time, I must say that the expense and labor involved in the preparation of these returns will be enormous, and I suppose the hon. member must take the responsibility of the expense in asking for them.

Mr. BLAKE. I suppose they are worth the money or the hon. gentleman would not request the returns.

Motion agreed to.

#### MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Return showing the total number of applications for land for colonization under Plan Number One of the Land Regulations issued by the Department of the Interior, December 23rd, 1881, where conditions have been complied with, and grants made, or applications agreed to; together with the names of the parties to whom such grants have issued, or whose applications have been agreed to, the date of such application, the quantity of land granted to each applicant, and the location of the same, the amount of money received and the total amount of land granted, up to January 1st, 1883.—(Mr. Charlton.)

Return showing the total number of applications for land for colonization under Plan Number One of the Land

Regulations of December 23rd, 1881, where conditions of payment have not been met, and where an extension of time has been granted, with name of applicant, date of application, date of extension, period of extension, location of land applied for, quantity of land in each case applied for, total quantities of land for which such extensions of time have been granted, total amount of money to be received upon the same and total amount of first instalment paid, or payable upon the same.—(Mr. Charlton.)

Return giving copies of all regulations issued by the Department of the Interior concerning the management or sale of agricultural lands, mineral lands, timber lands, pasture lands, and town sites, since December 23rd, 1881.—(Mr. Charlton.)

Return showing the total number of acres of public lands surveyed in Keewatin, Manitoba, and the North-West Territory, during the year 1882, and the cost per acre of such survey; also, a Return showing the total number of acres of public land previously surveyed and the cost per acre of such survey.—(Mr. Charlton.)

Return showing the total number of acres of public land sold during the year 1882, the number of parties to whom such sales were made, the average price received and the total amount received from sales.—(Mr. Charlton.)

Return giving every form of patent arrangement, or agreement between Companies and the Government in regard to Colonization grants, the date of issue in each case of such document, the name of the Company entering into the agreement, and the character of the agreement in each case entered into.—(Mr. Charlton.)

Correspondence in reference to the removal to Richmond, Halifax, of William D. McCallum, Chief Train Despatcher at Truro, covering a period extending from the 1st day of September, 1881, to 7th December, 1881. 2. All correspondence from 7th December, 1881, to 25th March, 1882, touching his removal to Truro, N. S., and being offered an inferior position, and the recommendations upon which the same was decided upon. 3. All correspondence from 25th March, 1882, to date of his final dismissal on 5th September, 1882, and subsequently, if any. 4. All correspondence from James Coleman, Superintendent at Truro, touching the promotion, dismissal, or degradation of the said W. D. McCallum, and also the correspondence of others to D. Pottinger, Esq., Chief Superintendent at Moncton, correspondence touching the same to Sir S. L. Tilley, correspondence from D. Pottinger, Esq., to C. Schreiber, correspondence from C. Schreiber and others to Sir Charles Tupper, all in reference to the same. All recommendations and reports from any persons touching the dismissal or degradation of the said W. D. McCallum to the various Heads of Departments. The reports of all investigations touching the same.—(Mr. Forbes.)

Statement containing the names and residence of all the Militiamen of 1812 who received their pensions during the last fiscal year—as well as the sum given to each of them.—(Mr. Bourassa.)

#### STATE OF PUBLIC BUSINESS.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Mr. BLAKE. Before the motion is carried I wish to point out to my hon. friend that, although we allowed the Address to pass with great rapidity in order that public business might be expedited, none of the Government measures have been brought forward in this House, though I observe that in the other Chamber the Government, with commendable diligence, have submitted two or three measures. When may we expect the Franchise Bill and the License Bill to be brought down? The Standing Committees were struck some days ago, but we have not received any call for organization, and during this time of

calm and peace, when there is very little to do, the Public Accounts Committee might perform some useful functions if the members were called together.

Sir JOHN A. MACDONALD. As regards the Public Accounts Committee, those hon. members who follow the standard of my hon. friend would not be present, and I am afraid justice could not be done to the investigation of the Public Accounts.

Motion agreed to; and (at 4:30 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 21st February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

The following Bills were severally introduced and read the first time:—

Bill (No. 22) respecting the Crédit Foncier Franco-Canadien.—(Mr. Desjardins.)

Bill (No. 23) to further reduce the Capital Stock of the Quebec Fire Insurance Company.—(Mr. Bossé.)

Bill (No. 24) to incorporate the Manitoba and North-Western Fire Insurance Company.—(Mr. Sutherland, Selkirk.)

Bill (No. 25) to amend the Acts respecting Cruelty to Animals.—(Mr. Richey.)

### NAVIGATION OF LITTLE BEAR CREEK.

Mr. BAKER (Victoria, B.C.), in the absence of Mr. SMYTH, enquired, What is the intention of the Government respecting certain improvements to the navigation of Little Bear Creek, in the county of Kent?

Sir HECTOR LANGEVIN. The Government is not in a position to answer the hon. member to-day.

### TWO CREEKS HARBOR.

Mr. BAKER (Victoria, B.C.), in the absence of Mr. SMYTH, enquired, What is the intention of the Government respecting Two Creeks Harbor, in the county of Kent, and the work to be done there upon the report of the Engineer?

Sir HECTOR LANGEVIN. We have not the data in the Department, but an examination will be made during the recess in order to obtain the information required, to decide whether the work should go on or not.

### VETERANS OF 1812 WOUNDED IN ACTIVE SERVICE.

Mr. AMYOT (Translation) enquired, Whether it is the intention of the Government to grant to the veterans of 1812, belonging to the Province of Quebec, and wounded on active service, a sum equal to that paid to the veterans in the same class belonging to the Province of Ontario?

Mr. CARON (Translation). In answer to the hon. member, I have the honor to say that this subject is now under the consideration of the Government.

### CONTROVERTED ELECTIONS ACT OF 1874.

Mr. DUGAS (Translation) enquired, Whether it is the intention of the Government to amend, this Session, "The Dominion Controverted Elections Act, 1874?"

Mr. BLAKE.

Sir HECTOR LANGEVIN (Translation). I have to say, in reply, that this subject is under the consideration of the Government.

### MILLING WHEAT IN BOND.

Mr. WHEELER enquired, Whether it is the intention of the Government, at an early date, to amend the Order in Council regulating the importation of United States wheat in bond for milling purposes, so as to allow the equivalent in Canadian wheat or flour to be exported to cancel such bonds?

Sir LEONARD TILLEY. It is not the intention of the Government to amend the regulations in the direction the hon. member proposes.

### VITAL STATISTICS.

Mr. LESAGE enquired, Whether it is the intention of the Government to render the vital statistics more effective, more regular, and more general; and if so, whether they intend to increase the grant over the amount voted last Session?

Mr. POPE. It is the intention of the Government to render vital statistics more effective, more regular and more general. The latter part of the hon. gentleman's question is under the consideration of the Government.

### GRINDING IN BOND.

Mr. BLAKE moved for copies of all Orders in Council and Departmental Orders, not already brought down, on the subject of grinding in bond, or of the regulations for grinding in bond, or for the import of wheat and flour of United States growth or manufacture; also, for all correspondence with the authorities of the United States, on the subject of the transport of Canadian wheat into or through the United States, and of all regulations of the United States Customs authorities affecting such transport. He said: I am not aware whether there are any Orders in Council, or Departmental Orders or regulations not already brought down. Some regulations were made at a remote period for the purpose of facilitating the transportation of Canadian wheat from one part of Canada to the other, and also with reference to Canadian wheat sent into the United States to be ground in mills at Minneapolis and elsewhere. I observe, also, that very lately some Orders have been issued changing the practice in two of the border towns in the North-West. It is important that we should know precisely what are the regulations affecting this question.

Motion agreed to.

### HON. JOHN O'CONNOR.

Mr. BLAKE, in moving for a statement of any sums paid to the Hon. John O'Connor since his retirement from office, with dates and particulars; also, a copy of any paper showing the arrangement on which such sums were paid, said: It was stated in the newspapers that some arrangements had been made with Mr. O'Connor since his retirement—owing, I regret to learn, to serious illness—for his employment in the Government service in some capacity, and that he was in the receipt of a salary in that capacity. I am entitled to know how that is.

Motion agreed to.

### RECORDS OF ELECTIONS.

Mr. BLAKE moved for a statement, from the Records, of the Elections to the present House of Commons, showing the number of votes polled for the respective counties in the several Electoral Districts and in the various sub-divisions thereof, together with the number of ballots rejected and

spoiled in each sub-division, at the last General Election, and also at each election held subsequently thereto up to date; also; the number of electors on the electors' lists, together with the population, as shown by the last Census, of every such sub-division; also, a statement in each case in which a recount or re-addition was made, showing the changes made in every sub-division and in the district on such recount, with the number of ballots rejected which had been formerly allowed, and allowed which had been formerly rejected in each such sub-division, with the reasons, so far as obtainable, for such rejection or allowance. He said: I presume, as usual, preparations have been made for meeting this motion, and as we are all anxious to get the authentic returns at the earliest moment possible, I would suggest that, should the statement enquired for in the latter part of the motion entail any delay in its preparation, it be made a supplementary statement and furnished separate from the other. I ventured to state, the other day, that very great difficulties had arisen which would demand our most serious attention in the working of the Ballot Act. Amongst them was to be found the disfranchisement of hundreds, even thousands, of electors, upon recounts. It is, therefore, important we should hear what the changes were that were made upon the recounts, and the reasons for those changes. Those reasons may be seen on the surface. For instance, that certain ballots were not initialed or were numbered, and it may be that a statement of the reason for rejection may accompany the ballot. In any such case we want the material as far as obtainable, so that we may understand how it happens so very large a portion of the electors failed to accomplish their object—the recording of their votes.

Sir JOHN A. MACDONALD. As there may be some delay in the latter part, I would suggest that the motion be amended, making the latter return supplementary. I would also add to the motion a return of the number of voters in the constituency, and whether the election was by acclamation or whether a poll was asked.

The motion, as amended, agreed to.

#### CONSOLIDATION OF DOMINION STATUTES.

Mr. BLAKE, in moving for a statement in detail, with dates of all expenditures made in connection with the commission or authorization to the Hon. James Cockburn, Q.C., to consolidate the Dominion Statutes, and copies of the commission or authorization and of any reports made by him on the subject, said: We all learned with much regret, by the announcement made by Mr. Cockburn, in November before last, that his health was such as to prevent him any longer discharging the arduous duties of a member of this House, and consequently resigned his seat in Parliament. Contemporaneously with that, it was announced he had been appointed to do the work of consolidating the Statutes; but I observe, by the Public Accounts now brought down, that that appointment, so far as emoluments are concerned, had preceded the resignation by a period of six months, payments having been made for the whole fiscal year from 1st July to 30th June. The Hon. James Cockburn, it appears, acted in that capacity for that period, though this office had been conferred upon him after he ceased to be a member of the House. It is important we should know what progress is being made in the work, what has actually been done. A commissioner and another officer have been appointed, and both have been paid, but as yet no other proofs of this arrangement have been made visible.

Sir JOHN A. MACDONALD. There will be no objection to this return being sent down. Mr. Cockburn, as we all know, broke down in his health so much so that he could not remain in his seat. His disease was such, he could not attend here with any regularity, and he has been very much confined to the sofa. This has not prevented him, however,

from working earnestly and assiduously in the consolidation of the Statutes, and those who know him will agree that he is a very fit person to be employed in that service. I am glad to say that his indisposition has not prevented his attending to this work. A report will be laid at an early day on the Table of the House showing the progress made in the consolidation of the Statutes.

Motion agreed to.

#### MANUFACTURE OF GREAT GUNS.

Mr. BLAKE, in moving for copy of contract, correspondence, reports and statement of payments made in connection with the manufacture of great guns for the Government of Canada, said: Some time ago a vote was taken in the Estimates for the manufacture of great guns—I think they were called Pallisser guns, but the hon. Minister of Militia will correct me if wrong, as I am not very well versed in the names of munitions of war—at Montreal for the purposes of the Dominion. Our hon. friend, whom we much feared some time ago, might have been promoted to the realms above, but, we are glad to know, has been only promoted half-way—to that Chamber which occupies the other end of this building—has told us here that he had achieved a remarkable triumph—that he had arranged for the manufacture of great guns, superior in every quality to those manufactured at Woolwich and at a lower cost. Upon that, I suggested to him that it would be well, since he had accomplished these things, that he should propose to tender to the British Government to supply the British Army with those munitions of war which they require, and which, with their inferior powers and capacities, they have been able only to produce at a greater cost and of a lower quality. My hon. friend, however, thought that he would proceed slowly, and that he would conclude a successful arrangement for the making of these guns first, before he followed my advice. I do not know what has been done since about the great guns; I only know what has been said in the newspapers, which sometimes tell the truth, and they say, that there is a quarrel between the contractors and the Government, that the work has not been done, and that there is a law suit going on now upon the subject of great guns. I should like to know what the facts are, and with that view I make this motion.

Mr. CARON. I am very happy to see that my hon. friend takes such a deep interest in this matter, and it will afford me great pleasure indeed to give him all possible information. The papers will show him the names of the contractors, and will also establish, I believe, that my predecessor, the hon. Mr. Masson, is not to blame for anything which may occur. The contract so far has not been carried out, and the Government took measures to protect itself against any loss.

Mr. BLAKE. Then the hon. gentleman has not made those arrangements with the British Government that I suggested.

Mr. CARON. Not yet.

Motion agreed to.

#### RETURNING OFFICERS IN THE GENERAL ELECTION OF 1882.

Mr. BLAKE, in moving for a list of the returning officers appointed for the General Election 1882, other than registrars or sheriffs, and the occupations and residences of such officers, and a list of the sheriffs and registrars for the districts in which such other returning officers were appointed, said: It has been stated that "it was only in cases where the Government knew, and were morally or legally convinced, that the persons who would officiate as returning officers would be unworthy of the

trust, that the Government made any other selection ;" and, once again, it has been stated that it was only when the Government "knew, from the character of the men and their positions, that they could not be free from sinister, clandestine and improper influences," that they took other and better men. These statements have been made with reference to the cases in which the Government departed from the rule which had been formerly established by law, as to the choice of returning officers in the late Election. I need hardly say that this is a serious aspersion upon the character of every one of those persons, because it is said of every one of them that no change was made except in cases where the Government had been convinced that they were unworthy of confidence, and would act in a manner inconsistent with their duty. I desired to say, with reference to one returning officer whom I have known for a number of years, and whom I think the hon. gentleman has known much better for a great many more years—I mean the Registrar for the West Riding of Durham, for which county I sit here—that that statement, so far as it is based upon any facts known to the public, and upon any facts known to the electors of both sides of politics in that constituency in which he had officiated as returning officer for all the elections with which I am conversant, is not correct as applied to him. His political proclivities are very well known, they are those of the hon. gentleman himself. He never was a friend of the Liberal party, but it was the good fortune of the constituency of both sides of politics, I believe—certainly of the Liberal party—to be always able to say at those elections, that he had acted with perfect fairness and impartiality; and I desire to say, that I have heard nothing which would justify those imputations on the character of Mr. Armour, or on those other persons to whom the hon. gentleman has referred in that condemnation, without exception or qualification, to which he subjected them all, upon the occasion I have mentioned. It is important that we should have a list of those unworthy sheriffs and registrars, because I think, if they are unfit to be returning officers, they are unfit to be either registrars or sheriffs, or to fill any other position of trust or confidence in any shape or sense, directly or indirectly, in the government of the people.

Sir JOHN A. MACDONALD. There can be no objection to granting this motion. With reference to the language which the hon. gentleman has quoted, I would wish it to be understood that I pass no general condemnation, or specific condemnation, upon every registrar or sheriff who was not appointed. I certainly did not desire to say so. I believe there is a good reason for every case in which that rule was varied from. With reference to Mr. Armour, the Registrar for the West Riding of Durham, certainly I had no intention of passing any condemnation upon him. Mr. Armour is a gentleman I have known for a great many years, and always esteemed; and I believe he is, so far as he has any political predilection, a Conservative—or used to be at all events before he held office, and I have no reason to suppose he is not so yet.

Mr. CASGRAIN. While we are upon this subject of returning officers, I would remark that I think the hon. leader of the Government, in making his choice of those officers, forgot the report made by a former House in 1867 as to the returns made by the then Registrar for the County of Kamouraska. He was declared, by the report of a Committee of this House, unfit to be a returning officer, and, so far as I recollect, nothing has occurred since that time which would lead us to believe that he is better fitted to fill that duty now than he was at the time he was censured by a former House.

Mr. SCRIVER.. It seems somewhat difficult to reconcile the words which have fallen to-day from the lips of the hon. leader of the Government, with those which he uttered

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on two previous occasions, and which have been quoted to-day by the hon. leader of the Opposition. I desire to say that a change has been made in the county I have the honor to represent, which I found it difficult to account for in anything that took place before the close of the last Parliament. The gentleman who occupies the position of Registrar in my county, and who has acted as returning officer for many years past, both in the Local and in the General Elections, was not appointed returning officer at this time, and no reason that I can imagine ought to have influenced the Government in making the change that was made. That gentleman has always acted with the most perfect impartiality. He has not been in any sense a partizan. Politically he has been in sympathy with the Administration of the present day; and I feel bound to say that the gentleman who was appointed in his place acted in quite another spirit to that which would have animated his predecessor in the discharge of his duties.

Mr. BLAKE. I was very glad to hear the hon. gentleman's disclaimer, since the case was brought to his attention, of any intention to make a complaint against the Registrar of the West Riding of Durham; but I find it, as the hon. member for Huntingdon has said, a little difficult to reconcile that statement with the observations which induced me, I frankly say, to make this motion to-day, because there was neither exception nor qualification in the use of the very strong and cogent language which the hon. gentleman used in criticizing the conduct, the trustworthiness, the fitness, of those whom he stigmatized, because he did stigmatize them by not appointing them on the ground he stated the other day. As we understand now from the hon. gentleman in this particular case, and as we will understand after a while from some other hon. gentleman, there was no impropriety of conduct, and no reason to cast any blame at all upon the officers. We had a pledge from the Administration, during the progress of that Bill through the House last Session, that unless there was a reason to cast blame on the officers, the Government would not depart from the rule, and would still—though not with that security of tenure, and security therefore of independence which the Statute gave—would still, of their own good will and pleasure, appoint the persons who formerly held an official title to this duty. As we find the hon. gentleman has no imputation to make, and says the registrar has acted as returning officer on many previous elections, and acquired a full knowledge of the duties which devolved upon him, and of the capacity of the sub-officers, and, therefore, was able to make a fit choice, and conduct the election regularly, I want to know why the change was made. As it was not that there was anything wrong with the registrar, as he was competent, impartial, and experienced, was it in order to get somebody who would be incompetent, partial, and inexperienced? If it was, I admit the hon. gentleman accomplished his purpose; I admit that was the result on this occasion of the change. Why, the person whom he appointed to be returning officer for the West Riding of Durham, knew so little—anxious, though I dare say he was, to discharge his duties—of what his duties were, that he was for half an hour in a state of painful suspense on nomination day as to whether his duty would not require him, and would not call upon him imperatively, to reject my nomination paper. Why? Because there was the word "honorable" at the beginning of my nomination paper, and "esquire" at the end of it; and it was not until a sort of legal pressure by the agent of my committee who presented the nomination paper, it was not until argument after argument had been advanced, that this exceedingly impartial, intelligent and capable gentleman, who was substituted for the Registrar of the West Riding, was prevailed upon to accept the nomination. He looked at the Statute. The Statute said nothing about "honorable." He looked at the Statute again. It said nothing about "esquire." He doubted

whether that did not invalidate the nomination, but he was persuaded to the contrary, and I sit here because he was persuaded to the contrary. I advise the hon. gentleman another time when he is about to give a character under a little gentle phrase, to a registrar whom he knows, not to throw away dirty water before he gets clean, and to be satisfied that the change will be an improvement before he makes such an experiment as he has done on this occasion. I will not go into the other consequences. They might have been tolerably serious, and had my majority been a little less than it was, they might, with the change which the hon. gentleman was pleased to make, have relieved him from the pain of hearing me at this moment. I do think this is a serious question. As I say, we were told, when the Bill passed through the House, that except in case of necessity arising from their being incompetent and improper persons, the registrars would be retained. We are told, to-day there is no cause of complaint against the Registrar of West Durham; it is admitted that he belongs to the same political stripe as the hon. gentleman, and that he possessed experience, capacity, and impartiality. He was, however, changed, and another person appointed. It is, therefore, evident that the pledge which the Administration gave to the House last Session, was, on this occasion, violated, and I do not, and cannot, understand why the change was made.

Sir JOHN A. MACDONALD. As to the pledge of which the hon. gentleman speaks, the pledge or statement was simply this: that, as a general rule, the officers usually employed as returning officers would be retained. That general rule was carried out, with particular exceptions, and the West Riding of Durham, which the hon. gentleman has mentioned, is one of them. At all events, it cannot be said that the change was made for the purpose of putting in a political friend. The hon. gentleman states that the registrar was a political friend of this Government, and his successor, I presume, was of the same politics; but I do not remember—I do not really remember, who he really was. It is quite clear that the returning officer decided that the hon. gentleman was eligible; in the next place, he decided that it was proper for him to return the hon. gentleman; and I can assure the hon. gentleman that, though he wishes to show the House that great was the desire of the Government to appoint new men, we would have been greatly disappointed if the hon. gentleman had not been returned—I will not say for West Durham, but as a Member of Parliament—to represent a constituency in this House. He has complained of the returning officer who took time to consider, although the result of his consideration was that he decided that the hon. gentleman, not only in name but in fact, had the right to claim the suffrages of the people, and he obtained the suffrages of the people. There could be no complaint, therefore, that any wrong had been done either to the electors or to the hon. member.

Mr. CASEY. The hon. gentleman seems to draw a wide distinction between a statement and a pledge. He made a certain statement to us, last year, as to what would be the course of the Government with respect to this matter, and he wishes us now to understand that his statement as to the intentions of the Government is by no means always intended to be a pledge, which is a point worth bearing in mind.

Sir JOHN A. MACDONALD. I did not say so.

Mr. CASEY. In regard to this particular case of West Durham, the hon. gentleman says the officer was not to blame for having followed the example of the Government by taking time to consider. It was no harm to take such questions as the use of "honorable" and "esquire" into serious consideration, but he might have kept them under consideration too long, after the time required either for

declaring the nominations closed, or for returning a member by acclamation. But the hon. leader of the House goes further, and says it was not in order to put in a political friend, that some other person than the registrar was changed on this occasion, because Mr. Armour was also a political friend. It may not have been in order to put in a friend as returning officer, but it may possibly have been done—I do not insinuate that it was, but still it is open to that suspicion—to put in a political friend as member for that constituency. The explanation given by the hon. gentleman leaves us almost no room to doubt that the changes made generally in the returning officers, whatever may be the case in this particular instance, must have been done for the purpose of giving some advantage to Government candidates. He has stated that in the case of West Durham, at least, it was not due to any lack of competency on the part of the old returning officer that the change was made. The hon. gentleman had nothing against him. The same will be said in regard to other sheriffs and registrars, that they were not appointed returning officers, for the Government will not directly insult them by saying that they were not competent. The man chosen, instead of the sheriff or registrar in each case, must have been more desirable, for some reason or another, than the man whose experience in this sort of work had extended over many previous elections. He cannot have been more desirable on the ground of experience, because he had had no experience as a general thing. He cannot have been more desirable on the ground of impartiality in most cases, because very often those instead of whom he was chosen were Conservatives, and he was not, therefore, likely to be more impartial. Can it be possible that he was chosen, in many of these cases, instead of the sheriff or registrar, because he was more likely to be partial to the Government candidates? I think that this is quite possible; and I do not hesitate to say so. I think that this possibility, moreover, is borne out by the facts. These returning officers, chosen for this particular Election, have been most forward in assuming to themselves judicial functions which are not generally assumed by returning officers, or not generally supposed to belong to them; and not only did they assume judicial functions, in some instances, but what might almost be called legislative functions. They were a law to themselves in many cases with regard to the rejection of ballots and the total vote polled in certain places, when this happened to tell against some particular candidate by whom they were appointed. And this brings me to the worst point in the whole business: although appointed by the Government, as a matter of form, there is no doubt that in most cases—if not in all—they were really appointed on the nomination of the Government candidate, at whose election they were to act in the character of quasi-judges. They officiated altogether in the character of judges in some cases, because they assumed to act with judicial powers. I say it is a very serious, dangerous and improper thing, that a candidate soliciting the votes of the electors, should be allowed to select the man who is to act as a judge on the fairness of the election, on the qualifications of those who voted for or against him, and the regularity of the poll in every sub-division. It is an extremely serious thing that this should be done; it is an extremely serious precedent to be established; and it is a still more serious thing, Sir, that the Government have not seen fit yet to give any general reason for introducing this change, and for breaking on the established usage of many years, other than the general statement once made, and now being retracted piecemeal, that the sheriffs and registrars in these particular cases were not fit for the position.

Mr. O'BRIEN. The hon. gentleman who has last spoken has talked about returning officers exercising legislative functions. Of course, I presume that he alludes to gentle-

men who acted on the Conservative side. But I will call his attention to a case where returning officers, and even deputy returning officers, were appointed by gentlemen known to be Reformers, whom the Government did not think fit, as they held the official position of registrars, to replace by an officer recommended from their own party, and I will tell you what they did. The hon. gentleman talks about legislative functions, but in many constituencies these officers created two or three classes of voters, who, under the present law, were not entitled to vote at all. They gave votes to Indians residing hundreds of miles away from the constituency, and these votes were counted against me; they gave votes also to unenfranchised Indians in the constituency, who had never before cast a vote at all; to river-drivers and to raftsmen who did not own a foot of land. Talk about legislative functions. Why, the hon. gentleman who talks so much about this, who has brought up the question of the conduct of returning officers, and on whose remarks the inference of wrong-doing on the part of gentlemen, as having been appointed by the Government for partizan purposes, might be drawn, could in this particular case well enlarge the sphere of enquiry into the conduct of returning officers in whose integrity the Government had placed perfect confidence in Muskoka; and he might extend his remarks to the manner in which his own friends there conducted the election, where they had everything in their own hands, and the votes of Indians, living hundreds of miles from the constituency, were accepted and were recorded, and returned as legitimate; and the same thing was done at Carey Island, where some seventy-five unenfranchised Indians were accepted in spite of protests, while the special franchise, under the Free Grant Act, was allowed to their lumbering friends, who brought down their river-drivers and raftsmen, who did not have the least interest in the country, and recorded their votes: If the subject is to be enquired into, and if the charge of illegality is to be thrown into our teeth, it will be just as well that the House and the hon. gentleman himself should understand, that if such things were done they were not by any means confined to those against whom the charge is insinuated. In the case I have mentioned, illegal acts were committed, without even an attempt at concealment, by the hon. gentleman's own particular friends and partizans, in the part of the country which I have the honor to represent.

Mr. COCKBURN. I did not happen to be in Muskoka during the last election; but it is very true that the returning officer there was the Registrar of the District. I understand that so many Conservatives were applicants for the position, that the Government found it difficult to decide between them, and therefore they made that gentleman the returning officer. The election was very close, the majority consisting only of one or two votes. It was just a question whether certain ballots were good or not; and the returning officer, a Liberal, very properly returned the hon. gentleman who now represents the constituency, as he had the majority of votes, though his majority was small—only two or three. Now, with respect to the deputy returning officers there, I can say nothing; however, I think that, if improper votes were cast, the scrutineers of the hon. member for Muskoka (Mr. O'Brien) were at fault. They should have challenged these votes; and if these parties could not show that they were on the voters' lists and entitled to vote, they should have been sworn. It is true that there are two classes in the franchise for the Electoral District of Muskoka, relating to the unorganized townships, and the ordinary lists in the former, as in Algoma, are allowed to vote—householders twenty-one years of age. I think it is necessary that the question of the Indian vote ought to be settled, and the Government could

Mr. O'BRIEN.

easily arrange that matter. The Act says, that British subjects, twenty-one years of age and householders can vote. There are some Indian families, who, I suppose, are regular British subjects—Indians are generally looked upon as minors in this country—but it has so happened that some of them have been allowed to vote. I do not know that the Indian vote was all cast on one side. I think that my hon. friend, in 1878, solicited the Indian vote; but, in this case, the Liberal candidate was popular among the Indian population, and therefore it may have been divided to a certain extent. I think that the returning officer, who appointed the deputy returning officers, performed his duty; and if anything is wrong, I consider that it is the Election Law and the regulations relating to the franchise. I only make these few remarks in justice to the returning and deputy returning officers of that constituency mentioned.

Mr. BLAKE. As the hon. gentleman has referred to me, I would remind him of what he perhaps has forgotten: The position in which his case is before the Election Courts. While he waves the flag here, and asks the House to make an enquiry into the conduct of the election in his constituency, there is a tribunal to which this Court has delegated such enquiry—in which tribunal, however, the hon. gentleman does not seem very anxious to bring the case to an issue.

Mr. MACKENZIE. I suppose that the hon. gentlemen opposite have no objection to accept the suggestion of the hon. member for Elgin (Mr. Casey)?

Sir JOHN A. MACDONALD. What is that?

Mr. MACKENZIE. That the correspondence with reference to the parties nominated returning officers be sent down.

Motion agreed to.

#### THE CHIEF JUSTICESHIP OF QUEEN'S BENCH, MANITOBA.

Mr. BLAKE, in moving for copies of all correspondence with Mr. J. A. Miller, late Justice of the Court of Queen's Bench, Manitoba, prior to his appointment relating to his becoming Chief Justice of that Court, and subsequently to his appointment, on the subject of the resignation of his office, said: It has been stated to me upon authority which I believe to be accurate, that correspondence took place with Mr. Justice Miller, which he has communicated to many persons, anterior to his appointment, by which an understanding was reached that he should become Chief Justice of the Court of Queen's Bench as soon as that office should become vacant, which was expected at that time to be at an early date. I am sorry if any such arrangement was made, because it seems to me important, with reference to all offices, and important most of all with reference to offices of the character of these judicial offices, that those who are entrusted with the very grave responsibility and power of nominating to those offices should be perfectly free to nominate those persons who are best fitted for the positions at the time when the vacancies arrive, and that no engagement should be made in advance as to the promotion of any particular individual, upon an indefinite or uncertain contingency, to the highest place on the Bench. It has been stated, also, that Mr. Miller conceived himself aggrieved because he did not become Chief Justice, or obtain a higher salary, and that a considerable period before the acceptance of his resignation he tendered his resignation on the score that faith had not been kept with him; that he was not treated as he should have been treated, and that that resignation remained in the hands of the Government, or the hon. Minister of Justice, until the sudden death of the Chief Justice of the Province rendered that high office vacant. It is stated that upon the occurrence of that event the resignation of

Mr. Miller was attempted to be withdrawn by telegraph; that although it had not been previously accepted it was considered that this occasion should be taken for accepting it, and that it was accepted at a period which has been named as the first of January last—to take effect on that date; that subsequent remonstrances were made by Mr. Miller that the acceptance of his resignation under these circumstances—when that long-looked for and much desired event took place, when the dead man's shoes were ready—was not fair; that these remonstrances were received without the attention to which he thought they were entitled, and on the first of January he ceased to hold office. It seems to me that if this state of things prevails—if there were these antecedent negotiations or arrangements—if there were arrangements in respect of which Mr. Miller deemed himself to be unfairly treated by the Administration which appointed him, and if the resignation sent in on that score some months ago and not accepted, only after the event occurred which made it possible to fulfil the alleged engagement, it would be interesting to see how these things were brought about, and, therefore, I move for the correspondence.

Sir JOHN A. MACDONALD. It would answer no good purpose to discuss this question until the papers are brought down. I will only say that Mr. Miller resigned his office, but did not wish to vacate his seat at once, and a future day was appointed—a day named by himself. At the time he expressed his desire to retire, he stated that he had received an offer of a guaranteed salary much larger than would be governed by the salary of a Puisné Judge or that of a Chief Justice. Upon that the resignation was accepted, and I have no doubt that he was quite satisfied, because he has gone into politics since.

Mr. BLAKE. Only so far as to be defeated.

Motion agreed to.

#### TIMBER LICENSES.

Mr. BLAKE, in the absence of Mr. CAMERON (Huron), moved for a return showing the total number of timber licenses applied for and granted or refused up to 1st February, 1882. 2. The estimated area covered by each license or applicant. 3. The amount of premium or bonus per square mile, and in the aggregate paid to and received by the Government on each such license. 4. The name and residence of each applicant for a license. 5. The date of such application of such license, and the number of years each license is granted for. 6. The Crown dues or stumpage charged or chargeable on each license. 7. The kind, quantity and quality of the timber in each area so licensed. 8. Copies of all claims made on the Government for any such area or timber by any persons, and of all petitions, remonstrances or communications sent or made to the Government respecting said areas, licenses or timber, and all correspondence had with the Government respecting such claims, or in any way respecting said areas, lands, licenses or timber and the action of the Government therein.

Sir JOHN A. MACDONALD. I took occasion, the other day, to call the attention of the House to the reckless manner in which returns were moved for. When a number of returns were moved for by the hon. member for North Norfolk (Mr. Charlton) who is not now in his seat, I said that the responsibility must be thrown in a great measure on the mover for returns of this kind. It is difficult for Ministers to object to returns of this character, as it might be said that they were desirous of withholding information from the House; so, as I remarked before, it depends very much on the discretion of the hon. members to move for them whether he will take the responsibility of causing the expense to be incurred, which is involved in

preparing these voluminous returns. In this case I got the usual memorandum from Mr. Burgess, the Secretary of my Department, as to this motion, and I shall just read his words. He says:

"There is no objection to furnish the information asked for by Mr. Cameron, but there is not the slightest probability that it can be brought down during the present Session. It means, in fact, that we should furnish a greater part of from 1,500 to 2,000 files in the timber branch."

The expense of this work would be enormous, and, unless the hon. gentleman has some specific object in incurring it, it shows a want of regard to economy to move for such extensive returns. However, as this information may be of importance, if the hon. gentleman takes the responsibility of moving for it, I shall not take the responsibility of refusing it.

Mr. BLAKE. Of course, it is very difficult for us, who do not know the contents of these papers, to judge what is important and what is not. We have a system which we believe to be unsuited to the condition of affairs, and to be at any rate liable to very great abuse in its administration. I am not now saying that it has been abused, that is irrelevant; but, certainly, a system by which the timber limits of the North-West are to a large extent granted under the discretion of the Government, is, the hon. gentleman must admit, liable to abuse. The one security the public have—I am afraid not a very great security—is the full disclosure of what goes on, or as much as public records tell them. We know that the public records do not tell us all that goes on, do not tell us what we would like to know about these things, do not tell us what might affect the decision of the hon. Ministers on these matters, but they give us some information. As to the 1,500 or 2,000 files which the Secretary says are to be copied, it will be observed that all the first parts of this motion are for information which seems to be absolutely necessary, at any rate—for schedules, a list of names, a list of areas, a list of premiums, &c. There surely can be no objection to granting that information unless it be to save the expense of the clerks writing it. What involves the clerical labor the hon. gentleman speaks of, I suppose has reference to the latter part of the motion—for correspondence, &c.—and it may be that some arrangement can be made to mitigate the expense of that demand. But if it is going to take more than the whole Session to make the return, it is quite clear that it will be impossible for any hon. member to wade through it and ascertain what is in it. I would, therefore, suggest the adjournment of the debate until the return of my hon. friend from Huron (Mr. Cameron), in whose name I made the motion, and who will consider, I have no doubt, whether it is possible for him to reduce the voluminousness of the return. I may add, what the hon. gentleman has already been reminded of this Session, that returns with reference to colonization companies, land sales, and other North-West matters, ordered at the commencement of last Session, have not yet been brought down. The whole of last Session and the whole of the recess has been available for the preparation of these returns, and I hope the time has been used, and that we may expect these papers at a very early period. It is true, some expense is involved in giving the House the various kinds of information asked for, but it involves matters of enormous magnitude pecuniarily, as well as important questions of policy.

Sir JOHN A. MACDONALD. I have no objection to this matter standing over. The hon. gentleman says truly that the policy of the Government respecting the sale of lands and the leasing of timber limits may be subject to abuse. It is just because it may be liable to abuse, and because I think no abuse has occurred, that I at once assented to the motion. The hon. gentleman having taken the responsibility of moving for all these returns, I thought it my duty to call the attention of the House to the great

expense which their preparation would involve; but, under the circumstances, I said I would not take the responsibility of refusing the motion, feeling that the House should be fully informed with respect to the administration of territorial affairs in the North-West.

Mr. CASEY. The right hon. gentleman is very strong on the subject of expense; but I am sure that the preparation of the return this resolution calls for would not incur any very serious expense. There are a large number of extra clerks employed during the Session for the very purpose of preparing these returns, and the bringing of them down just depends upon how hard these men are worked. It would not involve any considerable expense if the whole return were brought down; but even if it did, it would be very little compared with the importance of having the information. The right hon. leader of the Government says very truly that members are often very inconsiderate in moving for returns; but members have to work to a certain extent in the dark. They do not know what information is in the Department that they need, and they have not always an opportunity to get that information unless they have heard of somebody on the other side of the House. The whole of this trouble arises from the vicious system of not bringing down these returns as a matter of course. All such information should be laid before the House in the form of an annual report. In regard to ordinary expenditure, in regard to the business of this House and the different departments, we get returns in careful detail. We get the details of every messenger's salary and every small expenditure, but in regard to such transactions as those which involve much greater interests and larger sums we get no information unless we move for it, and in moving for it we are to a great extent in the dark. We ought to get information in detail with regard to the management of timber licenses, Crown Lands and colonization companies as well as in regard to trade and navigation.

Mr. BURPEE (St. John) moved the adjournment of the debate.

Motion agreed to.

#### HUDSON'S BAY.

Mr. DAWSON moved for a return of all information obtained through reports from officers of the Government, correspondence with the Imperial authorities, or otherwise, in reference to the duration of the season of navigation at Hudson's Bay, showing, in so far as has been ascertained, the dates at which the Straits are sufficiently open to admit of the passage of steamers or sailing vessels, the soundings, so far as taken, and the extent to which the Bay freezes over, whether wholly or only to the distance of a few miles from the shores; also, of all reports and documents bearing on the probable resources of Hudson's Bay, showing approximately the numbers and value of whales, seals, walruses and porpoises annually captured in its waters, whether the rumors as to the abundance of codfish in various parts of the bay have been authenticated, and what rivers on its eastern coast are the best adapted for the industry of salmon fishing; also, of all reports on the mineral resources of the regions about Hudson's Bay and the islands therein, showing where coal has been found and in what sections the ores of iron, copper and lead, as well as of the precious metals, are known to occur; also, a map of Hudson's Bay and Straits with all the latest surveys set down thereon. He said: Though this appears to be a very formidable motion, calling for so many things, it will be observed that I call for information. I do not attribute much importance to bringing down lengthy documents and all that sort of thing; but, I think, a synopsis of the information contained in those documents would be quite sufficient, and among so many able young men as there are in the Department of the Interior, I have

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no doubt some one could compile all the information required in a very short time. About four years ago, the Department issued a very interesting pamphlet on Hudson's Bay, giving much valuable information. It would be well if something of the same kind were issued again. A great deal of interest is now being attached to that inland sea, from the fact that railways are projected in different parts to reach it. It would be important to know in what season vessels can enter the bay and how long the bay itself is navigable. The information we have goes to show that it is navigable for a very long period, fully six months at least, but that the straits are sometimes blocked. It is the straits that form the difficulty in going into the bay, but when railways reach the bay this will be done away with. Supposing that vessels were in the bay with people engaged in fishing or other industries, they might remain there to winter, and in spring the bay would be accessible, and the whale oil, seal oil, and the different articles of produce of the bay, could be sent out by rail. Professor Bell, who was employed by the Government to explore the bay, says:

"I have a record of the principal phenomena of the seasons at Martin Falls, on the Albany, extending through a period of fifty years. From it I find that the river is open there on an average for six months of the year. I have also a record of the date of the opening and closing of Hayes River at York Factory, extending over more than fifty years, from which it appears to enjoy an average of fully six months of open water. The Nelson River is open for a longer period. I think with these facts before us we need not despair of successfully navigating Hudson's Bay as far as the length of the season is concerned."

This is very important information. Further on he says:

"Both bay and strait are remarkably free from rocks and shoals, which might interfere with their free navigation. The groups of islands near the east side of the bay are surrounded by deep water and a wide channel leads up the centre of James' Bay. Fortunately the main body of the bay, which is the portion likely to be hereafter frequented by shipping, is entirely without shoals, reefs or islands. The depth is very uniform over most of the bay, and nowhere does it present any great irregularities. It averages about seventy fathoms of water throughout, deepening to 100 and upwards in approaching the outlet of Hudson's Strait, while in the strait itself the soundings along the centre vary from about 150 to upwards of 500 fathoms. The bottom appears to consist almost everywhere of boulder clay and mud. Near the shore a stiff clay affording good holding ground for anchors is almost invariably met with on both sides."

From all this it appears that the navigation of Hudson's Bay is quite practicable as regards the bay itself, and that it is open for no less than six months in the year. When these railways are completed the resources of the bay will be available to this country at large, and it is very important we should know what those resources are. We know that sometimes vessels winter there in open water. We know that whale fisheries are prosecuted there, that the porpoise fisheries have been worked there for many years by the Hudson's Bay Company, and that oil is exported in considerable quantities. Seals, and in the northern part walruses, are very abundant, and the seal oil and skins, and the ivory of the walruses are very important articles of commerce. It has also been pretty well ascertained that codfish are abundant in Hudson's Bay. Were the railways completed to the Bay a wide field would be opened to the enterprise of the people of this Dominion accustomed to fishing, of whom we have a large population in the eastern part of Quebec and in the Maritime Provinces. There can be no doubt now, from the reports of Professor Bell and others, that codfish abound in Hudson's Bay. Again, salmon are to be found in all the rivers, except those in the south of James' Bay, both on the east and west coasts of Hudson's Bay. At certain seasons of the year with the exception I have mentioned, the rivers are alive with salmon. It is said they are as abundant in many rivers as they are in the rivers of British Columbia. It is easy to understand what an opening this affords to establish a trade with the Hudson's Bay, a trade which would come across the land through Canada, and give employment to a great many of our people. It is not alone in fisheries that the resources of

the bay are very considerable. I will read a short passage from the report of Professor Bell in regard to its minerals—a report taken from a work of his which was published in England. He says :

“Minerals may, however, become in the future the greatest of the resources of the Hudson's Bay. Little direct search has as yet been made for the valuable minerals of these regions. I have, however, found a large deposit of rich iron stone on the Mattagami River, inexhaustible supplies of good manganiferous iron are on the Islands near the east main coast, and promising quantities of galena around Richmond Gulf, and also near Little Whale River, where a small amount had previously been known to exist. I have likewise noted traces of gold, silver, molybdenum and copper. Lignite is met with on the Missinabe, gypsum on the Moose, and petroleum bearing limestone on the Abitibi River. Small quantities of anthracite, and various ornamental stones and rare minerals, have been met with in the course of my explorations. Soapstone is abundant not far from Mosquito Bay, on the east side, and iron pyrites between Churchill and Marble Island, on the west. Good building stones, clays and limestone exist on both sides of the bay. A cargo of mica is said to have been taken from Chesterfield Inlet to New York, and valuable deposits of plumbago are reported to occur on the north side of Hudson's Strait. Some capitalists have applied to the Canadian Government for mining rights in the latter region.”

Now, Sir, here is a detail of mineral wealth which offers a prospect of a vast trade arising with the Hudson's Bay country in the future. On the banks of the Moose there has been found lignite coal, and I believe coal of the carboniferous period exists in the islands toward the north end of the bay. It is, in fact, said to be found in unlimited quantities. Again the mica which is referred to here is said to be the very finest in the world. A specimen of it was taken to New York where it was cut into sheets as large as panes of glass, and as transparent. The plumbago, which is referred to, also seems to exist in very large quantities. Now, Sir, when we have a sea like this, with all these great resources, when we consider that these resources from all that can be learned, are not very accessible from the ocean, but which will be easy of access from this country when railroads reach the bay, when we consider the effect that this will have upon the Dominion and the vast field for enterprise which it will open up, I think that something should be done towards not only opening up and developing communication with the bay, but to ascertain definitely what the resources are. We should have further information on these subjects. I think a survey might be made at a very small cost. The resources of the bay are not confined to minerals and the fisheries, but there are good agricultural lands very near Hudson's Bay. The southern end of James' Bay is south of the latitude of London, England. Professor Bell has stated, in his report, that on the 23rd September, at Moose Factory, he found the tobacco plant quite green and untouched by frost. This is not a climate where nothing can grow; I believe there is a very good climate about James' Bay, and on the rivers leading down to it there is a considerable extent of good land, as well as a great deal of valuable pine timber. Now, all this pine will become available sooner or later. I may also say that there are immense grassy flats on the banks of some of the rivers flowing into James' Bay. On the Albany River for instance, there are marshes extending for considerable distances in which a great amount of hay can be cut. The Hudson's Bay Company have cut hay in these marshes for a number of years and has supported large herds of cattle with it. This feature of the country would evidently be of great advantage to agriculturists going there; and the climate, as I have said, is not unfavorable to farming operations. I think, altogether, we should know something more of this great inland sea, and that we should take means to have a good survey made of it. Why, Sir, two hundred years ago nearly as much was known of that sea as there is now. Both the French and the English sent their fleets there. The discussions on the boundary question have brought all that early and very interesting history to light. It is known that battles were fought there, that

large vessels—seventy-four gun frigates, I believe—have navigated that sea, and it has a history which is very interesting to both the French and English population of this Dominion.

Mr. ROYAL. I rise with much pleasure to second the motion of the hon. member for Algoma (Mr. Dawson). We are not only neighbors in this House, but our constituencies adjoin; in fact, I believe the hon. member should be known as a member for one of the counties of Manitoba. The needs of this large district are of the same nature as those of the Province of Manitoba, and his interesting speech adds another chapter to the record of the unlimited resources of Manitoba and the Great North-West Territories. The importance of this question cannot be over-rated. It has attracted the attention of this Government for many years. In 1876, I believe, Mr. Selwyn brought the subject under the notice of members of the Dominion Government, and recommended that a survey be made of Hudson's Bay as well as of the straits. In 1878, the hon. leader of the Government included in his Report of the Department of the Interior, a report by Dr. Bell on the subject, and it is within the memory of a considerable number of hon. members of this House, that during the debate which took place when the Bill for the construction of the Canadian Pacific Railway was under discussion, several hon. members maintained that the opening of communication between England and the North-West Territory, by Hudson's Bay, was one of the principal means of preventing a monopoly by that railway. Later, the hon. member for Algoma again drew the attention of the House to this important matter. This question has also awakened interest in England, and, with the permission of the House, I will read an extract from an address delivered by Sir J. H. Lefroy, President of the Geographical Section of the British Association, at the Swansea meeting in 1880. That gentleman said :

“Hudson's Bay itself cannot fail at no distant day to challenge more attention. Dr. Bell reports that the land is rising at the rate of five to ten feet in a century, that is, possibly, an inch a year. Not, however, on this account will the hydrographer notice it; but because the natural seaports of that vast interior, now thrown open to settlement, Keewatin, Manitoba, and other Provinces unborn, must be sought there. York Factory, which is nearer Liverpool than New York, has been happily called by Professor H. Y. Hind, the Archangel of the West. The mouth of the Churchill, however, although somewhat further north, offers far superior natural advantages, and may more fitly challenge this title. It will undoubtedly be the future shipping port for the agricultural products of the vast North-West Territory, and the route by which immigrants will enter the country.”

It will be useless for me to dwell at length upon the importance of the question. Not only will the North-West Territories attract the attention of the world by their unlimited agricultural resources, but at no distant period we may predict, a new Maritime Province will spring up in our system of Confederation. The opening up of a route from the North-West Territories to England *via* Hudson's Bay, will save all the distance between Montreal and Winnipeg, the distance between New York being, of course, still greater. This great saving in distance represents an important economy in time and money, that is to say in freight and passenger rates; and if the products of the North-West Territories could only be shipped to Europe *via* Ontario and Quebec, it is evident the greater portion of them would be consumed on that long land carriage; but by having this port on Hudson's Bay, the capability of which is now demonstrated, we will have a distance of about 1,200 or 1,300 miles as compared with the rate by Montreal, and about 1,700 as compared with that by New York; in fact, the farming lands of the North-West will be placed, so far as a seaport is concerned, in as advantageous a position as farming lands west of Toronto occupy at the present time. In view of the advantages to be derived from the establishment of that communication, the subject possesses importance from a national point of view. As regards

immigration, this route will have the great advantage of avoiding the long land carriage, and more especially the transit through the United States. On the success of our immigration depends the future prosperity of the North-West. It is well known that emigrants coming from Europe are, to a certain extent, sifted while passing through the United States, and it is only those possessing great energy and capital who push through the States of the Union and reach the North-West and settle there. By having a direct sea communication with England emigrants would be able to reach our shores without passing through foreign territory, and being subjected to the temptations of agents. The people of Manitoba are fully alive to the importance of this matter. This Parliament has already chartered two railway companies to place the farming lands of the North-West and Hudson's Bay in direct communication. The chief engineer of one of the railway companies made a survey last year and reported that no considerable engineering difficulties existed in the way of constructing a line between Winnipeg and any point in Manitoba and the shores of Hudson's Bay. With the construction of these railways, with the surveys that the Dominion Government are asked to make, with the attention which this question is attracting in England, I believe the day is not far distant when, in speaking of the great North-West Territory, we will speak not only of its agricultural resources, but also of the unlimited wealth that abounds in its waters and especially in the inland seas that indent its shores; and I believe that, in the completion of the Pacific Railway and the establishment of the Hudson's Bay route, there is a brilliant prospect for the future destinies of Canada.

Mr. DAWSON. I may mention with respect to the resources of Hudson's Bay, that I have a return showing that the annual value of the catch of the American whaling fleet in Hudson's Bay, for some years, was as follows: In 1863, \$177,000; in 1864, \$427,000; in 1865, \$238,000; and, in 1866, \$200,000. Why, Sir, you have in these four years no less than nearly \$1,000,000 as the value of the exports; and this only relates to a portion of the products of that region. This shows what we might look for in the future in the event of improved communication with that great sea being opened up.

Sir JOHN A. MACDONALD. I am very glad that my hon. friend has moved in this matter, and I am sure that the House has listened with great interest to his speech on this subject. It has not escaped the attention of the Government that there is, in the future, a great prospect of wealth and prosperity being created in connection with the fisheries and mineral resources of Hudson's Bay. I do not know that there is any precise information to be found in our Archives as yet in this regard; but any and every information in this relation at the disposal of the Government, in any of the Departments, will be at the disposal of the hon. gentleman and of this House. There are three railways now procuring Acts of incorporation for the purpose of connecting older Canada with Hudson's Bay: two to Hudson's Bay proper, and one from a point on Lake Superior to Hudson's Bay. These projects are in the hands of gentlemen whose names are guarantees of respectability and wealth, and of enterprise; and the question—and of course the great question of all—at issue as to is the navigation of Hudson's Bay and Straits. I may say, that, at this moment, there are unofficial communications passing between Sir Alexander Galt and the Admiralty, for the purpose of ascertaining whether the Admiralty will be willing to enter into some joint arrangement with Canada for the survey of Hudson's Bay and Straits, by putting on this work a vessel fitted out for navigation in the Arctic seas, and arranged to undergo all the casualties to which arctic voyagers and ships are

Mr. ROYAL.

liable; sending her to cruise about in Hudson's Bay and straits, and in the waters approaching the straits, for the purpose of ascertaining beyond doubt the length of time, during which there is a probability every season of these straits and Hudson's Bay being open to navigation. I think it is not at all improbable—in fact, I have some reason to believe that it is probable—that the Admiralty and Her Majesty Government will be prepared to aid in accomplishing this object, either by furnishing a vessel, or by contributing to the expense of such a survey. I suppose, at all events, that this will be the case. The information requested will be brought down. I would, however, ask my hon. friend to be kind enough to communicate with the Departments, both of Fisheries and the Interior, in order to point out the exact information which he would like to get, as he says, truly, it would be inexpedient to make mere copies of reports, some of which are important and some unimportant; but information which would be useful to the House should be extracted from them. I do not say that there is very much information on this subject in our possession—obtained since what we had was laid before the Committee which sat in 1878; but we have some fresh information pertinent to this matter, and this will be furnished.

Motion agreed to.

#### EXTENSION OF THE WHARF AT ST. JEAN PORT JOLI.

Mr. CASGRAIN (Translation) moved for copies of all correspondence relating to the construction of the extension of the wharf at St. Jean Port Joli, County of L'Islet, together with offers made for superintending the works; of appointments, if any; of plans and specifications; of tenders asked for and received, if any; for materials and construction, the whole from the date of the vote to that effect at the last Session of Parliament. He said: Mr. Speaker, my object in making this motion is to find out the reason why the Government have not thought proper to spend the sums voted at last Session for the extension of that wharf. I say that if the Government have thought fit to discontinue the works they had commenced, we are entitled to know the reason. It is very important for the people of the neighborhood to know why the Government have decided to give up the works, which the former were prepared to execute, for the most part, at their own expense. The present wharf is altogether inadequate to the requirements of the inhabitants of that place, and I am convinced that if the hon. the Minister of Public Works (Sir Hector Langevin) were to visit the spot, he would easily convince himself of the necessity of the works asked for. Although the Government have for the last two or three Sessions been asked to make those improvements, it was only on the eve of the last General Elections that the sum of \$4,700 was placed in the Estimates and voted by the House for those works. It was but on the eve of the Elections, also, that the Government seemed disposed to ask for tenders for the stone and for the construction of the wharf. A large number of the inhabitants would then have been happy to supply the stone required for these works, which they could have taken off their farms, thereby giving them the opportunity of helping in the construction of the works and of improving their property. They have been kept in the hope that these works would be executed until the eve of the Elections; but since, nay, even from the day following the Elections, nothing more has been heard about these works, nor of the timber or cartage of the stone required. The electors wish to know the reason why the Government have discontinued works so urgently required. I do not see much difficulty in obtaining the papers asked for, as they are already before the House; but what I desire above all is that the Government shall declare why they have not

employed the sum voted at last Session for those improvements. It may be impossible to improve that wharf; but in such a case the electors are interested in knowing why the Government have not done the work and satisfied the legitimate expectations of the people of that place.

Motion agreed to.

#### SUCCESSOR TO HIS EXCELLENCY.

MR. HESSON, in moving for copies of any correspondence that may have passed between His Excellency and the Home Government, in reference to the selection of a successor to His Excellency in the high position of Governor General which he now so worthily fills to the entire satisfaction and admiration of the people of Canada, said: It is not my good fortune to know personally the distinguished statesman who preceded His Excellency in the office of Governor General—I refer to Lord Dufferin; but I believe the hon. members of this House and the country will join with me in saying that Lord Lorne has discharged the high duties which devolved upon him, in administrating the affairs of this country, to the satisfaction and admiration of all Canadians. Parting, therefore, as we probably soon will be called upon to part from His Excellency and His Royal Bride the Princess Louise—whose absence from Canada we so much deplore, especially by reason of the circumstance that that absence is caused by ill-health—we may be pardoned if we express some little anxiety as to who the next Governor General of Canada will be. Hon. gentlemen will have seen no doubt that a section of the press of Canada has pointed to a distinguished gentleman in this House as the probable successor to His Excellency. The hon. gentleman to whom I refer, as no doubt every hon. member knows, is the right hon. Sir John A. Macdonald. But whilst it would give much pride and satisfaction to the members of this House, as well as to the Canadian people, to know that Her Majesty would again mark with Her Royal and distinguished favor this excellent gentleman, still it is too great a sacrifice for the Conservative party which he so ably leads—too great a sacrifice for the country which he has so ably and faithfully served for so long a period, to part with him from active political life at present. I hope, therefore, that these rumors are not true; I hope that there is really no such expectation, even on the part of our worthy friends on the other side of the House, who, I believe, would willingly relegate him to that or any other position that would get rid of him as leader of the great Conservative party. The Conservative party knows his services too well—they value them too highly—to feel very much gratified at even so distinguished a mark of Royal favor as would be conferred upon Canada by elevating him to such a high position. It is somewhat doubtful, Sir, whether the newspapers to which I refer—and I refer, of course, to that portion of the press of Canada which is under the control of hon. gentlemen opposite—would be willing to take back all they have said in the past of the hon. leader of the Government, as to his being untrue to the interests of Ontario, untrue to the interests of Canada, and accept him as our future Governor General without making some very wry faces, if I may be allowed to use the expression. I think that if they are willing to get rid of that hon. gentleman now it would be in the hope that he would not have a successor to lead the Conservative party so admirably as the hon. gentleman has led it. I move for the papers out of no idle curiosity, because it is a matter of great moment to the people of Canada to know who will be their next Governor General. I trust the papers will not be so voluminous as to entail any great expense or delay in preparation, and I trust they will be laid before us at an early day.

Sir JOHN A. MACDONALD. There is no correspondence at the disposal of the Government on this subject, which can be brought down. If there be any correspon-

dence between His Excellency and the Imperial Government it will be with him as an Imperial officer, and with that correspondence we have no concern and over it we have no control. I have no doubt that the country and this Parliament will accept any successor that Her Majesty may be graciously pleased to send, when we are unfortunate enough to lose the presence among us of the illustrious nobleman who now represents the Queen in Canada. As to what my hon. friend has said about myself—well, I have no aspirations, and even if I had any aspirations, there is not the most remote chance of their being satisfied or fulfilled. I am condemned to the grateful and onerous duty of leading the Conservative party; and, I think, as long as I am in public life, I shall most likely hold that position, whether on this side of the House or on the other is as the people may determine. I think I have pledged myself to the House to move the readjustment, in 1892, of the constituencies in Ontario, and as my hon. friends opposite are very anxious always that I shall carry out my pledges, I shall carry out that pledge; and if I bring down a gerrymandering measure in 1892, of course that would prevent me being an aspirant for the position of Governor General of Canada. Speaking seriously, however, that subject has been discussed in the press, and my name has appeared in the newspapers—I believe, in the first place, instigated by the correspondent of one of the New York papers—and the press of Canada have taken up the discussion, during the summer season, when there was little else to discuss. That subject was fully aired before the time of Confederation; and one of the great advantages we have in Canada, is the advantage we get from the Mother Country, that as the Queen in England stands far above party, holds the balance between parties, and carries out the constitutional principle of choosing her advisers from the people through their representatives, so we have that same advantage in Canada of having a representative of the Sovereign here, standing above and aloof from all parties and holding the balance between them. I think it would be the greatest misfortune—as I expressed it in 1865, 1866 and 1867—should any alteration in that system take place. I should look upon it as proof, and no uncertain proof, that England was not very anxious to continue the connection between Canada and the Mother Country were she to give up the selection of the representative of the Sovereign to come here as our Governor General, who would be quite aloof from all parties and who would belong to neither party. It is in this respect that I think we have a great advantage over the constitution of the United States. The President is elected every four years, and he is the subject of some very energetic writing against him during the time he is a candidate. When he is elected, he is the head of a party, instead of being the head of a nation; and every act of his Government is always liable to censure, and he is, as a matter of course, censured by the Opposition of the day—by those who have not been successful in carrying their candidate. I say it would be a very great misfortune, in my opinion, should the present system be altered. I am glad to believe that there is not the slightest chance of any such change taking place; I am glad to believe that the sense of the importance of the connection between the Mother Country and the colonies is increasing every day and every year in England; and that with our growing importance, our growing wealth, our growing position in the world as an auxiliary nation, the desire to retain Canada as one of the brightest jewels in Her Majesty's Crown, will go on increasing as it has done in the last few years. I am exceedingly obliged to my hon. friend for his kindly remarks respecting myself; but, after this explanation, I hope my hon. friend will withdraw the motion, as there are really no papers or correspondence on the subject.

Motion withdrawn.

## MOTIONS FOR RETURNS.

The following Motions for Returns were severally agreed to:—

Copies of the returns, annual and monthly, made by the Banque de St. Jean, since 1875, to the Government; also for copies of the certificates granted by the Treasury Board to the said Bank on going into operation.—(Mr. Bergeron.)

Return of all claims presented for drawbacks on goods manufactured for export since March 2nd, 1882, showing the name of all applicants, their places of business, the articles on which the drawback was claimed, and the amount of each claim, distinguishing between the claims which have been allowed and those which have been disallowed and those under consideration and not yet decided, and giving the reason for such disallowance; also, copies of all regulations made by the Department with reference to such claims, together with a copy of one allowed claim and the sworn declaration thereto of each exporter of boilers, machinery, sewing machines, or other manufactures of iron.—(Mr. Paterson, Brant.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 5:50 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 22nd February, 1883.

The Speaker took the Chair at Three o'clock.

PRAYERS.

## REPORTS.

Sir CHARLES TUPPER presented, pursuant to a Resolution of the House of the 20th February, 1882, a report giving full information on all subjects affecting the Canadian Pacific Railway, up to the latest date, and particularly all details as to:

1. The selection of the route; 2. The progress of the work; 3. The selection or reservation of land; 4. The payment of money; 5. The laying out of branches; 6. The progress thereon; 7. The rates of tolls for passengers and freight; 8. The particulars required by the Consolidated Railway Act and amendments thereto, up to the end of the previous fiscal year; 9. Like particulars up to the latest practicable date before the presentation of the return; 10. Copies of all Orders in Council and of all correspondence between the Government and the railway company, or any member or officer of either, relating to the affairs of the company.

Sir LEONARD TILLEY presented, pursuant to a Resolution of the House of the 20th February, 1882, a report of the Canadian Pacific Railway, in account with the Government of Canada, viz.:—Rails Advance Account, Land Grant Bond Account, Current Account and Subsidy Account; also, a Memorandum as to substitution of Canadian Pacific Railway of Credit Valley Stock for \$1,000,000 cash deposit, and a Schedule of Correspondence as to Canadian Pacific Land Grant Bonds.

## BRANCH PRINCE EDWARD ISLAND RAILWAY.

Mr. HACKETT enquired, Whether it is the intention of the Government to build this year the branch railway from Cape Traverse to the main line of the Prince Edward Island Railway, for which a sum of money was voted at the last Session of Parliament?

Sir CHARLES TUPPER. It is the intention of the Government to proceed with the work in the spring.

Sir JOHN A. MACDONALD.

## FRAUDS IN RELATION TO PUBLIC CONTRACTS.

On the order for the second reading of Bill (No. 5) for the better prevention of fraud in relation to contracts involving the expenditure of public moneys (Mr. Casgrain), being read,

Sir JOHN A. MACDONALD. The House is very thin, and I would ask my hon. friend to allow this Bill to stand over. We will give him plenty of opportunity to bring it forward.

Mr. CASGRAIN. I shall be very glad to accommodate my hon. friend, the more so because on one occasion he did not accommodate me.

Sir JOHN A. MACDONALD. We will turn over a new leaf.

Order allowed to stand.

## MOTION FOR RETURN.

The following Motion for a Return was agreed to:—

Copies of the judgments in the case of Russell and the Queen in the Supreme Court of Canada and the Privy Council, and of the judgments in any Provincial Courts of inferior jurisdiction, or in the Supreme Court of Canada, in all cases raising the question of the right of a Provincial Legislature to pass laws affecting, regulating or restraining the number or character of persons licensed to sell intoxicating liquors, or the times of such sale.—(Mr. Blake.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 3:45 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 23rd February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## CANADIAN PACIFIC RAILWAY COMPANY'S MEMORANDUM.

Sir CHARLES TUPPER presented a memorandum of the progress of the construction of the Canadian Pacific Railway. He said: I received this after the return which I laid on the Table of the House yesterday. It contains the report from the Secretary of the Canadian Pacific Railway of the progress of the work, and I would like to have it printed with the papers laid on the Table yesterday. My attention has been called to the terms of the Resolution, and on Monday I expect to lay on the Table of the House a report containing full information on the subject.

Mr. BLAKE. I purposed calling attention to some of the facts in the existing returns, as far as they went, that any deficiencies not contemplated might be guarded against in the complete report.

## REPORT.

Annual Report of the Department of Marine and Fisheries, being for the fiscal year ended 30th June, 1882.—(Mr. McLelan.)

## PETITIONS FOR PRIVATE BILLS.

Mr. BEATY moved that the time for presenting petitions for Private Bills be extended to Monday the 12th day of

March next, in accordance with the recommendation from the Select Committee on Standing Orders.

Motion agreed to.

#### BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 26) to incorporate a Company under the name of "H. R. Rathbun and Sons."—(Mr. White, Hastings.)

Bill (No. 27) to amend an Act to incorporate the Ontario and Quebec Railway Company.—(Mr. Wells.)

Bill (No. 28) to continue an Act to incorporate sundry persons by the name of the President, Directors and Company, of the Farmers' Bank of Ontario.—(Mr. Davies.)

Bill (No. 29) to incorporate the Bank of London, in Canada.—(Mr. Dawson.)

#### UNPROTECTED APERTURES IN THE ICE OF NAVIGABLE WATERS.

Mr. ROBERTSON (Hamilton), in introducing Bill (No. 30) to amend the Criminal Law so as to declare it a misdemeanor to leave unprotected holes, openings or apertures, made in the ice of any navigable water, said: The object of the law is to protect the public against the accidents that are continually occurring on the inland waters of the Dominion. There is no law now which gives any jurisdiction over the inland waters where ice is formed upon them. When parties are harvesting ice there is no law to prevent them leaving the holes open, and the consequence is that in the winter season there are many serious accidents, some of them attended with great loss of life.

Bill read the first time.

#### MILITIA ACT AMENDMENT BILL.

Mr. CARON, in introducing Bill (No. 31) to consolidate and amend the laws affecting the Militia of Canada, said: I may state that the object of this Bill is the consolidation and amendment of the laws affecting the Militia of Canada, together with the addition of certain changes which have been rendered necessary from the altered condition of the country and of the force. On the second reading of the Bill, when it is printed, I shall have the honor of explaining fully the amendments, which I trust will meet the approbation of the House.

Bill read the first time.

#### RETURNS CONCERNING THE CANADIAN PACIFIC RAILWAY.

Mr. BLAKE. Before the Orders are called, I desire the attention of the hon. Minister of Railways to make an observation with reference to the papers which were brought down in answer to a Resolution of last Session. The hon. gentleman has already informed the House that it is proposed to supplement these returns of papers by a report, which, of course, is satisfactory so far as it goes, because the Resolution indicating that the report would give a statement of all the particulars and correspondence, was simply an indication of the maker upon which the report was based. Then, with reference to the report, as to the correspondence concerning the selection of the route, I observe that, on the Sault Ste. Marie Branch, the letters which were sent in contain a reference to plans and profiles, but they have not been brought down. It is impossible to understand their correctness without that plan and profile. I observe also that the letter states the intention to place a large amount of material on the contract west of Algoma Mills, and east of Prince Arthur's Landing in the fall, and that there is nothing more in the shape of correspondence brought down. That

indicates that the Company have contracted the entire portion of the road from the eastern section to Algoma Mills, with the exception of a small piece which I understand properly belongs to that section, the two miles from Prince Arthur's Landing to Current River. The newspapers say a good deal of work has been done, and that contracts have been let for other portions of the road. There is a statement in that branch of the return of correspondence with reference to the fixing of Callander Station at a certain point 120 miles west of Pembroke, but there is nothing to indicate it on the map as compared with the place where Callander Station was supposed to be before this time. An application is made to approve of the line from Swift Current to the South Saskatchewan, on November 26th, 1882, and the approval is made by the Engineer of the line that it can be located through Kicking Horse Pass. There is an application on the 15th September, for the approval of a line through Kicking Horse Pass, but there does not appear, by the correspondence, to have been any action taken on that application. I presume some action has been taken on that application between that time and now. As to the progress of the work: on 26th August there is a letter from the Secretary of the Company promising that on the return of the consulting Engineer, who is at present on the eastern section, a full report will be given as to the progress of the work.

Sir CHARLES TUPPER. That is contained in the report now on the Table. It was received only yesterday.

Mr. BLAKE. That answers, although perhaps a little late, that demand. Will the hon. gentleman say whether that includes the figures over the whole road?

Sir CHARLES TUPPER. The entire year's operation; everything up to the present time.

Mr. BLAKE. The Resolution also called for a report with respect to the selection or reservation of land.

Sir CHARLES TUPPER. That memorandum will come through the Department of the Interior, and will be embodied in the report.

Mr. BLAKE. That covers the great land grant question. So that is to come in yet?

Sir CHARLES TUPPER. Yes.

Mr. BLAKE. There is no correspondence with respect to the laying out of branches, with the exception of a very brief correspondence as to the arrangement to be made with the town of Emerson. There was brought down, last Session, a letter from the Company, in which they intimated their willingness to build a very extensive mileage of branches in the North-West, and gave the general direction of the branch lines, although they did not absolutely locate them on the ground. I assume there has been further correspondence indicating whether they will be prosecuted or abandoned; but such does not appear in these papers. The Resolution called for a statement of the rates of tolls for passengers and freight, but nothing as to that is brought down yet. The Resolution called for the particulars required by the Consolidated Railway Act, and amendments thereto, up to the end of the previous fiscal year; but there is nothing of that in the papers brought down.

Sir CHARLES TUPPER. If the hon. gentleman will be kind enough to give me a memorandum of the points respecting which information is desired, I will endeavor to obtain it.

Mr. BLAKE. I will send it across the floor.

#### RECIPROCITY NEGOTIATIONS.

Mr. HOMER enquired, Whether any action has been taken for the purpose of negotiating a Reciprocity Treaty between the Dominion of Canada and the Hawaiian Islands?

Mr. LANGEVIN. There has been no action taken on this matter.

#### TELEGRAPHIC COMMUNICATION WITH SABLE ISLAND.

Mr. PAINT enquired, When telegraphic communication will be established between Nova Scotia and Sable Island?

Mr. LANGEVIN. This matter is now under the consideration of my Department.

#### GULF TELEGRAPH LINE.

Mr. PAINT enquired, Whether the great benefits conferred on the fishermen and shipping interest in the Gulf of St. Lawrence by the daily reports furnished by the Government coast line telegraph, shall be in like manner extended to the shores of Nova Scotia, New Brunswick and Cape Breton as first contemplated, and when?

Sir LEONARD TILLEY. When the Estimates are brought down, we will be able to state to the hon. gentleman whether the Government can make provision for that expenditure this year or not. The matter is now under consideration.

#### BREAKWATER AT BLANDFORD, N. S.

Mr. KEEFLER enquired, Whether it is the intention of the Government to make provision in the Estimates during this Session for the extension of the breakwater at Blandford, in the county of Lunenburg?

Sir HECTOR LANGEVIN. I have the honor to inform the hon. gentleman that there is no information about this work in the Department.

#### STEAM COMMUNICATION BETWEEN PRINCE EDWARD ISLAND AND THE MAIN LAND.

Mr. JENKINS moved the appointment of a Select Committee to consider the question of steam communication between Prince Edward Island and the main land in winter and summer, with power to send for persons, papers and records; said Committee to consist of Messrs. Hackett, McIntyre, Wood (Westmoreland), McIsaac and the mover. He said: I would not have considered it necessary to occupy the attention of the House on this subject, except for the fact that when it was up for discussion on Monday night some hon. member expressed opinions adverse to the appointment of a Committee. They seemed to think that there was nothing to enquire about, and that the appointment of a Committee would lead to delay. I may say I have given the subject a great deal of consideration. So long ago as 1867 I made it a subject of a motion in the Local Legislature of the Island, and since that time I have paid a good deal of attention to it; but I must confess that I feel that I am not in possession of sufficient information to give a positive opinion on it, and I find, in conversation with others, that those who know the least about the matter are most inclined to give a positive and dogmatic opinion as to the impossibility of winter communication. I consider the question is one surrounded with difficulties. Not only are the Government not in possession of sufficient information to warrant them in making a large expenditure of public money on this service, but there are also other difficulties. The different sections and different districts of the Island all seem to think they have a right to have the steamer ply between their point of communication and the main land. Those sectional jealousies and conflicting interests have to be dealt with, and the jealousies will be allayed, and the conflicting interests reconciled by the appointment of this Committee, because it is essentially representative, each county in the Island having a member on it, and the Pro-

Mr. HOMER.

vinces of New Brunswick and Nova Scotia having also a member each. I think, therefore, that the labors of this Committee are likely, not only to acquire information which will be valuable to the Government, and enable them to take action in this matter, but that they will also allay sectional jealousies and remove difficulties of this kind. Now, Sir, it is very easy to say that no vessel can be built to cross the Straits of Prince Edward Island and the main land in winter. I allow that no such vessel has ever been built, but I consider that this is an age of progress, and I consider it quite possible that it can be built. It will be in the memory, I dare say, of some hon. members of the House, that when the question of ocean steam navigation was discussed some years ago, a former Lord Derby—the grandfather, I believe, of the present Minister for the Colonies—said that no steamer would ever cross the Atlantic. I believe that persons who have just as firm faith in the impossibility of the winter navigation of the straits, have as little basis for their opinions; and I am quite sure that this question will be satisfactorily solved, and I think that the appointment of this Committee will prove to be the first step towards its solution. With regard to the delay, it must be remembered that the Steam Navigation Company of Prince Edward Island had their contract extended for two years, and until that period expires there can be no change made, as far as steam communication is concerned; but on the first opportunity that presents itself an improvement should be made. I think that the Steam Navigation Company of Prince Edward Island have done very good service. It is the fashion rather to grumble about and to abuse that company, but I think that when we look back and remember that this company has carried mails and passengers for nearly twenty years, with very few casualties, it will be admitted that they deserve some credit instead of abuse. During the last few years there has been a great expansion in our trade with the neighboring Provinces, owing, as I believe, and as I think most hon. members believe, to the National Policy; the mining and manufacturing interests of New Brunswick and Nova Scotia have increased to such an extent, that they have taken a very large portion of our produce, and on that account the resources of the Steam Navigation Company have not been sufficient, during this last year, to carry all our produce to those Provinces; so much has trade in that direction, owing to the increased necessities of those Provinces, due to the growth of their mining and manufacturing interests, extended. Now, Sir, I believe that this company ought to put a third good boat on that route during next season, in order that they may be able to keep trade clear. I think, Sir, that this House will agree that the selection of this Committee is the first step towards the solution of this question, which is of such very great importance to the people of Prince Edward Island.

Mr. DAVIES. Mr. Speaker, I am very sorry, for several reasons, that my hon. colleague has thought it consistent with his duty to make this motion on this occasion, and because I know and believe—or would rather believe—that he is thoroughly sincere in his advocacy of this question. I am further sorry, because I think that it will merely lead to delay, and can do no possible good. I know that my hon. colleague has a strong desire to make motions referring all sorts of matters to Committees, for that was his course when I occupied a seat with him in the Local Legislature; whenever any question then came up, my hon. friend would move its reference to a Committee, and I never saw any good come out of it. I am perfectly sure that no good will come of this reference, and for this reason: because the Government have already taken steps in this matter. In the year 1878 they appointed a competent man, Mr. McLeod, a Civil

Engineer, to go to the Island, and to the neighboring shore of New Brunswick, and to examine witnesses who had any special knowledge with reference to this subject. Mr. McLeod went there and made a thorough survey of the Prince Edward Island coast for some sixteen miles. He also made similar surveys on the coast of New Brunswick, and examined a large number of witnesses, residents of New Brunswick, and also of Prince Edward Island. Those witnesses who had had very long experience in winter navigation were competent to give opinions which would lead to the solution of this difficult question. Mr. McLeod embodied the result of this evidence in a report which he sent to the Government of the day, and which my hon. friend will find in the Sessional Papers of 1879. In that report he sums up the difficulties attending the settlement of this question, and states the manner in which it may be solved very well. That report is before the Government, and I am quite sure that the recommendations are of such a character that no reasonable and sensible man can easily object to them. There are two sides to the understanding of all the questions relating to the provision of continuous steam communication between Prince Edward Island and the main land, and it is manifest that many difficulties exist. There was a time, I acknowledge, when it was believed practicable to have steam navigation all through the winter between the Capes on the Island and the main land, but owing to the experience which we have obtained on this subject, I venture to say that this opinion can no longer be reasonably entertained. What is the Committee going to do? Whom are they going to examine? What new information can they obtain? I can see no benefit to be secured from their labors. Persons who have had an experience of twenty-three years in this matter have already placed their opinions on record, in the report above referred to, and what other views of value can be obtained in the Provinces of New Brunswick, Nova Scotia and Prince Edward Island? Of course, I am aware that it is of no use to do more than protest against this proceeding. What better information can be given in this regard than can be got from the captain of the *Northern Light* and her officers, who, I believe, have remained in charge of the vessel since she was first placed on the route some eight years ago? I cannot see what my hon. friend expects to do by means of a Committee. He should point out the line of action which he proposes to take, and state what witnesses he is going to examine, and the object he intends to effect. The steam communication between the Island and the main land, as it at present exists, is kept up by means of boats. We all know that we must have continuous steam communication, if this can possibly be secured; and I judge that it would be more satisfactory if my friend would ask the Government whether they propose, in the future, to take steps towards the construction of another vessel, which would act in conjunction with, or take the place of the *Northern Light*—a larger vessel, free from the defects, if possible, which have been ascertained to exist in the *Northern Light*, during the experience of the last eight years. We know that a ship can be built suitable for that service if tenders were called for; and I would strongly urge upon my hon. colleague that, instead of wasting the time of the House and the money of the country on this Committee, which can result in nothing but delay, he should exert his influence with the influence of the other gentlemen from the Island on the same side of politics as himself to induce the Government to take immediate steps in this connection. I beg to say that I fully endorse every word that the hon. gentleman has said with reference to the manner in which the Steam Navigation Company of Prince Edward Island has carried out its contract. It is a capital company, it does its work well; and what I said the other day was not intended in any way as a

complaint of the manner in which it has carried out the contract. What I do say is that in extending the contract, if the hon. Minister has done so, provision should be made, by the granting of an additional subsidy, to compel the company to put on a boat in the autumn months of the year, so that the harbors of Charlottetown and Summerside might be kept open a few weeks later than at present. The hon. Minister could confer no greater boon on those two cities and the counties in which they are situated, than by providing a boat which will keep up the navigation three or four weeks later in the fall. As to building another boat, in addition to the *Northern Light*, that must be done unless the Ministry determine that the Terms of the Union shall not be carried out at all. It is well known that the *Northern Light* cannot perform her work the whole of this winter, and unless a new boat be provided, there will be none at all next winter. I should have contented myself with these remarks had not the hon. gentleman gone on to attribute the increase in the exports and the general volume of trade on the Island to the National Policy. This is not the occasion, or the time, to discuss the effects of the National Policy upon the Province of Prince Edward Island, but lamentable as the effects of that Policy have been on that unfortunate Province, it is still more lamentable to find an hon. gentleman standing up in this House and endeavoring to mislead Parliament and the country as to those effects. It is a matter of notoriety that whatever may have been the effects of the National Policy in other parts of the Dominion, it has produced nothing but ruin there. It is well known to the hon. gentleman that ever since the National Policy was introduced a result directly traceable to its operations is that the value of real estate has fallen in the towns of the Island over 50 per cent., and in the rural districts over 25 per cent. It is a matter of public notoriety that the young men of the Island have been leaving it in swarms—not in scores, but in hundreds—that the country is being deprived of its bone and sinew because its young men cannot find a livelihood there. But we have in this House, in the presence of the hon. member for Prince County (Mr. Hackett), a living example of the exodus that is taking place from the Island. Even that hon. gentleman has left his Province, where he has lived so long, in the hope of bettering himself elsewhere. I do not blame him for going abroad to improve his position, but I do blame him, after turning his back on his country, for endeavoring to mislead the House by saying that prosperity reigns in Prince Edward Island, when he must know that the very opposite is the case. As to our export trade, to which he has referred, I shall be very glad if our exports to the neighboring Provinces have increased; but I wish to point out that the reasons we have exported more to New Brunswick last year than formerly, were two or three in number. In the first place, we were formerly the owners of a large amount of shipping, and that shipping used to be profitably employed in the carrying trade between Great Britain and the Island. The quantity of goods we imported offered a fair freight to the Island, and the oats and barley which we exported gave profitable return freights. I would like to ask the hon. gentleman what has become of that shipping. We had an iron steamer which traded from the Island, but although it enjoyed a subsidy of some \$15,000 from the Government—and I have the misfortune to be one of the company myself—this policy, by compelling us to purchase our goods where we could not purchase them so cheaply or so profitably, has obliged us to sell the steamer at half its cost, because it had nothing to do. If the hon. gentleman will turn to the statistics which were laid on the Table of this House the other day, he will find that, in 1873, we built nearly 17,000 tons of shipping. How many tons have we in 1882? Three thousand. In 1878, the tonnage registered in the Island was over 18,000 tons; to-day it is only 4,300; in 1878, our exports from the Island were \$1,700,000; in

1877, they were \$1,931,000, while, in 1883, they were \$1,887,000. The hon. gentleman speaks of the prices having been enhanced by the manufactures which have sprung up in the country; but if he looks into the facts he will find that those prices have been enhanced by the increase in the lumbering business—a statement which I am sure will be borne out by hon. members from the Province of New Brunswick. The hon. gentleman will find that while, in 1874, the percentage of duties which the poor people of the Island had to pay was 11.47, they are now paying 25 per cent. The National Policy may have had, and doubtless has had, beneficial effects on certain towns or certain parts of the Dominion, but it is well known that upon a purely agricultural community it can work, it has worked, and is working, nothing but ruin. Let the hon. gentleman go to the chief city of the Island and offer any property in it for sale and see if he will get a purchaser. He will find that the places formerly owned and occupied by workmen are vacant, and are offered to let everywhere. In the country parts whole settlements have left the place, and though I am glad that some of them have gone to our own territories in Manitoba and the North-West, the larger portion have gone to build up and increase the neighboring Republic. This, however, is apart from the question before the House.

Some hon. MEMBERS. Hear, hear.

Mr. DAVIES. Hon. gentlemen say "hear, hear," but I should not have referred to the question at all had not the hon. member for Prince County introduced the subject by making a statement with reference to the prosperity of Prince Edward Island, which it would not have been fair to have let pass in silence. While I believe that the company have efficiently carried out their contract, I trust that the hon. gentleman at the head of the Department will, either by means of an increased subsidy or in some other way, put on a boat which will carry on the work earlier in the spring and later in the fall than at present, and that he will give his assurance that some measures will be taken to supplement the work of the *Northern Light* by putting on another boat.

Mr. HACKETT. I do not think it is right that the hon. members from Prince Edward Island should monopolize the whole time of the House; but as there is not much business now before us, I trust it will not be considered out of place for me to offer a few remarks. When I first heard of the motion for the appointment of a Committee I had some slight objections to it, thinking perhaps it might retard the progress of this work of opening communication with the Island. The people of the Island desire the Government to carry out the work they have initiated. The Government have begun that work, for the money was voted for the branch railway from Cape Traverse to the main line, and I was glad to have the assurance of the hon. Minister that it would be built this year; and that point being settled I could see no objection to the motion. Information is required on the question. Every man living on the Island has an opinion of his own on the subject, and what we should get is the best evidence possible to be obtained, so that when the money comes to be expended it will be expended intelligently, and in the way best adapted to secure the opening up of this communication. Now, I want to say a word or two in reply to the hon. member from Queen's County (Mr. Davies). That hon. gentleman has thought proper to make a long speech on the subject of the National Policy—and I may say he comes from Prince Edward Island for the purpose of repealing that policy. That is his object in coming here. He is not content with the policy of the people of Canada; he must have a policy for Prince Edward Island. But I am prepared to show, from figures, that the hon. gentleman is quite incorrect with regard to the effects of that policy on Prince Edward Island.

Mr. DAVIES.

The hon. gentleman says the people of the Island are leaving it in swarms. The truth is that in the fall of the year a great many young men who are engaged in the fishing industry during the summer, are thrown out of employment, and it becomes necessary for them to seek employment in the lumber districts of the neighboring Provinces; but they return in the spring. There has not been that exodus from the Island which the hon. gentleman represents. Not very long ago the *Summerside Journal*, the organ of the hon. gentleman and his party in Prince County, had the honesty to admit that the young men who had gone abroad were returning, having found that the little Island in the Gulf of the St. Lawrence provided them with a better home than they could get abroad; and I believe they will continue to return, notwithstanding the efforts of the hon. gentleman and his party to drive them from the Province. There is at present 40,000 or 50,000 acres of wilderness land as good in Prince Edward Island as can be found in any other part of the Dominion. Instead of publishing to the world that the Province is in ruin and misery, we should stand up here and say that it is prosperous; we should endeavor to secure for the Island a portion of the large immigration which has come into the country in consequence of the National Policy. What are the facts? We can have no better indication of the prosperity of a country than the amount of the people's deposits in the savings banks. Last year we find that the farmers of Prince Edward Island deposited in the savings banks some \$300,000 more than they did the year previous. Is that an indication of ruin and want? On the contrary, I take it as being indicative of the progress and prosperity of the country. Now, I just want to cite to the hon. gentleman a few statistics with regard to shipping. He has endeavored to make it appear that our ships are being swept off the water, and that no shipping of any account is now registered at the port of Charlottetown. Such is not the case. If we have not the shipping in Prince Edward Island, it is because our ships get better freights in the lumber trade of New Brunswick. But if the hon. gentleman will look at the figures, he will find that there has been no such decrease in the tonnage of Prince Edward Island as he represents; but that our ship owners stand in a better position than they did in 1873, when we entered the Confederation. In 1873, the number of tons of shipping registered at the port of Charlottetown was 38,913, while, in 1882, the year when the hon. gentleman says there was no shipping in Prince Edward Island, the tonnage amounted to 41,684 tons, an increase of nearly 3,000 tons. These are facts, and it would be better for the hon. gentleman, before he rises in this House to proclaim that every industry on the Island is being ruined, to consult the figures and gain some information on the subject. Then with regard to prices, which the hon. gentleman says are so low as to produce great want and misery among the farmers, I will show you that they are getting better prices than they did in 1878, in the days of darkness and disaster, when the hon. gentleman's friends ruled this country. In 1878, the price, at Charlottetown, of oats, one of the staple products of the Island, was 32 cents a bushel, while, in 1882, it had increased to 36 cents, or an addition of 4 cents a bushel. That does not look much like ruin for the farmers. Then, with regard to pork—in 1878, the price was 4½ cents a pound in Charlottetown, while, last year, it was 9 cents a pound, or an increase of 100 per cent.

Mr. DAVIES. Did the National Policy do that?

Mr. HACKETT. Certainly it did. The National Policy did it by bringing prosperity to the miners of Nova Scotia, by building up industries in the Province of New Brunswick and Nova Scotia, and by bringing prosperity to the whole Dominion, by means of which the farmers of Prince Edward Island have been enabled to sell their

products in the home market, instead of being obliged to seek a market abroad. The hon. gentleman is not satisfied, but I will try to satisfy him. With regard to the prices of butter, we have the means in Prince Edward Island of raising large quantities of butter, and the farmers—I speak it from a knowledge of the facts—were unable, in 1878, to sell their butter. It was lying in the dairies. They were unable to get cash for it at any price they would ask, and were obliged to take it to the markets and trade it away. The price that year was 16 cents per pound, by the tub, in the Charlottetown market. In 1882, the price was 22 cents, an advance of six cents. Are the farmers being ruined when they can get those prices for their products? I have a number of figures more, but I will reserve them until the hon. gentleman produces his motion. The hon. gentleman made a personal allusion with regard to myself, to the effect that I am a living example that the National Policy has not redeemed its promises. He need not have gone as far as that. If I think that by coming to Ottawa with my family during the Session, I can live as cheaply as on the Island, I have a right to do so, and if the hon. gentleman thinks it proper to bring his wife with him, no person can object to it. It is beneath any hon. gentleman to make a personal allusion of that kind. The hon. gentleman thinks he has got rid of me out of the Island. The hon. gentleman is not rid of me. He will find me at the next general campaign, working in the interests of the Conservative party, and I hope to prevent him from coming to this Parliament to run down the Province that did him the honor of electing him.

Mr. JENKINS. I merely rise to say that my hon. colleague (Mr. Davies) has either totally misconstrued what I said, or has misrepresented me. I am sorry to say he is quite capable of misrepresenting me.

Mr. SPEAKER. Order.

Mr. JENKINS. I do not say it was intentional. I do not say he would do it intentionally; but I will say he is afflicted with a certain obliquity of vision—

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. I must ask the hon. gentleman to withdraw these expressions. We must endeavor now, in the beginning of this Session, to keep the rules of debate very strictly, and there should be no personal allusions of this kind allowed.

Mr. JENKINS. I withdraw the expressions at your request. I said nothing whatever that could be construed as my hon. colleague has construed my remarks. I did not say that Prince Edward Island was thriving, or her trade increasing, through the National Policy. I said that the trade between the Island and the neighboring Provinces had increased, and the manufacturing interests of Nova Scotia and New Brunswick had largely increased through the influence of the National Policy. Perhaps I should not have mentioned the term National Policy. It seems as irritating to my hon. colleague and the hon. member of the Opposition as a red rag to a bull. Perhaps I should have said: that happy coincidence of prosperity which followed the change in the fiscal policy of this country. Perhaps that would not have irritated my hon. friend and have caused him to give us the dregs of his campaign speeches at the last Elections. I think that the question of the National Policy is not under discussion now, and I would not have mentioned it, only that I felt satisfied the increased trade between the Island and the neighboring Provinces was due to the National Policy.

Sir CHARLES FUPPER. It is not necessary that I should enter into the discussion between the hon. gentlemen who represent Prince Edward Island; but I may say that I do not agree with the views taken by the senior member for Queen's County, that any possible harm could come from

the adoption of this Resolution. The House is perfectly well aware that from the time the Island was brought into the Union, efforts have been made by both Governments to carry out as far as it was found possible and practicable, the Terms of the Union. Efforts have been made to produce as regular intercommunication as possible between the Island and the main land. The Government, when hon. gentlemen opposite were in power, had a steamer constructed for the purpose of maintaining winter communication with the Island, as it had not been found practicable to do so by any steamers in use for the summer season. Although very considerable success attended those efforts, it was found impracticable to maintain regular communication for mails and passengers throughout the entire season. Despite all that the *Northern Light*—a vessel specially constructed for that purpose—could do, there were several weeks in the season in which mail and passenger communication could not be carried on in that way. I may say if the hon. gentleman has satisfied himself that nothing remains to be learned in that connection, he has arrived at a different conclusion to that at which I have arrived. We waited until the efforts to maintain communication were tried, and saw how far that intercommunication could be made successful, before resorting to the further means of constructing railway communication to Cape Traverse, for the purpose of ensuring more rapid and perfect communication by way of the Capes. The Government was prepared last Session to submit appropriations for the construction of a railway from the Intercolonial to Cape Tormentine, as well as a railway on Prince Edward Island to Cape Traverse, with a view of having constant communication through the entire winter season. No delay was caused by any want of action on the part of the Government. From the moment that the representatives of the Island in both branches of the Legislature had arrived, themselves, at a common accord of opinion, no time was lost. That was not arrived at until the previous season, a year ago last summer. That having been arrived at, the representatives of the Island being agreed that, after all the experiments and experiences of the past, that was the best mode to adopt, the Government adopted that policy and asked from Parliament the necessary appropriation to carry it out. The Government did not ask for an appropriation to connect the Intercolonial Railway with Cape Tormentine, as they were prepared to do, because the Government of New Brunswick subsidized a private company to take that work up, and it was stated to the Government that that portion of the work could be accomplished without any application being made to Parliament. Parliament having provided the means of establishing connection between the railway on Prince Edward Island and Cape Traverse to facilitate this intercommunication, that work could have been proceeded with during the past season, only we felt it would have been quite practicable for us to take up that work in the coming season and have all the work on Prince Edward Island for the purpose of having this intercommunication completed at as early a period as it was possible for the company engaged in the work on this side to meet it. Until that time it seemed unnecessary to make that expenditure. The hon. gentleman, on a previous occasion, said he understood a contract had been entered into with the Steam Navigation Company of Prince Edward Island for that service. The hon. gentleman is mistaken in that respect. Application was made to extend that service. It was represented to us by the Steam Navigation Company, who have performed the services in which they have been engaged with considerable ability and success, that the demands for communication between the Island and the mainland had become so great owing to the growth of traffic as to make it essential, in the interests of the Island, that a very great extension of that service should take place. What had been in past years sufficient was, in the present condition of the Island,

totally inadequate. But we declined to make any contract or to take that question up, because we considered that until this railway communication was established from the Intercolonial to Cape Tormentine on the one side, and from the Island Railway to Cape Traverse on the other, it would be unwise to enter into a new contract until we had seen, by further experience and further investigation, the very best means that could be used, not only as regards winter, but also in relation to summer communication, to bring the Island into as perfect intercommunication with the main land as possible. I can only say that if we had possessed the information which the hon. gentleman seems to possess we would not have been obliged to defer this arrangement. I think this committee ought to be granted if for no other purpose than to give the Government the benefit of the information and the opinions that the hon. gentleman possesses, for if he has studied the subject so thoroughly as to have more information than the Government have been able to obtain, it is desirable that it should be placed at our service. I shall be glad to have this Committee appointed, because I think there is a good deal to be learned; and I am quite satisfied, although I have given this question a great deal of personal attention from the time of the Union of Prince Edward Island with the Dominion—and the previous Government gave the subject I am sure a great deal of consideration, as well as the present Government—that there is a good deal to be learned, and I shall be only too glad to hear any person who is in a position to assure us that it would be no doubtful experiment to adopt a line of action that will render that communication as perfect as possible. There is no delay involved in it at all, because, as I have said, the railway works are going on on the main land and will be vigorously prosecuted on the Island to make communication. In the meantime the *Northern Light* will keep up the service as heretofore between Pictou and Georgetown, and measures will be devised and a scheme adopted by the time that the railway is in operation to make the communication as perfect as possible, both in summer and in winter.

Motion agreed to.

#### SUPERNUMERARY CLERKS IN THE MONTREAL CUSTOM HOUSE.

Mr. CURRAN, in moving for a return containing names of persons in the employ of the Customs Department in the City of Montreal as supernumerary clerks who have been constantly employed for not less than six months previous to the first day of July, 1883, said: My object in making this motion is to draw the attention of the House to a state of things which I think is an injustice to a very considerable number of persons who have been up to the present time discharging their duties as employés in the Customs House—or as supernumerary clerks if you will—some of them for a considerable number of years without having their appointments confirmed. As the House is aware, during last Session a Civil Service Bill was passed, and to some extent it was experimental legislation; but I believe, on the whole, the people of the country are satisfied, and the members of this House are satisfied, that the law has been an exceedingly good one. But there is one which I think deserves attention, and in which that law, like all other human laws, is defective. There are not only in the Montreal Custom House, but in the various other Departments, a number of persons who have been appointed merely as supernumeraries, some of them having filled the office not merely for six months previous to the 1st July, 1882, when the Civil Service Act came into force, but some of them for even five or six years, and whose appointments have never been ratified. Now a number of these persons are men who have been absent from the school room for perhaps twenty or twenty-five

Sir CHARLES TUPPER

years, and who are rather rusty upon some of the subjects which have been put into the curriculum of examination, and therefore they are placed at a great disadvantage with young boys, perhaps who have just left school and who are better capable of undergoing examination, while those men who have been employed as supernumeraries, discharging their duties well and efficiently, are placed at a disadvantage besides these new comers. Under the law as it now exists those gentlemen cannot be appointed permanently to their present positions without having to undergo this examination. I am of the impression, and it is the opinion of hon. gentlemen to whom I have spoken, that in any amendments which may be made in the Civil Service Act, the position of these men should be taken into consideration, as they have served the Government faithfully and efficiently, and that they should be entitled, upon procuring a certificate from the Chief of their Departments, that they are fully competent to discharge their duties, to be appointed permanently without having to undergo the examination which is now prescribed for them as for all others, and which I think is only right in the case of new applicants. I am satisfied that the return I now ask for will show that a state of things exists which is an injustice, not perhaps to very many persons in the City of Montreal alone, but to perhaps some hundreds of persons throughout the Dominion. I am satisfied the Government and the House are only anxious that all cause of complaint should be removed and that justice should be done to this class of supernumerary officers the same as to all other classes in this country.

Sir HECTOR LANGEVIN. The Civil Service Act past last year provides for a certain examination for this class of officers—I think a preliminary examination—and which is a very simple one. So far as I can recollect, it embraces reading, writing and the four first rules in arithmetic, and should the Department judge that these officers should be made permanent it would be easy for them to pass that examination. My hon. friend is mistaken if he thinks that a qualifying examination is required, because merely a preliminary examination is required for these officers of a lower grade—if I may so call them. I would also remind the hon. gentleman that a Bill may be introduced this Session in which some modifications may be made in that direction. Whilst I am on my feet I desire to congratulate my hon. friend as a speaker, and I am certain that he will prove a great accession to this House.

Motion agreed to.

#### IMMIGRATION TO BRITISH COLUMBIA.

Mr. SHAKESPEARE moved for all correspondence between the Government of British Columbia and the Dominion Government, respecting immigration to British Columbia, also, all correspondence on the question of Chinese immigration. He said: I have been informed that correspondence has taken place between the two Governments on this very important subject. Looking at the Public Accounts of last year, and of the previous years, I find that a very large sum of money has been voted by this House for immigration purposes. I believe that every Province in the Dominion, except British Columbia, received a portion of that appropriation. I think it is a little unfair that British Columbia should be left entirely out in the cold in this matter, for, as she contributed her share to the revenue of the Dominion, she is entitled to a share of that appropriation. It cannot be said that British Columbia is not in want of immigrants; that is the great want of that Province to-day. It is a matter respecting which we have been crying out for years. We are in want of immigrants; we are in want of men for our farm work, for our industries and canneries, and our railroad, and I am able to state here, to-day, that 2,000 men will find employ-

ment on the Canadian Pacific Railway in British Columbia this year. I am sure I can state in all fairness, that there is no portion of the Dominion of Canada which affords greater inducements to immigrants than the Province of British Columbia does to-day. We have extensive lands, millions of acres of which have never been settled by white men, and though it has been stated by hon. gentlemen in this House that we have seas of mountains, I am happy to say that some of those mountains are mountains of wealth, mountains of iron, copper, silver and gold, and I sincerely trust that the day is not far distant when those mountains shall be brought low and the valleys shall be exalted, and the wealth contained in those mountains shall be poured into the Treasury of the Dominion. I am satisfied that the more British Columbia becomes known, the greater will be the astonishment of the people at the laxity of the Government in not making known the varied and extensive resources of that Province sooner. Our American friends in Washington Territory have their agents in San Francisco and various parts of the United States with pamphlets, magazines and maps full of information descriptive of the resources of their country, the result of which is that nearly every steamer leaving the port of San Francisco for Victoria is crowded with immigrants for Washington Territory. We seldom hear of emigrants going to British Columbia, and yet that Province to-day offers greater inducements, and has a finer climate than any portion of the Dominion. What I want to call the attention of the Government to-day to—and I am sure that having done so, they will very readily comply with the request—is, that British Columbia should have a portion of the appropriation which is voted every year for immigration purposes. It is astonishing the ignorance which prevails with respect to that Province. Since I have been in Ottawa I have been crowded with letters asking information with respect to that Province. Sometimes I receive letters asking how far it is from British Columbia to China. I presume the reason why they ask that question is because we have there so many inhabitants of the Flowery kingdom. Then, again, I am told that on applying for information to the Dominion Government, all they could obtain was a pamphlet about Manitoba. I think it is nothing but fair that British Columbia should share in the immigration appropriation, and that information should be given to the public so that we may obtain a share of the immigrants who are travelling west year by year. With respect to the question of Chinese immigration, of course we have an immigration there of Chinese, and, I am very sorry to say it, a class of people who are not at all desirable, but are detrimental to the best interests of any civilized community. However, that is not the part of the question which I wish to take up to-day; on some future occasion I hope to return to that subject.

Mr. BAKER. I have very much pleasure in seconding the motion made by my hon. colleague from Victoria, British Columbia. He happens to have the advantage of being not only a worker, but a speaker, and I can hardly hope to come under the latter category; at the same time I have very much pleasure in seconding the resolution which he has presented to the House. The House has lately heard a good deal about Prince Edward Island, in fact the hon. members from that Island have occupied its time for a considerable period—I will not, therefore, detain the House very long. I have heard it said that Prince Edward Island is the pet child of the Dominion. If so I envy their position; all I can hope is, that you will not say that Vancouver Island is the spoilt child of the Dominion. We are desirous of obtaining in British Columbia a class of people not, as my hon. friend has mentioned, from the Flowery kingdom, but from any kingdom or nationality which will add to our population and remain in the country. He has observed, and rightly

too, that a very fair amount of money is placed in the Estimates every year for purposes of immigration and agriculture. I can only endorse what he has said, and that is that we in British Columbia, in the far West, should participate to some extent in the disbursing of that amount of money which may be voted by Parliament. We are also informed that the Local Government of British Columbia are taking action in this matter, and if the Dominion will give us a few crumbs which may fall from the rich man's table we will be thankful. We do not ask very much; in fact this being our first appearance in public life—at all events so far as I am concerned—I have very great diffidence in asking anything at all, yet that will not satisfy the people of British Columbia who sent me here to represent them. I have very great pleasure in asking the Government to grant, out of the vote passed by this House, a small share for the promotion of immigration to the Province from which I come.

Mr. HOMER. Mr. Speaker, the reference made in the Speech from the Throne at the opening of Parliament, with relation to the railway lands of British Columbia, shows, as I believe, the intention of the Government to throw those lands open for settlement at an early date; therefore, it is highly necessary that some immigration scheme should be immediately arranged, in order that these lands may be occupied by actual settlers. I believe that arrangements may be made between the Dominion Government and the Local Government and the railway contractors in British Columbia, by which a large number of persons, suitable for railway and general labor, can be taken into that section of the country, thus assisting in the stoppage of the further influx of the Chinese and the replacement of a great number of those people who are now in the colony. Immigration from the Old Country and the Eastern Colonies would not only be very beneficial to British Columbia, but would add very materially to the revenue of the Dominion. By this means indirectly, the expenditure laid out in this manner would be repaid to the Government. It is well, Mr. Speaker, to remember the fact that one white person contributes as much to the revenue of the country as ten Chinese; and while the white person makes the country his permanent home, the Chinaman contributes comparatively nothing to the revenue, but takes his earnings to a foreign land where he spends them.

Mr. GORDON. Mr. Speaker, before the motion is put to the House, I desire to make a few remarks as to the necessity of British Columbia participating in the advantages of the expenditure made by this Parliament in order to promote immigration to the Dominion. British Columbia does not by any means desire to participate merely in the financial advantages. She wishes this money to be directed to the proper channels, in order that her industries and various resources may be developed, in which development the Dominion of Canada, as well as the Province, are sure to be participants. There is a certain class of immigrants which we desire to obtain—I cannot say that British Columbia is prepared to receive an unlimited number—I think that this would be a mistake; but a large number of people can now find there ready employment. We have openings for three or four classes: for instance, agricultural laborers would be absorbed to a considerable extent; a limited number of lumbermen would find ready employment; the fisheries would offer occupation to quite a number; the gold or other mines would employ others, and the different manufacturing industries in the Province would absorb a considerable number. Now, Mr. Speaker, those are the classes of immigrants which we desire to obtain from Europe and from the other sections of the Dominion. We have already immigrants from Europe, Ontario, Quebec, New Brunswick, Nova Scotia and Prince Edward Island. I am glad to say they are the best we have. It is generally con-

sidered that one immigrant from any of these Provinces is worth a thousand of the sweepings of Asia now brought in to work on the railway. The people who live in this part of the Dominion do not see the moral blight which the presence of the Chinese is inflicting on our Province. They cannot contemplate it, and I doubt whether the hon. gentlemen from the other Provinces will view this subject in the right light, until 16,000 of those people come to Montreal and 10,000 to Quebec, and an equal number is distributed throughout the manufacturing districts of the other portions of the Dominion, then these hon. gentlemen will, I am sure, feel compelled to take this matter up seriously and deal with it, as affecting themselves, as we ought to treat it in British Columbia. Mr. Speaker, it is not my intention at the present time to say much on the subject before the House. We all know that the question of immigration is important to every one of our Provinces, and we in British Columbia feel somewhat curious to know why the Government has refused to allow our Province to participate in the benefits accruing from the scheme of immigration. But British Columbia is not alone in this respect. I see that Prince Edward Island occupies the same position. I find that agencies exist for nearly every Province excepting Prince Edward Island and British Columbia; perhaps that is the reason why we receive immigration from Prince Edward Island, as they may have an overplus of population. I learn, however, from an hon. gentleman coming from that Province, that they also have opportunities for supplying immigrants with homes and for developing further their resources. Mr. Speaker, I will not trouble the House with any extensive remarks; but I may say I hope that the Government will see their way clear during this Session, not only to deal with the question of immigration to our Province, but also with our land question. You are aware, Sir, that a belt of land twenty miles on each side of the Pacific Railway, extending from the Pacific Ocean to the eastern boundaries of British Columbia, was set apart for the Dominion Government in order to aid in the construction of the road. Now, Sir, that land is at present locked up from settlement, and has been so reserved since the surveys were first commenced—or, at least, ever since the Order in Council was passed making Port Moody the terminus of the railway. It is impossible to expect that a great number of immigrants will come in and settle in the valleys beyond this twenty mile limit, for they would be obliged to wait until the intervening territory was settled up, and public roads were made extending to the outside of this limit. It may be urged, Mr. Speaker, that a great part of this land is rather too elevated for agricultural products, but I am satisfied, from a geological point of view, that the railway belt will prove equally as valuable to the Dominion of Canada as if it were all agricultural land. One point to which sufficient prominence is not given in regard to British Columbia, as an integral portion of the Dominion, is that she is not dependent entirely on one resource. She has mines, she has fisheries, she has lumbering interests and commercial interests, and she has every facility for availing herself of the National Policy in the highest degree. She has an unlimited extent of territory, she has a climate well adapted to manufactures, and she has in addition a great motive power possessed only by Nova Scotia on the Atlantic, for moving machinery and commerce. With these few remarks, I am happy to support the motion.

Mr. FOSTER. I had no intention of speaking on this subject upon a motion referring more especially to the Province of British Columbia; but it is not perhaps an inopportune moment to say a word in support of what has been said by the hon. members from British Columbia—for we are all Provinces of the same Dominion; and also to say one word for my own Province and some of the other Provinces

Mr. GORDON.

as well. I should not have spoken at all had I not been somewhat seized with the poetic afflatus—an afflatus which appears on the poetic names of the British Columbia members of the House, and seeing that it was an hour devoted almost entirely to new members I thought I could not break the ice at a better time. I went to the Department of Agriculture the other day and asked for their pamphlets. I received about nine different pamphlets. I took them to my room and diligently went over them. One was printed in French, one in German, and several in English; but if I had been an immigrant asking for information in regard to Canada—a country extending from the Atlantic to the Pacific and having in it more square miles than the United States—I should have received from reading those pamphlets the idea that there were only two places which were specially cared for, and those were Manitoba and the North-West, and the Eastern Townships. For all the pamphlets which I read contained not a word of information for immigrants except with regard to those two great places. I beg, as a humble and a new representative from the Province of New Brunswick, to give as much emphasis as I possibly can to the idea mooted by the hon. members from British Columbia, that is, that immigrants enquiring about the Dominion of Canada should have information placed at their disposal concerning the whole of the Dominion of Canada. The Eastern Provinces, the Provinces down by the sea, the Provinces of old Canada, were the kernel and are yet the back-bone of the whole Dominion; they were the stock-in-trade from which we have marched out to the purchase, and are now marching out to the settlement and the conquest in economic and civilizing ways of the vast territory then unknown to us. I think we should not in the general spirit of delight with which we boast of those vast territories and the general feeling of hope which is in our bosoms with respect to the great future which is in store for them, forget the older Provinces which have great things to contend against. You know, Mr. Speaker, as well as I, that the history of the United States has been that the Eastern States advanced to a certain state, and when the newer lands throughout the West became known, not owing to the National Policy or the want of a National Policy, but owing simply to that general drifting out into the new and the untried, there commenced an exodus—a natural and proper exodus of the people of the east towards the new lands of the west. The same thing has occurred in our Provinces down by the sea as well as in the Province of Ontario, and, as has been so graphically stated by an hon. member who spoke a short time ago, they are leaving Prince Edward Island in large numbers—leaving because of the general tendency of large portions of the population to seek wider areas in the countries which have been opened up in later years. Now, if nothing is done by the old Provinces adequate to meet that movement, we shall be threatened with a depletion of the older Provinces—for the building up of the new, it is true; but, a depletion which will be felt like the draining of the blood from the body of a man. So I repeat, with all the emphasis I can command, that the Dominion Government should take into consideration how information can be given of the best kind, which will enable immigrants to know the climate and the resources, not only of the North-West, but of British Columbia and New Brunswick and every one of our Provinces, so that the stream of immigration, whilst it will always and certainly flow to a greater extent out to the North-West where there are greater attractions, may flow to some extent to our older Provinces, in order to fill up the depletion of the population which has now taken place. I thank the House for listening to these remarks. I have merely made them because I think it a proper opportunity to impress on the Government and the House, the fact that whilst we are all glad of the abundance and bountiful prospects of the new lands which are being opened up, we must

at the same time look out that the older lands are not depleted of their population.

Sir JOHN A. MACDONALD. I regret that the Minister of Agriculture, who has charge of immigration matters, is not in his place just now, as he would most likely have entered somewhat fully into the discussion which has been carried on so ably by the various gentlemen who have spoken on the motion. There can be no objection in the world to the motion; any correspondence in existence on the subject will be at once brought down. The whole subject of immigration will, I have no doubt, be fully and profitably discussed during the present Session—especially when the Estimates are before the House—when it will be the duty of the hon. Minister of Agriculture to ask for a vote; and then, I have no doubt, there will be judicious pressure and all kinds of moral suasion from hon. members from the different Provinces that they should have a fair share of the grant for immigration. But, as a general rule, I believe, the Department of Agriculture has principally confined its efforts to assisting immigrants from the older countries to visit our shores. The immigrants coming from Europe generally make up their minds to what Province they are coming before leaving their native country. There are such things as assisted passages; information is given by the different agencies in England and one or two on the continent; and when immigrants arrive on our shores they generally shift for themselves. As regards information respecting the capabilities of the older Provinces the prime duty in that regard rests upon the Provincial Governments. They have the lands in the different Provinces. The lands of the older Provinces belong to the Provincial Governments and they can dispose of their lands as they please, under the authority received from their several Legislatures. They alone can know where population is required; they alone can offer inducements and show the inducements that the Provinces offer to settlers. The primary steps must be taken in all those Provinces by the Provinces themselves, and the resources of the Dominion Government and Dominion Treasury can only be called upon to aid the exertions made in the first place by those Provinces and their Governments. It is true there has been no specific vote—speaking generally from my recollection—to aid immigration to British Columbia. There have been, I know, a good many settlers who have gone to British Columbia within the last four years from Ontario and the other older Provinces. There has been a considerable immigration from the older Provinces to British Columbia, caused principally, I suppose, by the demand for labor on the Pacific Railway. I am not aware that the Government or the Legislature of British Columbia have taken any steps to promote immigration. I do not know whether they have ever voted any money or appointed any agents in Europe or in the United States for that purpose. The Government here, if it gets the sanction of Parliament, will aid any such efforts on the part of the Province. My hon. friend who sits behind me says the Dominion of Canada has voted a very considerable sum for the promotion of immigration into the Province of British Columbia. Something like 25,000,000 acres of land and \$25,000,000 have been appropriated for the purpose of constructing a railway direct to British Columbia. Until that road is built, we cannot hope, from its position, that there will be any very large immigration into that Province. The railway is being pushed with all zeal and earnestness, and I hope that in a few years the movement westward which has been spoken of will extend to British Columbia. Westward the star of empire holds its sway, and I have no doubt that that star will, in a few years, guide a large population to add to the present enterprising population of the Pacific Province. With regard to the Chinese question, that is a separate one, and I have no doubt my hon. friend from Victoria will press that question upon the consideration of Parliament before it is prorogued. It is a very serious question, one

whose importance cannot be over-rated, one that cannot be slurred over, but must be breasted. It is of great consequence to British Columbia, and is of subsequent consequence to the Eastern Provinces, and must be fairly considered, so that some principle may be laid down regarding it, and that principle carried out in practice.

Mr. KINNEY. The eloquent, patriotic and well-timed observations of the hon. member for King's induces me to add another to the maiden efforts of the day. I do not intend to say anything with reference to the Chinese or the question of immigration to British Columbia. I merely wish to say that while we must recognize the fact that the march of empire is westward, we should deplore the large exodus from the Provinces by the sea. I do not attach any blame to the Government, present or past, for that exodus; but I think we should do whatever can be done to prevent it. In one county of Nova Scotia there are 150 fine farms for sale. I am not going to assign a cause for this. One of the hon. members from Prince Edward Island has tried to convince this House that the National Policy has something to do with the price of oats and potatoes. I may say that the county I represent has increased its exports very largely during the past year. That was not due to the National Policy, but because we got more for our fish. It is a fact that a large number of persons are leaving the Province of Nova Scotia, and while many come back, many stay away. I am pleased to state that the bounty to fishermen has given to the fishery industry a healthy impetus, resulting in a large addition to our fishery fleet. This alone will keep at home four or five hundred workmen who heretofore were forced to seek a livelihood abroad. A society has recently been started for the purpose of bringing to the notice of persons coming into the country, the inducements to settle in Nova Scotia. The Provincial Government is rendering some assistance to that society, and I understand from the Secretary that it is intended to ask the Dominion Government also for aid. My purpose in rising at present is to express the hope that when the matter is brought to the attention of the Government, they will give it their full consideration, and help us in the Lower Provinces to keep our people at home, and to show to immigrants the facilities that exist for making money in the east. If the Government can see their way to granting this society some assistance, I for one will feel grateful to them.

Motion agreed to.

#### LOCATION OF THE CANADIAN PACIFIC RAILWAY.

Mr. BLAKE moved for a map or maps showing (1) the location of the Canadian Pacific Railway so far as approved or constructed; (2) its location so far as proposed to Government, but not yet approved; (3) the location of any branches constructed and of any now contemplated by the Company, so far as the Government is advised; (4) the lands set apart for the Company but not yet granted; (5) the lands granted; (6) the lands applied for but not yet set apart. He said: Up to this time we have had no official plan or map of the route of the railway. Last Session, amongst some papers brought down, were proposals from the Company, which gave some fragmentary information as to where the line lay; but nothing more. There are many maps which indicate the lay of the country through which construction is proceeding, upon which it would be very easy to lay down the correct location of the railway, so far as that is possible. Again, up to this time, although we know that many millions of acres have been awarded to the Company in respect of land subsidy, we have had nothing in the shape of a map to show where this land lies. One of the maps laid before the House last Session indicated certain sections as Pacific

Railway sections, but the contract calling for lands which are fairly fit for settlement, it is clear that a very large portion of these sections will not be available. It is also stated authentically, though not officially by the Government, that the very large blocks of land at the southern part of Manitoba have been awarded to the Company as part of its land subsidy. The time has then arrived, when several million acres of land have been earned, and, as far as we know, allocated to the Company, for the House to see what the general position of the land grant is, and the railway route.

Sir CHARLES TUPPER. Anticipating the motion of the hon. gentleman, I have had prepared a map, which shows all the information that this motion asks for, so far as the location of the railway is concerned. It will show from Montreal to Port Moodie the exact present position of the work, it shows the portion of the line in operation, the portion on which the track is laid, but which is not in operation, the portion under construction, the portion located, and applies both to the main line and to the branches. I think, therefore, it will be found to convey very fully what the hon. gentleman's motion asks for, except the allocations of the land, and that is being prepared in the Department of the hon. Minister of the Interior, and will be laid on the Table supplementary to this. It is more convenient to separate the two, because we require a larger scale for the allocations of the land.

Mr. BLAKE. In the map which shows the allocations of the land, there should be laid down also the route of the railway and its branches.

Sir CHARLES TUPPER. Yes.

Motion agreed to.

#### COMMERCIAL TREATIES.

Mr. BLAKE, in moving for copies of all despatches, telegrams and correspondence between the Governments of the United Kingdom and Canada; and between the Government of Canada and the High Commissioner, touching negotiations for commercial arrangements with France, Spain, or other countries; and of all reports of the High Commissioner on the subject, said: I moved last Session, very early, an address similar to this, and I was informed that the papers would be laid on the Table, but so far as I have been able to ascertain they have not been laid on the Table. I do not know if there were any papers to lay, but no response was made last Session to the address. I have moved once again, in order, if possible, to obtain such information as we can with reference to negotiations which have occurred, not merely since last Parliament was prorogued, but also before that time. The question of trade negotiations, both with reference to France and Spain, has decorated the Speech from the Throne once or twice, and ornamental paragraphs on it were proposed, duly delivered and received, as they ought to be, with great courtesy and acquiescence by this House, but as for fruits we have not yet had any. I have seen in the papers that application has since been made by the Government of the French Republic for the postponement of these negotiations, as far as France is concerned, until the happy day arrives when a commercial treaty shall have been made with her by the United Kingdom. I do not know whether that statement was authentic or not, but it was stated with some degree of positiveness, and it is important we should have all the information possible on the subject.

Sir LEONARD TILLEY. The correspondence asked for is in the hands of the printers, and I hope to be able to bring it down at an early day. I do not recollect at this moment the circumstances that prevented its being submitted last Session, but I am under the impression that

Mr. BLAKE.

some important correspondence was not complete at the time.

Motion agreed to.

#### IMPORTS AND EXPORTS.

Mr. BURPEE (St. John) moved for a return showing the imports and exports from the 1st of July, 1882, to January 1st, 1883, giving quantities and descriptions similar to that usually published in the *Gazette* (monthly imports), and the countries from which imported and to which exported.

Sir JOHN A. MACDONALD. I have no objection to this motion except the last part of it, which would involve enormous labor of giving the details of all the sales of the calendar year. The gross amount of money received, the gross amount of sales, perhaps, in each township or each agency could be given; but the return of each sale and each individual of the 50,000 or 60,000 people who have gone in there would involve enormous expense and labor, and we have no value for it then.

Mr. BURPEE (St. John). I have no objection to amending it in that way so as to give the gross amount.

Sir JOHN A. MACDONALD. Very well.

Mr. BLAKE. I think it would be well and would add much to the value of the return, to have a statement of the sales to corporations with the names of the corporations.

Sir JOHN A. MACDONALD. I will get at once the returns of sales from each agency, and if I can get from each township I will do so.

Motion, as amended, agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Return of the Receipts and Expenditures in detail, chargeable to the Consolidated Fund from July 1st, 1882, to February 1st, 1883.—(Mr. Burpee, St. John.)

Return showing the quantity in tons of coal exported from each port in Nova Scotia for the year ending June 30th, 1882; also, for the six months ending December 31st, 1882, and the countries to which exported; also, quantities sent by railway and by water (separately) to any ports of Quebec and Ontario, naming places sent to.—(Mr. Burpee, St. John.)

Return of all claims presented for drawback on materials used for shipbuilding for the year ending June 30th, 1882; also, for the six months ending December 31st, 1882; giving the name of the applicant, the name and tonnage of the vessel, the amount claimed, and the amount paid.—(Mr. Burpee, St. John.)

Statement of the Revenue and working expenses of the Intercolonial Railway, accrued for the six months of each year ended December 31st, 1880, 1881 and 1882, under the several divisions; similar to Annual Statement B, Intercolonial Railway in the Public Accounts.—(Mr. Burpee, St. John.)

Return showing the total amount of money received by the Government from the sales of Dominion Lands in Manitoba and the North-West Territories during the calendar year 1882; the number of sales, amount received in each Agency and each Township, the names of the Companies to whom sales have been made, the area sold to, and amount received from each.—(Mr. Burpee, St. John.)

Return showing the quantity of Rolling Stock purchased for the Intercolonial Railway, during the year ending December 31st, 1882; giving each kind of Rolling Stock, and whether purchased under contract or otherwise. The parties from whom bought and the cost of each kind: Also,

a Statement showing what has been built during the year in the Government workshops, giving each kind.—(Mr. Burpee, St. John.)

Copies of all Correspondence relating to the dismissal of J. D. McMillan from his office as Fishery Overseer and the appointment in his place of David Baker; Also, copies of all Departmental or other Orders respecting such dismissal and appointment, together with the cause therefor.—(Mr. Sriver.)

Copies of all papers, resolutions, petitions, telegrams, reports and correspondence relating to the change of Mail route between Antigonish and Guysborough, Nova Scotia. Also, agreement entered into between the Postmaster General and the Contractor for the conveyance of the Mails between Heatherton and Guysborough.—(Mr. Kirk.)

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 10) to provide for the amalgamation of the Bank of Nova Scotia with the Union Bank of Prince Edward Island.—(Mr. Tupper.)

Bill (No. 16) for the incorporation of the Central Bank of Canada.—(Mr. Beatty.)

Bill (No. 18) to incorporate the University of Saskatchewan and to authorize the establishment of Colleges within the limits of the Diocese of Saskatchewan.—(Mr. Williams.)

Bill (No. 20) to empower the National Insurance Company to wind up its affairs and to relinquish its charter, and to provide for the dissolution of the said Company.—(Mr. Coursol.)

Bill (No. 23) further to reduce the Capital Stock of the Quebec Fire Assurance Company.—(Mr. Bossé.)

Bill (No. 24) to incorporate the Manitoba and North-Western Fire Insurance Company.—(Mr. Sutherland, Selkirk.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 5.50 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

MONDAY, 26th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### BANK SHAREHOLDERS' LISTS RETURNS.

Mr. SPEAKER. I have the honor formally to lay before the House the lists of the Shareholders of the Bank of Nova Scotia, as on the 17th February, 1883; of the Bank of Windsor, N.S.; of the Bank of Yarmouth, N.S., as on the 8th February, 1883; of the Federal Bank of Canada, as on the 20th February, 1883; of La Banque de St. Hyacinthe, as on the 16th February, 1883; of La Banque du Peuple, as on the 15th February, 1883; of the People's Bank of Halifax, as on the 14th February, 1883, and of the Standard Bank of Canada, as on the 1st January, 1883.

#### REPORTS.

The following Reports were laid on the Table:—

Report of the Minister of Railways and Canals.—(Sir Charles Tupper.)

Report of the Civil Service Examiners.—(Sir Hector Langevin.)

#### CANADIAN PACIFIC RAILWAY REPORT.

Sir CHARLES TUPPER laid on the Table a report respecting the Canadian Pacific Railway, relating to the selection of the route, progress of the work, selection and reservation of the land, payments of money, branches, rates and tolls for passengers and freights, and all particulars required according to the Railway Act. He said: I think it will be found that the report I have just laid on the Table will cover, substantially, all the points referred to in the memorandum that my hon. friend the leader of the Opposition was kind enough to give me, touching the returns. With reference to one part of the requirements of the Consolidated Railway Act—the profiles—I may say that it would be a very expensive and tedious process to copy them, and the Chief Engineer of my Department will give to any hon. member of the House the fullest information, which will be more satisfactory than for me to attempt to give it.

#### BILLS INTRODUCED.

The following Bills were severally introduced and read the first time:—

Bill (No. 32) to amend the Consolidated Railway Act, 1879.—(Mr. Riopel.)

Bill (No. 33) to provide for the admission to the profession of Dominion Land Surveyors of Graduates of the Royal Military College.—(Mr. Casgrain.)

#### MESSAGE FROM HIS EXCELLENCY.

Sir JOHN A. MACDONALD presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message as follows:—

LORNE.

*Gentlemen of the House of Commons:*

Accept my thanks for the loyal Address you have voted in answer to the Speech with which I opened this Session. I receive, with satisfaction, your assurance that your earnest and careful attention will be given to the measures which are to be submitted for your consideration.

GOVERNMENT HOUSE,  
OTTAWA, 22nd February, 1883.

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 19) to incorporate Les Révérends Pères Oblats de Marie Immaculée des Territoires du Nord-Ouest.—(Mr. Royal.)

Bill (No. 22) respecting the Crédit Foncier Franco-Canadien.—(Mr. Desjardins.)

Bill (No. 28) to continue an Act to incorporate sundry persons by the name of the President, Directors, and Company of the Farmers Bank of Rustico.—(Mr. Davies.)

#### H. B. RATHBUN & SONS' INCORPORATION BILL.

Mr. WHITE (Hastings) moved the second reading of Bill (No. 26) to incorporate a Company under the name of H. B. Rathbun & Sons.

Mr. MACKENZIE. We ought to know what the company is engaged in. We cannot tell what—there is no information.

Mr. SPEAKER. The Bill was introduced as a manufacturing Bill.

Mr. BLAKE. It is for the purpose of doing a general manufacturing business—almost everything.

Sir JOHN A. MACDONALD. I think it is an omnibus Bill. It is for miscellaneous objects.

Bill read the second time.

## THE CASE OF HUBERT HÉBERT:

Mr. CASGRAIN enquired, Whether the Government have been informed that one Hubert Hébert, their employé as Agent and Station-master at Montmagny, has been lately reported by the Election Judges for corrupt practices at a late election; and, if so, has the Government taken any action in the matter, or is it the intention of the Government to do so?

Sir CHARLES TUPPER. I may say that I have received from the hon. gentleman and others, a statement that Mr. Hébert, an employé in the service of the Intercolonial Railway, has been reported guilty of bribery, and I have referred the communications to the hon. Minister of Justice for report.

SEMAPHORE COMMUNICATIONS BETWEEN  
GROSSE-ISLE, CRANE ISLAND AND  
THE MAINLAND.

Mr. LANDRY (translation) enquired, Whether it is the intention of the Government to establish, this year, communication by semaphore between Grosse-Isle, Crane Island and the mainland?

Sir HECTOR LANGEVIN (translation). The Government have not yet come to a decision on that point.

## UNITED STATES DUTIES ON HEMLOCK BARK.

Mr. BERGERON enquired, Whether it is the intention of the Government to bring forward, during the present Session, any legislative measure, in view of the fact that the House of Representatives of the United States has recently adopted a Bill imposing an import duty of 20 per cent. on hemlock bark?

Sir LEONARD TILLEY. I beg to say, in answer to the enquiry, as well as to that which follows it—[Whether the Government intend during the present Session to impose an export duty on hemlock bark? ]—that the subject is now engaging the attention of the Government.

CONSOLIDATION OF THE STATUTES AFFECTING  
CRIMINAL LAW.

Mr. RICHEY enquired, Whether the consolidation of the Statutes affecting Criminal Law is sufficiently far advanced to be reported for the consideration of Parliament during its present Session; and whether it is proposed in such consolidation to incorporate the main provisions of a Bill, introduced in a former Session, to prevent and punish wrongs to children?

Sir JOHN A. MACDONALD. I beg leave to state that a report of progress made was laid on the Table of the Senate by the hon. Minister of Justice at the opening of Parliament. The work is not sufficiently advanced to enable us to recommend the consolidation of the Criminal Law to the consideration of Parliament this Session. I beg leave to lay that progress report on the Table.

AIDING AND ABETTING THE ESCAPE OF  
JUVENILE OFFENDERS.

Mr. RICHEY enquired, Whether it is proposed, in the revision and consolidation of the Statutes now in progress, to extend the provisions of 32-33 Victoria, Chapter 34, Section 8, to other Provinces than the Province of Quebec, so as to make the aiding and abetting the escape of juvenile offenders detained in Reformatory or Industrial Schools under sanction of law, a punishable offence throughout the Dominion?

Sir JOHN A. MACDONALD. The two provisions referred to in this question and the last have been submitted to the Commissioners, and are receiving attention.

Sir JOHN A. MACDONALD.

Whether those provisions will ultimately be embodied in the Criminal Law is a question which we cannot positively pronounce upon yet.

NEW HARBOR BREAKWATER, GUYSBOROUGH  
COUNTY, N. S.

Mr. KIRK enquired, Whether it is the intention of the Government to proceed, this year, with the building of a breakwater at New Harbor, Guysborough County, Nova Scotia, for which \$2,000 were provided in the Estimates last Session; and whether it is the intention to provide an additional sum for this important work in the Estimates this year?

Sir HECTOR LANGEVIN. I beg to inform the hon. gentleman that when the time came to use the vote of \$2,000 appropriated by Parliament, enquiries were instituted as to the total amount required to make it a really useful work. It was found that the amount was so large the Government were not prepared at that time to proceed with the work. I may say that a similar answer applies to the second question to be asked by the hon. gentleman: [Whether it is the intention of the Government to commence, this year, the building of a breakwater at Indian Harbour, Guysborough County, Nova Scotia, for which \$1,000 were provided in the Estimates last year; and whether an additional sum will be provided in the Estimates this year for continuing the work?]

EMPLOYÉS IN CUSTOMS, POST AND INLAND  
REVENUE OFFICES AT MONTREAL.

Mr. COURSOL moved for a return showing the names, ages, and origins of all persons appointed permanently or employed temporarily in the Customs, Post and Inland Revenue offices at Montreal, since the 1st May last, and up to the 20th February, instant, and the salary allowed to each of the said employés; also the names of the employés in the offices of Customs and Excise, who are placed on the Civil Service List, as being entitled to a pension.

Mr. CASGRAIN. Perhaps the hon. gentleman will kindly inform the House what is the object he has in view in submitting the motion.

Mr. COURSOL. When the return is brought down I may have occasion to say a few words.

Motion agreed to.

CONSUMPTION OF DISTILLED AND FERMENTED  
LIQUORS IN CANADA.

Mr. FOSTER moved (1) for a statement showing the quantities of distilled and fermented liquors under the different names as given in the Trade Returns, imported into and taken for consumption in Canada from 1868 to 1882, both years included, computed in Imperial gallons, each Province separately, the value of the same and the duty paid thereon; (2) the quantity of distilled and fermented liquors under the different names given in the Inland Revenue Returns, manufactured in Canada and taken for consumption therein, by Provinces, the value of the same and the duty paid thereon for the same years; (3) the amount of materials used in brewing and distilling alcoholic liquors in the several Provinces of Canada during the same years. He said: It is not my intention to take up the time of the House in giving reasons for moving for this return, further than to say that I think there is a goodly number of persons in this House, and a large number of persons outside of this House, who will be very much gratified by having, in tabulated form, the information which I have moved for, inasmuch as that information put in tabulated form may have a great deal to do with deter-

mining the attitude which persons, both in this House and outside of it, may take with respect to this question. We have been promised legislation to be brought down by this Government with reference to alcoholic liquors or the traffic therein, and my object in moving for this return is to have data which will be unquestionable. There can be no doubt but that the discussion on that question will be thorough, and the state of the traffic in the different Provinces as well as for years in the Dominion, will be under consideration, and an accurate table, such as that asked for, will be, coming before the House in an unquestioned way, very valuable in helping us to make up our minds with respect to the whole question. With these few remarks, hoping there will be no opposition to the motion, and believing the information asked for will be of great value, I beg leave to move the motion.

Motion agreed to.

#### NORTH-WEST LANDS.

Mr. BLAKE moved for communication or representation to the Government on the subject of the simplification of the system of transfer of lands of the North-West. He said: Mr. Speaker, for some years I have had occasion to call the attention of the Government to the importance of the question which is raised by this motion. It is of great importance in the North-West, where the lands are unsettled and the titles are in first hands, and also in those portions of that country which are settled to a very large extent, that there should be some means for the transfer of real estate, simpler than that which now obtains there. During the time of the late Government, a Bill was introduced by the hon. member of the Government, who was specially charged with the administration of North-West affairs, for that purpose; but it was not pressed through Parliament during the Session in question. Since that time, several years have elapsed, and I need hardly say that each year has aggravated the difficulties that exist, and rendered the necessity of intervention in this particular more urgent. I recently noticed that application had been made from a quarter where it might have been least expected, for some change in the laws affecting real estate in this direction, the representation being founded on the system which prevails in Australia. But steps should be taken, not merely in the interests of borrowers, but of those who hold these lands; and I trust that the Government will take such steps as will effectually reduce the financial tax which the present system brings to bear on the transfer of real estate, and introduce such a measure as will greatly simplify the steps attending the transfer of real estate in the North-West Territories.

Sir JOHN A. MACDONALD. I am not aware that any communications have been received from any company on this subject, but if so, they will be brought down. But owing to representations which have been made, two gentlemen belonging to the legal profession have taken the trouble to prepare a Bill founded on the Australian system, and this Bill is now before the hon. Minister of Justice. Of course, the features of the Bill apply to the North-West, outside of the Province of Manitoba, which will legislate—if it deals with the matter at all—respecting this subject under its own system of conveyance, and after its own fashion. I am not at all sure, however, that the system which has been found to work well in Australia, where they have a peculiar population, and certain peculiarities due to the character of the country, and which do not exist here, can be well adopted here. However, Sir, that is a subject which is worthy of consideration, and it is now receiving the consideration of the hon. Minister of Justice and of the Government.

Motion agreed to.

#### BUOYS AND BEACONS.

Mr. DAWSON moved for a return of all correspondence which has taken place with any Department of the Government within the past four years, in reference to buoys and beacons in the north channel of Lake Huron, with copies of any contracts entered into for placing the same in the spring and removing them in the fall, and a statement showing in detail the annual cost of the same service for a period of four years immediately antecedent to these contracts having been entered into, distinguishing the amount laid out in soundings, from that chargeable to the mere placing of buoys and beacons. He said: Mr. Speaker, the other day, I felt it to be my duty to call attention to the unfortunate losses, both of life and property, which had taken place on the Great Lakes on the shores of my constituency. These matters are pressed on me by my constituents, and I must now call the attention of the House to a matter which has led to a great deal of difficulty, and which may lead to still more in the future. Some years ago, it was the custom to place the buoys and beacons in the north channel of Lake Huron in charge of an officer employed by the Department of Marine. He was a very careful officer, and he placed them in position with a great deal of judgment. He had been for a number of years—some thirty—in the country, and his experience was of great value. He laid out new channels; and, in fact, it may be said that this gentleman sounded all the channels along the north coast of Lake Huron. There are a great many channels which are exceedingly intricate, and Captain Wilson, the officer in charge, to whom I refer, had always a hobby for finding the best channel through which a steamer could pass. He laid out buoys and beacons every spring, assisted by voyageurs, and in the fall removed them. He placed these buoys and beacons with a great deal of care, and gave satisfaction to those navigating these waters. Suddenly it was thought that this system was too expensive, and a contract was given out for the placing of these buoys and beacons. Now, the contractor to whom this work was given, turned out to be a man of no experience. He did not even employ men who knew the channels, because his contract would not afford it, and they are known to very few persons. In fact, I know of no person there who knew them so well as Captain Wilson, the person to whom their care was so long entrusted. The fact is, however, that they were misplaced by the contractor, and the first year that he had the contract vessels ran aground or were delayed because their officers were afraid to venture these channels if it were at all dark, so that, in addition to the loss of vessels by stranding, there was great loss of time. This state of things has continued for some years, and it is not at all improving—in fact it is just as bad as it was the first day the contract was let. The matter stands in this way: supposing tenders were to be advertised for and a contract let for placing of buoys and lightships in the St. Lawrence River; supposing some shopkeeper were to get the contract, if the law required it to be given by contract, the result would be that many of those buoys and lightships would most certainly be out of place. That sort of thing has occurred in the north channel of Lake Huron; no experienced person has been there to overlook the work; the contractor himself did not know where to place these guides to navigation, and the consequence has been, as I said before, that they have in certain sections been misplaced, vessels have been grounded or have been obliged to move their loads at great expense. The *Quebec* for example. Experienced captains do not mind this state of things very much in daylight, because they know the channels, but strangers going there cannot follow

them as experienced mariners do. This, I have no doubt, occurred before the present order of things was established in the Department of Marine and Fisheries, and I feel certain that when the attention of the hon. Minister of Marine is drawn to the matter, he will be ready to bring about a change in the system, so that all these matters may be properly attended to. In the past, the Department of Marine and Fisheries cannot altogether escape the responsibility for those terrible losses which have taken place in the great lakes—losses by which no less than 350 of the inhabitants of Algoma have either been roasted to death in burning vessels, or found watery graves, and by which, as I explained the other day, a whole fleet of vessels has been lost. I know the attention of the Department has been directed to ocean navigation—to the Maritime Provinces, where larger interests are at stake; but it must be borne in mind that the shipping interest is increasing very largely on these lakes. New steamers are constantly being put on, and at Thunder Bay, last summer, no less than two hundred thousand tons of shipping called, either going or coming. This interest is becoming too important to be neglected, and I call the attention of the hon. Minister to it, and to one fact in particular: that no matter what the requirements of the law may be, no matter if it is required that contracts should be given out for this service, the spirit of the law certainly requires that the work should be done, while, as a matter of fact, the work has not been done. The buoys have not been put in the proper places, and in view of the loss which has occurred on these lakes, and of the great dissatisfaction existing—and I am sure that the correspondence will show that it does exist—there has been no economy in the present system. The public have been involved in a far greater loss by the misplacement of these buoys and beacons than all the expense required to put them in their proper places would have amounted to.

Motion agreed to.

#### IMMIGRATION TO CANADA IN 1882.

Mr. BURPEE (Sunbury) moved for a statement showing the number of immigrants that have arrived in the Dominion during the calendar year ending December 31st, 1882, to settle in Canada, and their nationality; also, showing the number that have settled in each Province respectively, and also in the Territories of the Dominion as far as can be ascertained.

Mr. POPE. I beg to say to the hon. gentleman that all the information for which he asks will be found in the report of my Department.

Motion withdrawn.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Return giving a full statement of all coal entered ex-warehouse free or for exportation, during the years ending June 30th, 1881 and 1882, showing the quantity so entered at each port, the names of persons having entered, the quantities ex-warehoused by each person, and if exported the name of the vessel or railroad by which exported, the place to which exported, and copies of the cancelling certificates showing that such coal had been landed in the ports to which exported.—(Mr. Burpee, St. John.)

Copies of all correspondence between any hon. member of the Government and any licensed victuallers, or any one on behalf of any organization of licensed victuallers; and of all petitions, memorials or resolutions presented by any such person on the subject of legislation affecting the sale of liquors.—(Mr. Blake.)

Mr. DAWSON.

Return of all memorials, petitions and correspondence of any kind, asking for a drawback on sugar refined in Canada when exported to any foreign country, the parties applying, their statement of drawback proposed, and any answers of the Government thereto, also copy of any regulations made for such drawback.—(Mr. Burpee, St. John.)

Copies of all memorials, petitions and correspondence relating to the abolition of duty on grain, flour and coal during the calendar year 1882, and subsequently.—(Mr. Burpee, St. John.)

Copies of all correspondence with the Government or any hon. member thereof, during the calendar year 1882, referring to the construction of a railway bridge over the River St. John at St. John.—(Mr. Burpee, St. John.)

#### PACIFIC RAILWAY RETURN.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Mr. BLAKE. I have just looked cursorily at the return brought down relating to the Canadian Pacific Railway, and I observe that that portion of it required by the Consolidated Railway Act contains a great many more blanks than items. Our Resolution required that we should have, within fifteen days of the opening of the Session, a return giving this information up to the end of the fiscal year previous, and also, to as late a day as practicable thereafter, because it was felt to be very important that in the case of the Pacific Railway we should have this information. There is no information given after the 30th of June, and even up to that date the hon. gentleman will find that the return is almost entirely blank paper. It seems to me that some effort should be made to procure this information which the Company is required, under Statute, to give us.

Sir CHARLES TUPPER. As I understand, the return the Canadian Pacific Railway Company is required by law to make, is up to a certain date, the 30th of June. The Company has been called upon to make that return, and, as far as my recollection goes, the return brought down embraces everything except contracts.

Mr. BLAKE. No; that is what I complain of. The form is the form required by the hon. Minister—it consists of sheets with printed headings, but the information required by the Statute is wanting.

Sir CHARLES TUPPER. There has always been the greatest possible difficulty in obtaining from the railway companies these statistical returns as required by law. My hon. predecessor had occasion to refer once or twice to the great difficulty there was in procuring this information. However, I will turn my attention to the matter and endeavor to obtain all the information I possibly can.

Mr. MACKENZIE. Has the hon. gentleman got the usual statistical account of railways prepared for this Session?

Sir CHARLES TUPPER. Yes.

Motion agreed to; and (at 4:25 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

TUESDAY, 27th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## RETURN.

Sir CHARLES TUPPER presented a return from the Department of the Interior, of the correspondence in relation to the allotment of lands for the Canadian Pacific Railway, and also of the reservation of lands for that purpose, together with a map showing the lands allotted and the lands reserved.

## MONEY REQUIRED FOR THE PUBLIC SERVICE.

Sir LEONARD TILLEY moved the second reading of Bill (No. 21) to authorize the raising by way of loan of certain sums of money required for the public service.

Mr. BLAKE. On the motion of an hon. friend, an order was granted for the production of correspondence with agents on the subject of commission. There is no objection to the second reading of the Bill, but I would prefer that it be not taken another stage until the return is brought down.

Sir LEONARD TILLEY. I have no recollection of such a return being ordered this Session. The whole correspondence was before the House last Session.

Mr. BLAKE. Is there no subsequent correspondence?

Sir LEONARD TILLEY. No subsequent correspondence, except respecting the arrangement made at that time.

Bill read the second time, considered in Committee, and reported.

## TELEGRAPH COMMUNICATION WITH BERMUDA.

Sir HECTOR LANGEVIN. I wish to state to the hon. member for Halifax, by way of explanation, that the other day, when I answered the question put by him with respect to correspondence between the Imperial and this Government, as to the establishment of a telegraph line with Bermuda, I was mistaken—I had forgotten that there existed some correspondence on this subject; and, therefore, I have thought it best to correct the matter by laying this correspondence on the Table.

## PACIFIC RAILWAY RATES.

Mr. BLAKE. I mentioned some points, yesterday, which I suppose require investigation as to returns required under the Consolidated Act. I notice that one return on the subject of rates and tolls is antedated, and has reference to some other parts of returns that relate to action taken on the 9th of April, 1881. It gives certain special rates and through rates, and local rates, but the through rates concern only a very small portion of the line, as it now exists, and which has been open for traffic, as the newspapers inform us, for some months. Reference is made to an application on the subject of a further tariff, but I would suppose that no arrangement had been reached for a tariff of through rates for those portions of the railway which have been opened since the 9th of April, 1881—this seems to affect the return vitally; but I assume, that no tariff has been fixed at all for through rates beyond the small extent of it, which could be arranged under the Act of 1881. Besides the absence of any correspondence on the subject of the tariff, I notice that the report of the engineer states that a further tariff

is under consideration; if so, it must have been sent in by the Company in draft and submitted to the Government; and if this is the case, correspondence must exist respecting it, and the Company's proposal with reference to this tariff ought to be laid on the Table in pursuance of the Resolution passed by this House, though a decision on it by the Government had not been reached.

Sir CHARLES TUPPER. That is the fact; a decision by the Government on this subject has not been reached—the Railway Company has made application for a tariff; but it is not finally determined. When a tariff, however, is adopted, all the necessary information will be laid before the House.

Mr. BLAKE. The hon. gentleman will see, that if that is the state of things there is no authority for a through rate on the part of the Railway Company in the North-West; and if the hon. gentleman proposes so far to vary from the Resolution, as to submit the correspondence which has passed on the subject of the proposed tariff, because a decision by the Government has not yet been reached, I think it reasonable to enquire whether he intends that this decision shall be reached in such time that the necessary papers can be submitted to the House during the present Session; else, obviously, if the decision be reserved until it will be too late for consideration during the present Session that will be highly objectionable to the House.

Sir CHARLES TUPPER. I will answer the hon. gentleman, when I make a more specific statement on the subject than I can at this moment.

## SHIPPING TELEGRAPH LINE.

Mr. MITCHELL enquired, Whether it is the intention of the Government to construct a telegraph line, in the interest of shipping, from Chatham to Escuminac Light-house?

Sir HECTOR LANGEVIN. Mr. Speaker, I have the honor to state, in answer to my hon. friend, that this matter is now receiving the best consideration of the Government.

## INTERCOLONIAL RAILWAY.

Mr. MITCHELL enquired, Whether it is the intention of the Government to establish communication by schooner or steam between the Intercolonial Railway at Newcastle and Chatham, and the villages of Burnt Church, Neguac, Tabusintac, Black Brook, Baie de Vent and the Islands at the mouth of the Miramichi, for the purpose of promoting the extension of the fresh fish exportation, and thus increasing the traffic on the Intercolonial Railway?

Sir CHARLES TUPPER. I may say, Mr. Speaker, in answer to the hon. member, that an application has been received by the Government on this subject, and referred to the Superintendent of the Intercolonial Railway for his report. When we have received that report, we will be able to state to the hon. gentleman what the Government proposes to do respecting this matter.

## THE WASHINGTON TREATY.

Mr. MITCHELL enquired, Whether any correspondence has passed, of which the Government have any intimation, between the Government of the United States and the British Minister at Washington, or between the Government of the United States and the British Government, in relation to a notice of termination of the Fishery clauses of the Washington Treaty, or having any bearing thereon?

Mr. McLELAN. Mr. Speaker, I beg to say, in answer to the hon. gentleman, that the British Minister at Wash-

ington has from time to time forwarded to this Government copies of all the resolutions and of all the proceedings in Congress, respecting the Fishery Treaty.

#### INLAND WATERS' FISHERIES.

Mr. MITCHELL enquired, Whether the Government have taken any steps, by correspondence or otherwise, for the purpose of arranging for or regulating the fisheries on the inland waters of the Dominion, in view of the recent decision of the Supreme Court, which has altered the relation to and the powers exercised by the Dominion Government over those fisheries; and if so, whether any arrangements and what have been come to on the subject?

Mr. McLELAN. I may, say for the information of the hon. gentleman, that no correspondence has passed between us and the Local Governments on this matter. At least there has been no official correspondence on the subject with me, as the head of the Department of Marine and Fisheries; but several interviews have taken place with the members of the Governments of Quebec and New Brunswick; but there has been no official correspondence, and no arrangements have been made between the two Governments—between the General and those Local Governments,—respecting this matter.

#### HYDROGRAPHICAL SURVEY OF CANADIAN WATERS.

Mr. FORTIN moved for copies of all correspondence between any members of this House or other persons and the Government, in relation to the hydrographical survey of the Great Lakes, the River and Gulf of St. Lawrence and the other maritime coasts of Canada. He said: Before the motion is put to a vote, I would like to address some remarks to the House. The idea of having a hydrographical survey of the River and Gulf of St. Lawrence, and the other maritime coasts of Canada, is not new to me. I spent many years on the Gulf of St. Lawrence, but it was not long until I discovered that, in one respect at least, we were behind our neighbors. Whilst in the United States there is the coast survey under the department of the navy—which survey has been engaged for many years in perfecting the hydrography of the sea coasts of that country, in sounding their harbors and rivers, and describing the changes which take place in them from year to year—whilst the lakes are surveyed by the topographical survey which is attached to the American army, and whilst they issue those excellent charts that are not surpassed in the world, we, on the other hand, have had very little of such surveying done. The surveys of the Gulf and River St. Lawrence were made by hydrographical officers of the British navy many years ago. The work was an excellent one, and I wish especially to mention here, in the most honorable terms, the name of Captain Bayfield, who, for many years, surveyed the coasts of the Gulf of St. Lawrence. But it must be remembered that this work was done thirty years ago, and since that time we have only had hydrographers engaged at the work during a couple of seasons. I remember that one of the large vessels belonging to the fleet of the Allan's, when they were in the habit of passing between the Island of Anticosti and the north shore, passed close to the said north shore, and became stranded on a large ledge opposite the mouth of the River Coacochoo, which is not marked on the chart. The weather happened to be fine, else the vessel would have been lost; but as it was, she was extricated. About that time, when I was cruising on board of *La Canadienne*—the vessel employed for the protection of the fisheries—we were stranded on a rock opposite Wash-shee-cotoi River, over which there was only nine feet of water, and it was not indicated on the chart. I find no fault with hydrographers

Mr. McLELAN.

like Bayfield, who toiled for so many years in performing that service, but it is well known that the hydrography of a coast is never complete. A rocky coast may not change, but along sand and mud banks and at the mouths of rivers constant changes are taking place; and this must especially be the case at the mouth of that mighty river the St. Lawrence which drains so immense an area of country. The circumstances are not the same now as they were fifty years ago. At that time Upper Canada, drained by the great lakes and their connecting rivers, was only partially settled, while in Lower Canada the back country was hardly settled at all; but to-day the most of the valley of the St. Lawrence, and the country along the great lakes and rivers, is settled, and as a consequence it is drained almost to perfection; and in the spring time, when the snow thaws, and in the fall, during a continuation of heavy rains, there is an immense body of water running down into the St. Lawrence, and this water rushes down at an immense speed—a fact which is noticed not only by the fishermen but by the mariners as well. The changes in the currents which are made by this drainage, are of course not indicated by the charts. I find that on many points along the St. Lawrence, such as the Traverse, the harbor of Quebec, as well as in Lake St. Peter and other places, great changes have taken place during the last thirty years. Yet we have to use the charts that were made by Captain Bayfield, which have not been altered for the last twenty or thirty years, and upon which, therefore, these changes are not indicated. I am glad that the hon. member for Algoma (Mr Dawson), has brought before the House the necessity of making a re-sounding of the lakes—a necessity which has been made apparent by the terrible accidents of the last few years, by which so many lives have been sacrificed. As I said before, the necessity of such a survey of the lower waters of Canada was known to me long ago, but I was afraid to bring the matter before the House or the public, because I feared the people would not be convinced by my simple words, so I waited for an opportune time, and that time has come. I attach great importance to this matter, because, as I have pointed out before, I regard the St. Lawrence as a great element in the future of Canada; and if the House is not tired I will read a few words of what I said on the subject some years ago:

"This country, that is Canada proper, without the North-West and the Lower Provinces, had been described as a narrow strip of land traversed by a large body of water. We might reverse that proposition, and say that Canada consists of an immense and magnificent water-course, with a strip of land on either side. This magnificent sheet of water, composed of the lakes of the River and Gulf of St. Lawrence, is the pride and hope of Canada. By it the early pioneers of Canada were enabled to penetrate in the very heart of the country and discover the great North-West Territories, and through it civilization spread from the East to the West, from the Atlantic to the Pacific, and up the valley of the Ottawa. The motto of this city and seaport is '*Natura fortis, industria crescit.*' We should be able to say of the magnificent St. Lawrence water-course: '*Natura potens, industria crescit.*' What has been the hope of this country from the beginning? It is that by means of this water-course we may become the carriers of the trade of the Far West. That has been the hope of Canada, and if we acquire that, we acquire wealth and power."

These are words which I uttered in Quebec some years ago in a lecture I delivered on the signal system. Now, we must do something for the St. Lawrence because the shipping trade of the river is not increasing so fast as many people believe. I have taken the trouble to enquire as to the amount of tonnage that came to the ports of Montreal and Quebec in 1872, 1877 and 1882, and I find that, in 1872, it was 1,094,883, in 1877, 1,133,893, and, in 1882, 1,030,736. Thus we find that instead of the tonnage increasing it has actually receded from 1872 to 1882 about 60,000 tons. These figures show the urgency of this matter, and should stimulate us to try to decrease the dangers of navigation of the St. Lawrence. In order to do that you must show the mariner not only the right way to go, but where the dangerous currents are; and that is the reason I recommend

that the Government should not only endeavor to obtain from the Imperial Government a hydrographical officer to survey the lakes, but one or more, if necessary, to perfect the survey of the Gulf and River St. Lawrence and its coasts, so that there may be some assurance that the directions laid down in the pilot books may be authentic, not with reference to thirty years ago but with reference to today. Now, I know, from the experience of old fishermen and old coasters, that the currents are not the same as they were some years ago; they are stronger in the spring and weaker in the summer, because in the summer we have a drouth and in the spring a great flow of water, neither of which we had to an equal extent in former years, and both of these have an effect upon the currents in the gulf and the river as well as upon the tides. I do not think the Government will be opposed to this application made by the people of the Lakes and of the River St. Lawrence, because this is a matter of necessity. Some people may say that we have our surveyors and civil engineers in this country, whom we send to make plans of any changes on our coasts. That is true; but these plans are useless for the hydrography of this country, and if they were sent to England they would not be accepted by hydrographers, because hydrographical surveying is done on an entirely different principle from common surveying. In order to show the extent of the dangers on the St. Lawrence in the fall, owing principally to the currents, I will cite the rates of insurance charged on ships and cargoes from Quebec to ports in Great Britain: June, July and August,  $1\frac{1}{2}$  to  $1\frac{1}{2}$  per cent.; August 31st to September 15th,  $1\frac{3}{4}$  to  $2\frac{1}{4}$  per cent.; September 15th to September 30th,  $2\frac{1}{4}$  to  $3\frac{1}{4}$  per cent.; October 1st to October 15th,  $3\frac{1}{2}$  to  $4\frac{1}{2}$  per cent.; October 15th to October 31st,  $4\frac{1}{2}$  to  $5\frac{1}{2}$  per cent.; November 1st to November 19th,  $5\frac{1}{2}$  to  $6\frac{1}{2}$  per cent.; after November 19th the rates change daily, according to the appearance of the weather. I could bring many competent witnesses to show that the dangers of navigation in the lower parts of the St. Lawrence and of the maritime coasts would be greatly lessened if the waters were surveyed again by hydrographical surveyors, and the currents laid down on the charts as they really exist. I do not wish to detain the House; I think the importance of this matter will be appreciated by the Government, and I hope and believe they will induce the British Government to take action in the matter, because most of the vessels coming here are British vessels, manned by English sailors. We have young men studying in the Military College at Kingston, and it is said that many of them, when they get out, go to the United States or elsewhere. Some of these young men might be employed in this country. We might have our own hydrographical department, and when England will be convinced that our own people will be able to make the hydrography of this country, she will allow us our own hydrographical department, and she will accept our work as she did in the case of the Board of Examiners for sailing masters and mates. I hope the Government will do their best to bring about this very desirable object.

Mr. DAWSON. I am very glad indeed to see that the hon. member for Gaspé, in bringing this very important matter before the House, has not forgotten the great lakes. It is certainly very necessary that a hydrographical survey should now be made of these lakes, and, as the hon. gentleman has suggested, it should be made in connection with the Admiralty in England. It is now a long time since the first survey was made of these inland waters by Captain, afterwards Admiral, Bayfield, and he certainly did wonders at the time, considering the means at his disposal, and that the country around was then an unknown region. It is not to be wondered at that a good many shoals have since been discovered that were not known in his day. He had chiefly to rely for information on the Indians who coast along near the

shores, very seldom venturing far out with their little canoes into these great inland seas. Latterly, and for some years past, there have been discoveries of shoals in the Georgian Bay and also in Lake Superior. It is very desirable these shoals should be laid down on the charts. The American Government, within the past few years, have made a most careful hydrographical survey of the United States side of these lakes. Every shoal is marked as well as the sounding. The shipping on the great lakes is increasing. As I said the other day, no less than 200,000 tons of shipping were entered at the port of Prince Arthur's Landing in Thunder Bay during the past summer. New steamers are being built constantly. I may mention that the Messrs. Beatty, of Sarnia, who have taken a great interest in the great lakes, and laid out their capital in building ships, have now the largest and finest steamer ever used in these lakes, nearly completed at Sarnia. In view of the immense amount of money being invested in shipping, and the great interests at stake, I certainly join with my hon. friend from Gaspé in recommending to the Government that a survey should be made.

Mr. McLELAN. The papers in connection with this matter will be brought down as speedily as possible. I will say to the hon. gentleman who called for them that I am not aware, since I took the Department of Marine and Fisheries, that any communications have been forwarded to that Department respecting the navigation of the St. Lawrence, except those forwarded by the hon. gentleman himself a few days ago. When the information was given to the Department that in the lakes there were certain shoals, not laid down in Bayfield's chart, I at once took the necessary steps to have a hydrographic officer to take charge of a survey on the inland waters, for the purpose of having anything he might discover laid down on the charts already existing, so that they might be rendered as valuable as possible. Both the hon. gentlemen who have spoken have not over-stated the importance to the country of having the charts by which the gulf and lakes are navigated made as perfect as possible; and I think the hon. gentleman who moved for the papers, and who has made many valuable suggestions respecting the navigation of the St. Lawrence—in fact all the hon. gentleman's suggestions have been of great value to the country—will admit the Government has always shown its willingness to put in practice the suggestions he has made. Many lights have been added, fog alarms and whistles have been placed at different points, and telegraphic communication furnished, nearly throughout the length of the gulf. If anything be wanting to make the navigation of the St. Lawrence more safe than it is, the Government will not be slow to do all that is necessary. We have had an answer to our enquiry, and have been informed that an officer of the Hydrographic Society has been ordered to place himself in communication with us to perfect plans for a survey of the inland lakes.

Motion agreed to.

Sir LEONARD TILLEY moved the adjournment of the House.

Motion agreed to; and (at 4:15 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 23th February, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## QUEEN'S COUNTY (P.E.I.) ELECTION.

Mr. SPEAKER. I have the honor to inform the House, that I have received from the Registrar of the Supreme Court of Canada, a certified copy of the Judgment of the said Court, in the Election Appeal relating to the Electoral District of Queen's County District, in the Province of Prince Edward Island, in which John Theophilus Jenkins was appellant, and Frederick de St. Croix Brecken was respondent, together with a copy of the evidence brought before that Court, said judgment declaring the respondent duly elected.

## PUBLIC WORKS.

Mr. FORBES enquired, Is it the intention of the Government to expend the money voted in the Estimates of 1882, for the building of a breakwater on the west side of Liverpool Bay, Queen's County, Nova Scotia, during the coming summer; and if so, will it be done by tender, contract, or by commission?

Sir HECTOR LANGEVIN. Mr. Speaker, I beg to inform the hon. gentleman, that, after looking into the matter, I am informed, by my Chief Engineer, that this will be a very costly work, and that it will consequently require more examination before we can proceed with the work.

## SUMMERSIDE RAILWAY STATION.

Mr. YEO enquired, Whether the hon. Minister of Railways has had his attention called to the dangerous situation of the railway station in Summerside, Prince Edward Island; and whether it is his intention, this summer, to have the necessary alteration made to relieve the travelling public from the dangers they are daily subject to arising from the situation of this station house?

Sir CHARLES TUPPER. Mr. Speaker, I may say, in answer to the hon. gentleman, that my attention has been called to the subject, and I have learned that the matter has been carefully examined into. The land which was at one time expropriated by the Local Government for the building of an over-head bridge, was, however, surrendered by that Government and is now sold to private parties to be built upon. Had this not been done, we should have proposed the erection of an over-head bridge, as was originally intended.

## APPOINTMENT OF HONORABLE HECTOR FABRE.

Mr. CASGRAIN (Translation). In moving for copies of the correspondence relating to the appointment of Hon. Hector Fabre to the position he now occupies in France, with copies of all communications and instructions issued to him by order of the Government, also statement showing the duties required of him and the salary and commission paid or to be paid for such services, as well as a statement of all other expenses, and a statement of salary received from the Province of Quebec and contingencies; also copies of all reports made by the hon. Hector Fabre, with any official papers showing the result of the mission, said: Mr. Speaker, my object in making this motion is to make known what the duties of the hon. Mr. Fabre in Paris are. This proposition I also make in consequence of the intimation given to this House by the hon. the Finance Minister, last year, that he intended to utilize Mr. Fabre's services while

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in Paris. It would be very important for us to know what these services have been, and whether they are really worth the money paid out of the public exchequer to remunerate him. On the other hand, the public are interested in knowing whether or not Mr. Fabre has rendered such services as he had promised, and if any report has been received from him; finally, what is the nature and character of his occupation? We are so far completely in the dark on the subject. It does not appear from any of the public records, that Mr. Fabre has sent in any report regarding the aid given by him to emigration, or concerning any literary or political service that he may have rendered Canada. When the papers asked for are laid before the House, some light will probably be thrown on the subject, but so far we are in utter darkness. Hence I make this motion, and I hope the papers asked for will be laid before the House at an early day. Some evil disposed persons say that the occupation of Mr. Fabre in Paris does not amount to much, and they add, by means of mockery, that he was sent there to observe the transit of Venus. He may have business more important than that to transact; in any case, the House would be happy to know what are his duties and the amount of his salary as the representative of this country at the Paris Observatory.

Sir HECTOR LANGEVIN (Translation). The hon. member has included in his motion "a statement of the salary received from the Province of Quebec and contingencies." The hon. gentleman ought to know that we cannot supply this information, and he should not ask for it. It is impossible for us to supply this information. Then, as a matter of form, the hon. member should, by his motion, ask the Government and not the House for these papers, as it is a question of money.

Mr. CASGRAIN (Translation). I believe the intimation given this House by the hon. the Finance Minister, last year, was that the Dominion Government intended to avail themselves of the services of Mr. Fabre while in Paris, conjointly with the Quebec Government, and that he had been sent on a special mission by the Federal Government. As a matter of course the two Governments must have come to certain conclusions regarding the remuneration to be allowed Mr. Fabre, and if documents exist relating to this salary we should have them. Surely Mr. Fabre does not receive a double salary; in any case, if he is paid a double salary, it is still further reason for us to know what is paid by the Ottawa Government and what by the Government of the Province of Quebec?

Sir HECTOR LANGEVIN (Translation). The hon. member would do well to leave out that part of his motion, and, if the Government do not furnish all the information he requests, he may move for additional papers; but I think he will find all he wants in the papers which will be laid before the House.

Mr. CASGRAIN (Translation). Then I withdraw that part of my motion.

Motion, as amended, agreed to.

## EXPENDITURE ON TELEGRAMS IN PUBLIC WORKS DEPARTMENT.

Mr. BLAKE moved for a statement of the expenditure for each month elapsed for the current fiscal year, on telegrams charged to various works in the Department of Public Works, showing the amount charged to each work, respectively, and for a like statement from November, 1881, to June, 1882, inclusive. He said: I notice by a letter from the Secretary of the Public Works Department, which appears in the report of the Auditor-General, that a change was made in the course of the last fiscal year in the mode of charging the particular contingencies to which the

motion refers. An explanation having been asked of the discrepancy between the amount expended for contingencies and the amount voted therefor, the letter states that had the cost of telegrams for certain months, instead of being defrayed from contingencies, been charged, as is now done, to the various works, the expenditure would have been some \$1,600 less than the amount shown, and that consequently the vote would not have been over expended. For the purpose of comparison, it is necessary that we should have the contingencies stated in the same way from year to year, and it is with that view, and also for the purpose of enabling us to understand how much of this amount has been charged in works of a description over which the House has no effective scrutiny, that I make the motion, because the small details of these works do not come before us except on special application.

Sir HECTOR LANGEVIN. I think the hon. gentleman is in error with regard to these telegrams. So far as I am aware the telegrams in connection with the different works have always been charged to those works; but at a period last year—I do not remember at what period—the Auditor-General, wishing to have all the accounts for telegrams put under one head, endeavored to have the separate accounts for the different works brought together, in order that they might be added to the accounts for the other Departments. I objected to that proposition, on the ground that such a method was not foreseen when the money was voted for the contingencies of the Department, and that the amount voted would therefore be insufficient. I would have had no objection to its being done in some way; but it was a question of money, and therefore I said, no, it must be charged as before. Of course, I have no objection to the motion.

Motion agreed to.

#### THE QU'APPELLE VALLEY FARMING COMPANY.

Mr. WATSON moved for copies of the Order in Council setting apart lands to be granted to the Qu'Appelle Valley Farming Company, and containing the conditions of such grant; also, copies of all correspondence with said company in reference to the fulfilment of the terms of said Order, and to the removal of settlers found on said lands; also, statement of all payments made by said company and work done by them in pursuance of the terms of said Order; also, copies of all orders issued from the Dominion Lands Department at Ottawa or from the Dominion Land Office at Winnipeg or elsewhere, in regard to the removal of such settlers; also, copies of all correspondence, petitions or statements forwarded by them, and all reports made by any officer of the said Government, in connection with the company or its lands, statement of the date of such grant and when occupied by said company. He said: I may state my reasons for asking for this correspondence. In view of the great amount of attention paid to advertising our North-West, it is not only a great benefit to the country to induce settlers to go there, but after we get them there we must protect them. A great deal of inconvenience has arisen from the granting of large tracts of land to large farming and colonization companies. Hon. gentlemen opposite have stated that all even-numbered sections, even in colonization companies' tracts, are open for settlement, and that settlers are not obliged to apply to the colonization companies. If that is the case, it is not the prevailing opinion in the North-West, and I make this motion, not out of mere curiosity, but with the view of getting at the bottom of some of the grievances of North-West settlers. We have a great many grievances; but we feel that the just claims of the settlers on those large colonization tracts ought to be respected in advance of the claims of the companies. We believe that most of these squat-

ters who are now unprotected by the Government, went on the lands previous to their being set apart by the Government for colonization companies or large farms. I think it would be in the best interest of the country to have these papers brought down.

Mr. CASEY. I should not say anything in regard to this motion were it not that I have some personal knowledge of the claims of the settlers in question, from having visited the tract of the Qu'Appelle Valley Farming Company last summer, and I feel it due to those settlers to assist my hon. friend who has made the motion, in laying their case before the House and the Government. In the first place, it is claimed by these settlers, and I think justly, that it was very bad policy on the part of the Government to set apart a large block of land on the line of railway for a farming company. This is all the more objectionable because at that particular point there is an important station on the railway—a station where a large and prosperous farming community ought to spring up, and where it is prevented from springing up by the fact of these lands having been granted *en bloc* to this farming company—not merely the odd sections, but the even sections as well, making a solid block from which all individual settlers are excluded. The managers of this company claim that they have a special reason for obtaining such a grant, namely: that they have established a model farm for the purpose of showing the people of the North-West how they ought to farm. If that were the object of the grant this model farm would have been quite as useful if it had been established at some little distance from the railway, where it would not have interfered to such an extent with individual settlement. But their claim of setting up a model farm is absurd. They are simply a company of speculators, who intend to hold the land as long as convenient, and after they have broken a portion, to sell it at a very greatly advanced price. As for its being a model farm in any sense, that is absurd—they are simply doing the ordinary sort of breaking and cultivation that any settler does; and while I was there, they were doing it in a much more careless and haphazard way than is usually the case, for they were breaking the land at a time of the year when it was really of no use to do it. With regard to the claims of the settlers, I can only give their own case, which, they being honest and industrious men, is correct so far as I know. They claim that they went there early in April or May—at all events before any notice was given by anybody that these lands were reserved for the Qu'Appelle Farming Company. They found that the townships in which they settled were not yet sub-divided, and as they did not intend to be speculators, but *bona fide* settlers, they employed a surveyor to find out which were the even-numbered sections; having found the even-numbered sections, they settled upon them, and waited for the advent of the Government agent, when they could enter for their homesteads in the regular form. Some time after their settlement on these lands, notices were put up by the agents of the Qu'Appelle Farming Company, stating that the lands were reserved for them by the Government. The settlers claimed that at the time these notices were put up, the company had no right to the lands, not having fulfilled the conditions upon which the Government were to grant them, and therefore had no right to put them up. These were not authoritative notices from the Land Office but mere statements of the company. The settlers refused to move. Others came in and the company shortly afterwards took possession and attempted to cultivate the land of some of these settlers. This was resisted in a peaceable way, I believe, and the attempt was given up. In the meantime, I am led to understand petitions have been sent in to the Government—perhaps only to the agency at Winnipeg—setting forth their claims. It would be interesting to see what these claims are, and how they agree with the facts of the case as established by the

official documents. The Government should give special attention to the claims of these so-called squatters, recognizing them when they do not absolutely interfere with definite agreements and contracts between the Government and other parties. These men are generally called squatters as if the name were one of reproach, but the squatter is the *bona fide* settler in our North-West. The Government have not seen fit to keep up with the march of railway construction in the sub-division of townships. Even where they have the townships sub-divided they have not seen fit to send agents out, and there is no means left to one who wants to become a *bona fide* settler except to squat on the land. As a matter of policy, the rights of these men who have gone in there with the intention of becoming actual farmers and improvers of the soil, should be respected even at the expense of speculators, whenever the interests of the two should happen to clash. Of course, if a definite contract has been made with a certain company and full notice given by the Government that these lands are not open, the Government has no option; but where the settler has not had full notice, his claim, as a matter of public right and justice, should be respected in preference to those of any company. In regard to these people, they were not of the class who squat on sections around where it is expected a railway station will be built, with the view of making a speculation by selling their rights afterwards. They settled the whole township for six or eight miles back from the railway on nearly all even sections, though some, of course, happened to be near the railway. The bulk went in as *bona fide* settlers, not for speculation at all. I hope these returns will be brought down in time for us to see the real facts, and that the Government have shown more consideration for the rights of the settlers than the latter believe has been the case.

Motion agreed to.

#### DURHAM AND WALKERTON MAIL SERVICE.

Mr. LANDERKIN, in moving for all papers and correspondence relating to the change of mail service between Durham and Walkerton; also a statement showing the cost of the old and the new service, and the comparative efficiency of each, said: I may say that until last Session a stage ran between Durham and Walkerton. It served several offices between those points—Allan Park, Hanover, and Maple Hill. A change was then made, owing to the completion of railways there. A railway was projected from Stratford to Warton, another from Palmerston to Durham, which interfered with the old system. The office at Hanover was served by the railway, and also the office at Durham, and the intervening offices were served from those points. Allan Park was served from Hanover, and Maple Hill from Walkerton. The present service is very inefficient, and the cost is almost equivalent to that of the daily stage which formerly ran between those points. If a letter is mailed at Durham for Walkerton to-day, it will not reach its destination, a distance of seventeen miles, until to-morrow afternoon. If a letter be mailed from Hanover to Walkerton, six miles, it will not reach there before the following afternoon. When it is understood that Durham is the register office for the County of Grey, and Walkerton for the County of Bruce, and that in each much banking and business is done, you will see the importance of making a change and coming back to the old system of having a stage run from Durham in the morning to Walkerton, and returning in the evening, serving the way offices as it formerly did. This would be a great convenience to the people of that part of the country. I hope the Government will take the matter into consideration, as the amount asked for is not great by the contractor who has been in the service of the Government for many years, and who always discharged the duties of his position

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with great efficiency. The change to the old system would give great satisfaction and save the community a vast amount of expense, because, under the present system, those who have a considerable amount of business to do are obliged to have a private courier to carry their mails to points where their business leads them. I hope the Government will look into this matter, and see that the system which gave such satisfaction to the people be restored. The cost of the old service I do not think amounted to as much as that of the present service. The present service to those way offices is in one instance on horseback, and in another in single conveyance. I understand petitions have been sent in praying for a return to the old service, and I hope the Government will consider those petitions, and see that the public interest is no longer neglected by the present inefficient service.

Motion agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Return showing: 1st. The number of licensed tobacco manufactories on the first day of February, 1883, in which Canadian leaf is exclusively used; 2nd. The quantity of Canadian leaf used in tobacco manufactories since the passing of the Inland Revenue Act of 1880, to 1st February, 1883; 3rd. The quantity of cigars and cavendish produced, respectively, since the 1st May, 1880, to 1st February, 1883, in manufactories in which Canadian leaf is exclusively used.—(Mr. Gigault.)

Statement for the fiscal years 1880-81 and 1881-82, and for the current year to date, as to persons employed in any of the Departments whose remuneration is charged to Public Works in connection with which they are employed, giving:—1. The name. 2. The date of first employment. 3. The remuneration. 4. The nature of the service. 5. The works to which the remuneration is charged, with the amount charged to each work.—(Mr. Blake.)

Return giving the number of immigrant agents or persons employed (other than those on the regular and published lists) by the Government or Department of Agriculture, and sent from Canada to Europe, who received pay from the Government during the calendar years of 1881 and 1882; the names of persons so employed; the instructions given to them; the terms of engagement; the time each has been so employed, and the remuneration paid to each person so employed.—(Mr. Burpee, Sunbury.)

Copies of all contracts entered into by the Post Office Department with any person whomsoever for the carrying of the mails by steamer during the winter season, between the wharf at St. Denis, on the south shore of the St. Lawrence, and Murray Bay on the north shore; with a statement showing the name and tonnage of the steamer employed in that service, and a statement of all the trips made by such steamer in fulfilling the said contract.—(Mr. Laurier.)

#### CANADIAN PACIFIC RAILWAY RETURNS.

Mr. BLAKE. Before the Orders are called, I desire the attention of the hon. the First Minister to some omissions which appeared in the returns presented on his behalf in relation to the Canadian Pacific Railway. For convenience I have made a memorandum which I will send to the hon. gentleman. The papers themselves indicate that certain letters passed, which, by some miscarriage, have not been appended; and they also show certain plans and maps, which form the most important point of the return, and which have not been brought down. We have not yet received either the map or plan which was ordered the other day, so far as the hon. gentleman's Department is concerned, and which

specifically was to indicate the lands which had actually been granted to the Company, and those which they had applied for and had not been granted, &c. All that has come down in this case is a map which the Company sends to the Government indicating their view of the case, but there is no plan from the Government at all, nothing indicating that this was accepted by the Government. Then there is nothing in the return at all as to the actual grants or patents of any of the lands. We have the twenty-four mile belt, and there is nothing to show that one acre of that has been granted, or what acres have been granted. There are the arrangements by which a large quantity south of the belt, *en bloc*, has been allotted, in so far as the odd sections are concerned, but there is nothing indicating whether the grant has been made, whether the title has parted from the Crown to the Company, of any of the lands whatever. Nor is there any correspondence at all indicating an objection on the part of the Company to any of the sections along the main line, or indicating even how far they have rejected, or propose to reject, any sections as not fairly fit for settlement. There is nothing to show that; so that for all that appears in this correspondence, the Company has not received a conveyance, or the Crown been enabled to part with one single acre in the North-West yet. I think there must be something indicating these particulars, and I have made a brief note of them for the hon. gentleman.

Sir JOHN A. MACDONALD. The map the hon. gentleman speaks of is prepared, I believe, if it has not been brought down.

Sir CHARLES TUPPER. It was laid on the Table yesterday.

Sir JOHN A. MACDONALD. I knew it was prepared. I will have it attended to at once. I believe, as a matter of fact, that no patents have been issued at all, and I believe also that the Company has not, as yet, made objections to any of the land on the railway belt.

Mr. BLAKE. As to the question of patents, I observe, in one of the letters, that the Company make an allusion to some land company—not the large land company, but I think the Ontario and Qu'Appelle Land Company—saying they find some difficulty in completing their operations to consequence of claims made by the Indian Department in some particular lots, and I presume that grant has been made with that knowledge.

Sir JOHN A. MACDONALD. I am not quite sure that that grant has been issued. I think the Company treats the odd-numbered sections of the belt as if they had a statutory title.

#### CRIMINAL LAW AMENDMENTS.

Mr. CAMERON (Huron) in moving the second reading of Bill (No. 6) to provide that persons charged with misdemeanor shall be competent as witnesses, said: I may say that this is the Bill I submitted to the House last Session. It received the approval of the hon. the First Minister, and it was submitted, I think at his suggestion, to a Select Committee. That Committee reported the Bill with some trifling amendments, but it was so late in the Session that it did not pass through the subsequent stages. The Bill now is precisely the same as was reported by the Committee. The object is to enable defendants and their wives to be witnesses in their own behalf in cases of misdemeanor only. They are not compelled to give evidence, but they may give evidence under certain restrictions. They may be cross-examined, but if the cross-examination goes to the discredit of the witnesses the Judge has the power to restrict it with respect to that point. There is another clause which provides that if a person is charged with any other offence

than a misdemeanor, and the Judge is of the opinion, at the close of the evidence for the prosecution, that the only case made out is one of misdemeanor, then the defendant can be a witness in his own behalf. I move the second reading with a view of referring it again to a Select Committee, and as there are several Bills of a similar nature I would suggest to the hon. the First Minister the propriety of referring all these Bills to a Select Committee, with a view of consolidating them into one. The Committee I propose are: Mr. McCarthy, Sir Charles Tupper, Mr. Davies, Mr. Robertson (Hamilton), Mr. Weldon, Mr. Wood (Brockville) and the mover.

Sir JOHN A. MACDONALD. I have no objection to the second reading of the Bill under the condition stated by the hon. gentleman—that this and cognate Bills, of which there are several on the paper, should be sent to a Select Committee.

Bill read the second time, and referred to a Select Committee, consisting of Messrs. McCarthy, Davies, Robertson (Hamilton), Wood, Weldon, Cameron (Victoria), Cameron (Huron), Girouard (Jacques Cartier), Amyot, Casgrain, and Sir Charles Tupper.

Sir JOHN A. MACDONALD. Under the circumstances, and with the leave of the House, I beg to move, in the absence of Mr. McCARTHY, the second reading of Bill (No. 2) to amend an Act respecting Procedure in Criminal Cases, and other matters relating to Criminal Law.

Mr. BLAKE. There are several clauses in this Bill which are open to consideration and discussion, one of them being that as to jurisdiction. As the hon. gentleman proposes to refer it to a Committee composed of persons learned in the law, perhaps it would be better to reserve discussion until we see in what shape they send back the Bill.

Bill read the second time, and referred to the Select Committee on Bill (No. 6).

Mr. CAMERON (Huron) moved the second reading of Bill (No. 7), to amend the Criminal Law and to extend the provisions of the Act respecting Offences against the Person. He said: I desire to draw the hon. the First Minister's attention to this Bill. I introduced it last Session, and it received the assent of the hon. the First Minister, who declared that he believed it was a Bill which ought to pass; but with a view to making some amendments and perfecting the Bill, it was referred to a Select Committee. The Committee reported, and on the motion of an hon. gentleman opposite, the Committee of the whole House rose without reporting the Bill, and the result was that the Bill was lost. I again move the second reading of the Bill. I think the more the hon. gentleman considers the question the more he will see the absolute necessity of such a Bill passing. The only ground alleged for the motion by which the Bill was defeated, was that it was an insult to the people to pass such a measure, as such crimes could not possibly be committed in any Canadian community, and with the support of hon. gentlemen opposite who sustained the mover, and on whom I make no reflections, the motion prevailed, and the Bill was accordingly defeated. Since that time four cases have occurred, one of them I think very near the door of the hon. gentleman who made the motion, and two or three others in Ontario, where this very crime intended to be punished by the Bill was committed. I have the cases before me now, but I do not care to read them to the House, as it is not a subject one cares to discuss very fully. Believing the hon. the First Minister entertains the same opinion now as he entertained twelve months ago, I beg to move the second reading of the Bill.

Sir JOHN A. MACDONALD. Does the hon. gentleman propose to send this Bill to the same Committee?

Mr. CAMERON (Huron.) I have no objection, but the Bill was considered by a Select Committee last Session and reported.

Sir JOHN A. MACDONALD. I quite agree with the principle of the Bill.

Mr. BLAKE. I was not on the Select Committee which considered the Bill last Session, but I understand it was very carefully considered, and it would seem unreasonable to send it again to a Select Committee.

Sir JOHN A. MACDONALD. All right.

Bill read the second time.

#### SECOND READING.

The following Bill was read the second time:—

Bill (No. 27) to amend an Act to incorporate the Ontario and Quebec Railway Company.—(Mr. Wells.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 3:30 o'clock, p.m.) the House adjourned.

### HOUSE OF COMMONS,

THURSDAY, 1st March, 1873.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### PETITIONS FOR PRIVATE BILLS.

Mr. BEATY moved that the time for receiving petitions for Private Bills be extended to Friday, the 9th day of March, in accordance with the recommendation of the Select Standing Committee on Standing Orders.

Mr. BLAKE. Perhaps the hon. gentleman will state the circumstances which induced the Committee to make the recommendation. This is the second extension, and by it the preliminary proceedings on Private Bills may be commenced one month after the opening of the Session.

Mr. BEATY. The reason the Committee recommended the extension of time is that there were eighty-seven Bills of which the Clerk has received notice and only twenty-nine, including those reported to-day, have been passed by the Committee. In view of that fact, it was thought improper, or at least inadvisable, to shut out all remaining Bills of which notice has been given. It was understood, however, that there is to be no more extension, so far as the Committee is concerned. Such further extension, if there is to be any, will have to be made by the House independently of the Committee, as they very reluctantly made the present recommendation under the circumstances I have stated.

Mr. BLAKE. I do not intend to oppose the motion, but it seems to me to furnish additional evidence of the utter break down of the system which we adopted for the proper conduct of Private Bills business. It is necessary that we should take some step, before the Session closes, which will be, by the public and those interested in Private Bills, a sufficient groundwork for our rigidly insisting on the observance of our rules as to Private Bills. It turns out now that, something like two weeks or more after the time stipulated by our rules, there are about fifty Bills of which notice has been given, and for which the petitions have not yet been presented. For that there is no excuse except the old excuse—that Parliament has always

Sir JOHN A. MACDONALD.

broken its regulations in the past, and the petitioners expected that Parliament would do so again. Not only do the opponents of Bills not receive due notice when they are presented late, but there is the more important reason that it is only in the earlier period of the Session that Private Bills receive due attention at the hands of the members; and those Bills which do not come before the Private Bills Committee within the next three or four weeks will not, and cannot, receive that attention which is necessary in order that the Private Bills legislation of the House may be perfected.

Mr. DESJARDINS. I desire to call attention to the fact that two months notice is required for the presentation of a Private Bill, while the proclamation calling Parliament together is required to be published only thirty days before the opening of Parliament. For this reason some of those who came here with petitions for Private Bills are late. I think there ought to be some change; either the proclamation calling Parliament together should be published sooner, or we should require less time for the notices of Private Bills.

Mr. MITCHELL. I have listened to the remarks of the hon. member for West Durham, and while I admit the great force contained in them, and the desirability of adhering to the rules, we must not forget that the rule to which he refers was passed by a defunct House. There are in this House ninety odd new members, of whom I have the honor to be one, and we are of course unacquainted with the rules of the House; we look more at what the practice has been than at the rules or regulations, and we know that in times past that, although rules have been laid down, they have almost invariably been departed from. While I am ready to lay down and adhere to a strict rule, I think it would be rather hard on the young members like myself, who may have supposed that there would be the some relaxation of the rules and regulations as before, to tie us down on this occasion. I would, therefore, ask the Government to relax the rules for a limited time, with the understanding that they will thereafter be enforced.

Mr. BLAKE. I stated that I did not propose to object on this occasion, but I was desirous that before the close of the Session some arrangements should be made by which the rules should be observed. I admit that the hon. gentleman is young in years, but he is old in—

Mr. MITCHELL. Like yourself. It is a pity the hon. gentleman did not finish his sentence. Perhaps the same remark will apply to himself. All I can say is, that I do not propose to be made the butt of the hon. gentleman's criticism, and if he has commenced that game let him go on. If he throws down the gauntlet, he will find me ready to pick it up on any occasion.

Mr. CASGRAIN. I think it would be well if all Private Bills were placed in the hands of the Government at the very beginning of the Session, so that the hon. Minister of Justice might at once form his opinion upon the legality of such Bills. In 1874, a Committee of the House was appointed for the purpose of facilitating the business of the House, and I would suggest that a similar Committee should be appointed by this House. Up to this time we have been three weeks in Session, and we have hardly done more than if we had been here three or four days. Perhaps I will be in a position to move in this matter hereafter.

Motion agreed to.

#### BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 35) to incorporate the Federal Life Insurance Company.—(Mr. Kilvert.)

Bill (No. 36) to amend the Act incorporating the Kingston and Pembroke Railway Company, and the Act amending the same.—(Mr. Gunn.)

Bill (No. 37) to incorporate the Royal Society of Canada.—(Mr. Tassé.)

Bill (No. 38) to incorporate the Rainy River Improvement Company.—(Mr. Dawson.)

Bill (No. 39) to amend the Act 45 Victoria, Chapter 124, respecting the Board for the management of the Temporalities Fund of the Presbyterian Church of Canada in connection with the Church of Scotland.—(Mr. Charlton.)

Bill (No. 40) to incorporate the Acadia Powder Company.—(Mr. Tupper.)

Bill (No. 41) to incorporate the Dominion Railway Trust and Construction Company of Canada (Limited).—(Mr. Small.)

Bill (No. 42) to empower the President, Directors and Company of the Grafton Harbor to change the name of the said Company to that of the Grafton Harbor Company, to legalize certain proceedings of said Company, and for other purposes.—(Mr. Guillet.)

Bill (No. 43) to change the name of the Missionary Society of the Wesleyan Methodist Church of Canada to that of the Missionary Society of the Methodist Church of Canada, to extend their corporate powers, and for further amendments to their Act of Incorporation.—(Mr. McCarthy.)

#### FRENCH TRANSLATION.

Mr. VANASSE enquired, Whether the Government have had printed and translated in the French and English language, the appendix annexed to the report of the Select Committee appointed, last Session, to enquire into the operation of the National Policy in relation to the agricultural interests of the Dominion; if not, whether they propose to have it so translated shortly?

Mr. POPE. The Printing Committee alone will have to deal with this. The report is already printed. The Government have no control whatever over the matter.

#### DISTRIBUTION OF CENSUS RETURNS.

Mr. AMYOT enquired, Whether it is the intention of the Government to distribute to the parish priests, ministers, and other pastors of the various parishes of the Dominion, copies of the last Census returns?

Mr. POPE. The distribution, so far as the first volume is concerned, has already been made. Each member of the House has received four copies. A large distribution takes place to foreign corporations, scientific institutions and to libraries. We could not possibly, by any number we print, supply the clergy. That is a matter that can only be dealt with by the House. I would not undertake to deal with it.

#### KING'S COUNTY (P.E.I.) ELECTION.

On the Orders of the Day being called,

Mr. CAMERON (Huron). In pursuance of a notice I gave to the hon. the First Minister a week ago, I propose submitting to the House a motion with reference to the election in the electoral district of King's County, P.E.I. The facts connected with the case are very plain, and I think when the House will have heard them it will have little difficulty in arriving at a conclusion upon the subject. It is known, as I mentioned a week ago, that two members are entitled to seats for that electoral district in this Parliament. In the election of June last, four candidates sought the suffrages of the people for that constituency—Mr. McIntyre, who now occupies a seat in this House, Mr. MacDonald, Dr. Robertson and Mr. Muttart. A poll took place, upon which occasion Mr. McIntyre polled 2,124 votes; Dr. Robertson,

2,002; A. C. MacDonald, 1,940, and Mr. Muttart, 1,854 votes. It will thus be seen that Mr. McIntyre had a majority of 184 votes over the third candidate, the person who was third highest on the list, and that Dr. Robertson polled 62 votes over this third highest candidate; in other words, Mr. McIntyre and Dr. Robertson were the two candidates who polled the highest number of votes. Mr. McIntyre was declared elected by the returning officer, but Dr. Robertson, who had the second highest number of votes, was not declared elected. The returning officer, instead of doing what I think by law he was bound to do, and return to this Parliament the two candidates who had the highest number of votes, made what may be called a special return with respect to the second seat. Now, the facts contained in the special return have been submitted to Parliament, brought down by the Clerk of the Crown in Chancery, and published in the Votes and Proceedings; and from that special return one can see the ground upon which the returning officer failed to declare elected the person having the second highest number of votes. The alleged ground is that some seven days after the election a statement was made to the returning officer by certain electors that Mr. Robertson, at the time of his election, was a member of the Legislative Assembly for the Island. Now, Sir, in the view I take of this question, it is wholly unnecessary to consider that point—and, indeed, the returning officer had no right to consider it—and I respectfully submit that this Parliament has no right to consider it. The only question the returning officer had to consider by law was, who had the highest number of votes, and the returning officer erred in considering any other question, and in making a special return to Parliament; and it is the duty of Parliament to correct that error, leaving, of course, all the parties interested such remedy as the law gives them. I therefore, do not propose discussing at all the question of Mr. Robertson's qualification. As a justification for the motion I propose making, I may say that it is of the very first consequence to us here to know, now that a new Parliament is assembled, exactly what the duties and the responsibilities of returning officers are. Especially it is important for us to know that, in view of the fact that last Session the Government of this Dominion saw fit, for reasons best known to themselves, to change the law that had existed on that subject for some time—a law that, in my judgment, always worked well. If returning officers have the power of doing what appears to have been done in this case, gathering facts outside the returns submitted to him, if the returning officer has the right so to deal with candidates and with electors, then no candidate who seeks the suffrages of the people for a seat in Parliament is ever safe. If the functions of a returning officer are otherwise than as I contend they are—of a purely ministerial character—then I say the quicker we know that the better. If returning officers are allowed to exercise their judgment and discretion, and to say who is qualified and who is not, then the sooner we know that the better. In my judgment, that is entirely outside the duties of a returning officer. Now the duties of a returning officer are plain, and are so clearly laid down by law, that I do not see how there can be any doubt on the subject. These duties are laid down by the Act 37 Victoria, Chapter 9, Section 59. In so far as the duty of the returning officer is concerned after the votes have been polled, that duty is all practically embraced in this section, and reading it by the light we now have, reading it according to its clear grammatical construction, there cannot be any doubt as to the duties and powers of a returning officer. That section says:

“The returning officer, at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them in the presence of the election clerk, the candidate<sup>s</sup> or their representatives if present, and of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate from the statements con-

tained in the several ballot boxes, returned by the deputy returning officers."

Now, the duty of the returning officer is clearly to gather from the statements contained in the ballot boxes transmitted to him by the deputy returning officers, the votes polled for each candidate. The law is quite clear:

"The candidate who shall, on the summing up of the votes, be found to have a majority of the votes, be declared elected."

Now, it appears to me that this section is so clear that I cannot understand how it can be argued that the returning officer's duty is other than purely ministerial, it being to sum up the votes cast for each candidate, and, upon the summing up, to give to the candidate who has the largest number of votes the seat. That does not appear to have been done in this case. There is no dispute about the facts. So far, the facts are manifest from the returns submitted to Parliament, and from these facts it appears that Dr. Robertson had a larger number of votes than Mr. A. C. MacDonald. If that is so, then I submit with all deference that it was the duty of the returning officer to have declared Dr. Robertson entitled to the second seat. There are other papers before Parliament now—I think improperly before Parliament—and, of course, one cannot close one's eyes to the fact that they are there. The returning officer has returned certain other documents—I say improperly returned certain other documents—but they are there, and what do they show? They show he did not return Dr. Robertson because it was alleged by some one that, at the time of the nomination, Dr. Robertson was a member of the Local Legislature. I say a returning officer has no power and no right to transmit any such documents as those to the Clerk of the Crown in Chancery. The Statute states what he shall do in summing up the votes, and what he shall do in declaring the persons having the highest number of votes to be elected. It goes further and specifies the documents which he is bound to send with his return to the Clerk of the Crown in Chancery, and amongst those documents there is no such paper as that which he has seen fit to send here. The law says:

"The returning officer shall also transmit to the Clerk of the Crown in Chancery, with this return, the original statements of the several deputy returning officers, referred to in section fifty-eight of this Act, together with the voters' lists used in the several polling districts, and any other lists and documents used or required at such election, or which may have been transmitted to him by the deputy returning officers."

You will see that the papers which this functionary, who is responsible to Parliament for the proper discharge of the duty imposed on him by law, ought to return, and was bound to return here—and he should return nothing else, except what by law he was called on to return—do not embrace certain documents sent in by him. They do not embrace a protest signed by some electors seven days after the election when the people at the polls had exercised their franchise. But the returning officer has seen fit so to do. I submit, however, that in dealing with this case we are bound to deal with it as if those particular papers had not been here at all. That is the law, and that is the interpretation given to it, though not quite under the same law but under a kindred Statute, when the subject was discussed in Parliament in 1873. On that occasion the late hon. member for Cardwell—whose opinions on all questions of this kind were equal, if not superior to those of any other person—took the ground that the returning officer should not transmit any papers except those provided by law to the Clerk of the Crown in Chancery. It was then contended that a copy of the voters' list was properly so transmitted, and could be used in discussing the question then before the House. Mr. John Hilyard Cameron said: "The House has no right to consider the list of voters, as the Statute in no way allowed it as evidence. In this respect it was altogether different from a poll book and could not be accepted by the House as a fact, without proof thereof. I say that

Mr. CAMERON (Huron).

the Statute in no way justifies, warrants, or entitles the returning officer in receiving any such protest seven days after the election was over; that it in no way entitles, justifies or warrants the transmission of it to the Clerk of the Crown in Chancery, and although it happens to be here, having been so transmitted to the Clerk of the Crown in Chancery, we must deal with the case as if the documents in question were not here. Dealing with it in that light and aspect, what have we got? The simple statement of the returning officer of the electoral district that Mr. McIntyre and Dr. Robertson were the two candidates having the highest number of votes, and that being so it was the plain duty of the returning officer to have declared those gentlemen elected, reserving, of course, as he was bound to do, the right on the part of the minority candidate to contest the return if he thought fit. If he did not see fit to adopt that course, any hon. member has the right to bring the matter before Parliament for consideration. At all events, the duty of the returning officer, in my opinion, was plain and simple. It may be said that is all correct, but this is not a question the House should deal with, and it should be disposed of by some other court or tribunal. I say this is peculiarly a case for the House to deal with. The returning officer has not discharged his duty, as I contend, according to law, and Parliament should, at the first opportunity, rectify the wrong done by the returning officer. The course which I propose to invite the House to adopt is that which has been pursued in this Parliament for a long series of years, both before and after Confederation, namely, that when a returning officer failed to discharge his duty, or did not do his duty properly, the House should seize the earliest opportunity to rectify the wrong done, and give to the candidate entitled to the seat, the seat. One could go back over the whole history of Parliaments in Canada—for the last fifty years at all events—and point to a number of cases bearing upon the subject, both before the law was changed with respect to the trial of controverted elections, and after the law was changed. At all events, long after the House saw fit to appoint Select or Special Committees to try controverted elections, the House, over and over again, rectified the wrongs perpetrated by returning officers. If there ever was a period in the history of this country when it was necessary that that should be done, now is the time. We know a good many wrongs are alleged to have been committed by returning officers during the last Dominion Elections. We know, from the facts submitted, that a wrong has been done in this case, and Parliament should not hesitate a moment to rectify that wrong. I will now refer the House to some cases bearing on the question, in order to show that I am not asking the House to take a course in this case which has not been followed on any previous occasion. I desire to refer to a case which took place about forty years ago in the Parliament of old Canada, and which was referred to about ten years ago, in discussing a similar proposition to the one I propose submitting to the House, but it will bear referring to again. It is the Beauharnois election case. Mr. Jacob DeWitt and Mr. Duncombe were the candidates. It was alleged in that case that some of the poll books had been stolen and some burnt. A special return of the facts was made in that case. The majority candidate was not declared elected by the returning officer; but when the matter was submitted to Parliament, it at once, without any reference to a Committee, resolved that the return should be amended. And motion was made that, as it appeared by reference to the poll books, that Mr. DeWitt had a majority of the votes, the House rectified the mistake committed and amended the return. There are many other cases perhaps much more on a parallel with this one; but I have referred to this case because it happened to catch my eye when I was examining the precedents in the library. I will refer to a case which occurred some years afterwards in the Parliament of old Canada, and which is strictly analogous to the one now

before the House. Bear in mind, in considering this case, that the reason alleged why a certain candidate was not returned was that he was not qualified to sit in this Parliament. In the Kent case it was a question of qualification. Under the old law as it then stood a property qualification was necessary for every candidate, and every candidate was liable to be called upon on nomination day for a statement of the property upon which he qualified. In the Kent case one of the candidates was so called upon, a demand being made by two of the electors for the property qualification of the candidate. A declaration of that property qualification was not, as under the law it should have been, put in during the election—it was fyled or left with the returning officer three days after the election. Those facts were within the cognizance of the returning officer, with whom the qualification should have been fyled. So, instead of returning the majority candidate, who had a majority of 400 votes, he made a special return of the facts. The matter came before the House, the polling books were brought down, the Clerk of the Crown in Chancery appeared and produced the returns; and it was then moved that the returns be amended. And if any person has the curiosity to examine into the subject—for I am not disposed to take up the time of the House by going back over these old records—and takes the trouble to examine the Journals of the House for 1848, he will find there that a motion was made on this subject to the same effect as the motion I am about to make. The result of the motion was, that the majority candidate was put in the position in which he ought to have been placed by the returning officer. A series of motions were moved to bring the matter down to the real point; and then it was moved by Mr. Richards, and seconded by Mr. Notman, that the said Mr. Cameron (the majority candidate) has the right to take his seat in this House, as the representative for the County of Kent, save that all candidates and electors had still the right to contest the said election if they thought proper so to do, in such manner as appertained to law and justice, and according to the usages of Parliament; and that the Clerk of the Crown in Chancery attend the House forthwith, and amend the return for the said County of Kent, by stating that at the said election the said Mr. Cameron was duly elected to represent the said County. The Clerk of the Crown in Chancery attended accordingly; the return was amended accordingly, and the majority candidate was placed in the position in Parliament to which he was entitled by the voice of the people. Here, then, was a case in which the qualification of the candidate was concerned; and yet Parliament at once, though not without some objection being made—because there were even then in those days objections offered to that course, and I dare say the same thing will occur now—by an overwhelming majority gave the seat to the successful candidate. In the Oxford case precisely the same thing took place. There, also, the question of qualification came up, and a special return was made, although one candidate had obtained a majority of two to one nearly; but after the matter came before the House, Parliament at once followed the same course, and declared entitled to the seat the person who had received the highest number of votes. Now, Sir, that was so—and if it was done in the two cases to which I have referred—why should it not be done in this case. It is true that an amendment was moved in the Oxford case. It was said that it was a complicated case, and ought to be referred to a Special Committee—the Committee on Privileges and Elections—and a motion was made in amendment to the main motion, that the matter should be tried under the Controverted Election Act, and not be disposed of by the House at all. This was voted down

by a large majority, and the result was that the case was disposed of in the manner which I have just indicated. Let me draw your attention, Sir, to another case that took place afterwards, in the year 1852—the case of Gaspé. There the ground on which the returning officer made a special return was, that the polling books for the Magdalen Islands had not been received by him up to the time within which the writ was returnable. A special return of these facts was made to the proper quarter. Some months afterwards, the polling books were transmitted by the deputy returning officers from the Magdalen Islands, to the returning officer, and by him they were forwarded to the Clerk of the Crown in Chancery, and then when these facts came before Parliament, the House, by Resolution, declared that the person who had received the highest number of votes was entitled to the seat, and he took the seat accordingly, I refer also to the case that took place two or three years subsequently to the case of Gaspé—the Bagot case. This was a peculiar case—as you, Sir, will well recollect, thoroughly posted as you are in the Parliamentary history of this country. It was alleged that the candidate who had obtained the seat in Parliament was the returning officer himself; in other words, that the returning officer, T. Brodiër, had returned T. Brodiër to Parliament. The matter came before the House, and it was of course contended that there was no evidence before Parliament to show that these were the same persons. But, notwithstanding that fact, the House dealt with the matter, and dealt with it in the sense and mode in which I propose that the House shall deal with this case. I refer now to a case which took place some years afterwards. I wish fairly, as far as I am able, to present to this House all cases which have been dealt with by this House and by the old Parliament of Canada. The case to which I now refer is the County of Essex case, and here the contention was that the poll-books for some of the polling sub-divisions were not returned to the returning officer; and that there were irregularities connected with them, which made all the votes cast for the candidates at the above polling sub-divisions void. The matter came before the House in the way in which I propose to bring this matter before the House; and after discussion, and after several objections were raised, it was moved: “That it appears by the polling books transmitted to the returning officer, that Mr. Rankin had the highest number of votes.” It was moved, in amendment: “That the return being a special one, required investigation, and was properly investigable by a Committee under the Controverted Election Act.” The amendment was not carried and the main motion was carried. The return was amended, and the person who had the highest number of votes was declared entitled to the seat; and he took the seat accordingly. There is another case which took place during the same year and the same Session of Parliament—the Lennox and Addington case. There the ground on which the special return was made, was that there had been some irregularities in the voting lists for some of the polling sub-divisions; the returning officer there assumed the duty and responsibility of practically dealing with the question himself, and he made, as was done in this instance, a special return. However, when the matter was before the House, the House at once resolved that the candidate who had the highest number of votes, A. J. Hooper, ought to have been returned, and the return was amended accordingly, the House alone dealing with the question, and not a Committee. Another case in the Parliament of Canada occurred some ten years afterwards—the Peterborough election case. A motion was then made that the candidate having the highest number of votes was duly elected, and ought to get the seat. I believe it was moved in amendment that it be referred to the Committee on Elections and Privileges. In

this case, there was not only the question of property qualification, but the fact that one of the candidates was returned and had taken his seat; and we must also bear in mind, in addition, that the decision took place under a law different to the law which now exists. The law under which I now move was not in force when the Government of the day saw fit to take a different course in that case. There were under the old law certain duties imposed on the returning officer of a quasi judicial character, which the returning officer had to discharge; but this is no longer the case their duties are now purely ministerial. I am told—I do not know how correctly, but I think I saw it in one of the newspapers—that the Supreme Court held, two or three days ago, that, under the law as it now stands, returning officers' functions are confined exclusively to the summing up of the votes, and declaring that the person who has the highest number of votes is entitled to the seat—that, in fact, his duties are purely ministerial. Be that as it may, I believe that no court would now come to any other conclusion from the construction of the Statute to which I have referred. In the Muskoka case, which took place in the same Session as the Peterborough case, the question that came up was, that a deputy returning officer at one of the polling sub-divisions made no return, and at another sub-division the conduct of the election was wholly irregular; and possibly had it been disposed of by the courts the election would have been declared void. Yet it was contended, notwithstanding the want of a return from one of the polling sub-divisions, and the irregularity of the proceedings at another, that the candidate having the highest number of votes was entitled to the seat. The hon. leader of the Government assented to the argument of the hon. member for West Bruce, stating that he had made out so strong a case that he could not resist it, that the candidate receiving the largest number of votes was entitled to the seat. The hon. member for Cardwell took the same ground, and I believe advised the hon. leader of the House that that was the proper course to pursue—at all events he took that course, and Mr. Cockburn took his seat, the return being amended without reference to a Committee. I have thus shown you that in all these cases, with the one exception of the Peterborough case, Parliament disposed of the matter without any reference to the Election Committee; that as it appeared on the face of the returns that one of the candidates was entitled to the seat, Parliament at once rectified the wrong perpetrated upon that candidate, and gave him the seat, of course reserving to the opposing candidate, or the public at large, any rights they might have by the law of the land or the practice of Parliament. Not only has this been the practice in the Canadian Parliament, but the same course has been pursued by the Imperial Parliament as well. I find that in one case at least—the Montgomery case—a double return was made, but Parliament rectified the return without referring it to a Committee for enquiry into the facts. It may be said that now when we have courts to dispose of these cases, they should be relegated to the courts. That argument, however, cannot hold good, because one can easily conceive of some collusion or fraud taking place even between the candidate entitled to the seat and the candidate receiving the next highest number of votes, by which the rights of the people would be interfered with; and although Parliament has, by the Controverted Elections Act, placed the trial of such elections in the hands of the courts, still Parliament has not in any sense divested itself of the power of dealing with these questions when they come properly before it. It is laid down by May, in the last edition of his valuable work, that Parliament should deal with cases of this kind in the manner I have just pointed out. May says:

"It was contended, in 1870, in the case of O'Donovan Rossa, that the House had become entirely divested of the right of determining upon Mr. CAMERON (Huron).

the legal disqualifications affecting its own members. This argument, however, found no favor, it being justly said that it amounted to this: that even a Peer chosen to sit could not be excluded, and that a lunatic was to be suffered to continue a member."

This shows clearly that Parliament has the right and power of dealing with these questions, that Parliament has not divested itself of its authority in that regard; and I submit that if ever there was a case with which Parliament ought to deal, it is the one which is now before the House. I have shown that in the Kent election case, which was one very nearly the same as the present case, Parliament dealt with it even in the face of a motion to refer it to a Committee; I have shown that the same course was pursued in the Bagot case, as well as in the Muskoka case—in fact in most of the cases to which I have referred, that course was taken—not without argument, not without opposition, but in most cases by a large majority. I have shown you that, as May points out, that has also been the practice of the Imperial Parliament; I have shown you the facts of the present case, and I submit to the House if on the facts before us, this is not a case of all others in which Parliament should rectify the wrong which has been committed upon Mr. Robertson. Of course the decision of the House in this matter will not be final or conclusive, for if the other candidate, or any other person, deems himself to be wronged he has still got redress, and recourse to the courts or Parliament. The point I wish to impress upon hon. members is, that injustice to ourselves, as members of Parliament, in justice to the people who sent us here, we ought to declare that the man to whom the people have given the highest number of votes should be returned and should occupy his seat in Parliament, and that no returning officer should have the power of excluding from Parliament the man who has received the majority of votes. I beg, therefore, to move the following:—

"That it appears by the returns transmitted by Michael McCormack, Esq., the Returning Officer for the Electoral District of King's County, in the Island of Prince Edward, at the last election for the said Electoral District, that P. A. McIntyre, J. E. Robertson, A. C. MacDonald, and E. B. Muttart were the candidates at the said election—that at the said election the said P. A. McIntyre polled 2,124 votes—that the said J. E. Robertson polled 2,002 votes—that the said A. C. MacDonald polled 1,941 votes—and the said E. B. Muttart polled 1,814 votes—that the said Returning Officer made a return of the said election, in the words following:—

" KING'S COUNTY DISTRICT, )  
" PROVINCE OF PRINCE EDWARD ISLAND. }

"I hereby certify that one of the members elected for the Electoral District of King's County, in pursuance of the within written writ, as having received the majority of votes lawfully given, is Peter Adolphus McIntyre, of Souris, in King's County, medical doctor, and I further certify that James Edwin Robertson, of Montague, in King's County, medical doctor, a candidate at the election held by virtue of the within written writ—appears by the returns from the several Deputy Returning Officers, to have the next highest number of votes given at such election, and it having been represented to me at the summing up of the votes by certain of the electors of the said electoral district having a right to vote at such election, as appears by the several papers returned herewith, and marked respectively with the letters E. F. G. H., and initialed by me, that the said James Edwin Robertson, at the time of his nomination as a candidate at such, and at the time of the holding such election, was a member duly elected and returned for the House of Assembly of the Province of Prince Edward Island for the fourth Electoral District of King's County, and, by reason thereof, disqualified to be elected or returned as a member of the House of Commons of Canada at the said election.

"I do hereby further certify that Augustine Colin MacDonald, of Montague Bridge, in King's County, merchant, a candidate at such election duly qualified has the next highest number of votes lawfully given at such election, and I do further make this return of, and respecting, the said James Edwin Robertson and Augustine Colin MacDonald for the information of all whom it may concern.

"Certified, (Signed), MICHAEL McCORMACK,  
"Returning Officer.

"(Signed) R. Pope,  
"Clerk of the Crown in Chancery."

"That the said J. E. Robertson, having the second highest number of votes polled at the said election, ought to have been returned as one of the members for the said electoral district in this Parliament, and that he has a right to take his seat in this House as such member, saving, however, to all candidates and others their rights of contesting the said election, if they think proper in such manner as may appertain to law and justice."

Sir JOHN A. MACDONALD. I think it rather unfortunate that the hon. gentleman who makes this motion did not give notice of it. I think he has not treated the House fairly in not doing so, especially as a week or ten days ago I invited him to give notice. The House would then have been in a position to discuss it. The hon. gentleman chose to keep it in his pocket, and, although he says it is so clear a case, he found it necessary to strengthen his position in an able, a learned and an exhaustive argument, in which he quoted many precedents, and which he alone had the advantage of seeing. I cannot understand why he did not give notice. I may say that my present opinion is that the matter should go to the Committee on Privileges and Elections. However, after having listened to the argument of the hon. gentleman, I would suggest that the debate be adjourned.

Mr. BLAKE. To the hon. gentleman's suggestion that the debate be adjourned, if it is to enable him to consider these precedents, there can be no objection at all. But as to the House not having been treated fairly, I may say that the universal mode in which these questions have been treated has been as questions of privilege without notice having been previously given to the House. On two previous occasions, to which reference has been made, in 1873, I moved the motions myself. One of them the hon. gentleman proposed to refer to the Committee; he yielded to the second; and they were moved without notice. I indicated my intention to move a motion, but its precise form, or what its object was, I did not indicate. On that occasion the hon. gentleman did not make the objection which he has made to-day. Ten long years have taught him that such a motion requires more notice than he thought it did then, and all these precedents were then discussed before we reached a conclusion. Although he was then familiar with them all, I dare say he is not now; some of them may have escaped him at the moment. We must all be willing that the debate be adjourned on the subject, on which he has not come to a conclusion, and to which he wishes to give further research. At the same time, I do not think it is a subject on which there ought to be delay. I would, therefore, ask the hon. gentleman to mention the date to which he wishes the debate to be adjourned.

Sir JOHN A. MACDONALD. I would say to-morrow. There can be no objection to to-morrow. I quite admit that on a question of privilege no notice is required; but as this matter was postponed for a week at the suggestion of the mover, and I invited him to give us notice of what his motion was to be, I think he ought to have given us notice. We should have known whether the hon. gentleman intended to press his motion on the spot. Having asked for a delay, I think the House had a right to know what the motion was. The hon. gentleman said he was prepared to make a motion but whether it was to send the matter to the Committee on Privileges and Elections, or bring the returning officer to the bar of the House, or what it was, he gave not the slightest intimation. It will be as well to dispose of it to-morrow. I, therefore, move the adjournment of the debate.

Motion, to adjourn debate, agreed to.

## SECOND READING.

The following Bill was read the second time:—

Bill (No. 4) to amend the Law of Evidence in Criminal Cases.—(Mr. Robertson, Hamilton.)

## FRAUD IN CONTRACTS INVOLVING EXPENDITURE OF PUBLIC MONEY.

Mr. CASGRAIN, in moving the second reading of Bill (No. 5) for the better prevention of fraud in relation to contracts involving the expenditure of public monies, said:

I desire, if possible, to remedy certain abuses which have crept into the politics of our country. There is, as I said before, a necessity for this measure or legislation of a similar character. The Government look with great hostility upon it, I fear. Instead of trying to help this measure which I think they should have taken into their own hands, they impeded it when brought up last Session, so that it could not reach the stage to which it has now come. I renew the application I then made to put this matter into the hands of the Government, as it is one of public interest, not only with regard to the different officials dependent on the Government, but also in view of the fact that it is a safeguard to the Ministers themselves. I do not expect, however, that the hon. First Minister will have changed his mind on this matter, though, during the last Session, he intimated that some measure of this kind ought to be brought forward. He then expected, he said, to see a Bill presented in the English House of Commons and would await that measure in order to find in it some guide or principle to embody in our own law. In proposing this measure I can only repeat what I said on a similar occasion before, and I think that I may be allowed to quote from our debate on this subject what I said in moving for the second reading of this Bill. I then said:

"I do not know to what extent the legislation I propose will be able to put a stop to frauds of this kind. These frauds are of a kind that poison, that creep into the social body; it is very difficult to reach them and more difficult to eradicate. Nevertheless, I deemed it my duty to introduce a Bill which, I think, will not only meet with the approbation of this House, but also the approval of the country. I would have wished to see the present Government take up this measure; I think they would be rendering a great service to the country by bringing down such a Bill. On the other hand, as on the first reading, I made the same proposal which was not accepted, I think I am fulfilling my duty as a member in introducing the Bill, which has three principal objects. Among others, in the first place, to prevent what are called middlemen or brokers from interfering with public contracts. We all know and unhappily it is only too true, that these brokers in order to lend their influence in favor of individuals exact what we call in French *petites souveurs*. I am of opinion that such a business is direct corruption. That is why, by the first clause of the Bill, I propose making these different acts a misdemeanor, punishable as such upon conviction, before the ordinary Courts. The second object I have in view is to prevent tenderers in public contracts from withdrawing their tenders for certain considerations in order to help other tenderers, thus depriving the country of a profit, or unduly obliging it to pay considerable sums that might otherwise be saved. This kind of fraud is not provided against by our legislation. It is nevertheless provided against by the legislation of the Province of Quebec. I would mention in support of this statement, the case of public sales by the Sheriff. All the bidders are held to be independent one from another; to be bound each by his respective bid. When they form a ring to acquire a property at a low price, the sale is fraudulent and voided by the Courts of Justice. This legislation is based upon sound morality and upon true reason; it is made in order to prevent what might be called indirect stealing. All public contracts tainted with such fraud, should be declared void, all such tenderers should be deprived of the right of obtaining or carrying on any contract with the Government. I will endeavor to introduce a clause in that direction, if, as I hope, the Bill comes before the Committee of Whole. I moreover wish to protect public officers against attempts that might be made to captivate their kindness as to corrupt them in the execution of their duty, to punish those who make them either offers, gifts or promises of any kind, so as to induce them to declare the secrets of the public Departments. As these different acts are tainted with fraud it is necessary to suppress as far as possible such abuses. I therefore make a misdemeanor of such cases, and there is not only a pecuniary penalty attached to these acts, on conviction, but moreover there is a brand of infamy, that is to say, an imprisonment, so that this infamous stain may deter all those who might be tempted to corrupt a public officer, or commit any of these offences. Another clause contemplates preventing all public contractors, or those wishing to become such, or those who are entrusted with the execution of a public contract, from contributing either directly, or indirectly, to general election funds or for political objects, from heavily subscribing, as examples have been seen, and guarding against a repetition of what has unhappily already occurred in the country."

Now that the Ontario and the General Elections are over, I hope my hon. friend opposite will not see much difficulty in agreeing to this clause of the Bill. I then continued:

"I do not think that too severe restrictions can be established, nor too exemplary punishment be inflicted upon those who should attempt by this means to corrupt the electorate, so I call such acts misdemeanors and I want them to be punished as such, and also punished by a fine or an imprisonment, at the discretion of the Court. I do not wish to

dwell at any length upon the facts that have induced me to introduce this measure."

I do not desire at the present moment to give the names of the persons or the circumstances upon which I base this Bill. I know the position I occupy, with respect to a particular individual, is somewhat disparaging to myself, if I may use that expression. At any rate in bringing in this Bill I am aware that I am offending the feelings of some contractors, and some private individuals against whose acts the Bill is directed; but I have a public duty to perform which private feelings cannot be permitted to interfere with.

"I think that it has become absolutely necessary, and that in these, our times, this kind of corruption is extending all over America. Not only do we need such legislation in this country, but I also observe that even in the United States, since the introduction of my Bill, a like measure has been introduced in Congress, in order to protect public officers, and to prevent public contractors from unduly influencing these officers. With these remarks Mr. Speaker I make my motion."

Now, Sir, I hold in my hands a Bill presented to Congress to prohibit Federal officers and contractors from making and receiving assessments for contributions for political purposes. That legislation was needed in the United States as much as it is needed here; and I think that this Bill, imperfect though it may be, and though it cannot reach, in many instances, the guilty individual, is still urgently needed, in order that, if possible, such fraud, when discovered, may be punished. I would feel very much obliged to hon. members of this House, on both sides, if they would help me in carrying this Bill to its final stage, and in making it as perfect as possible. With these remarks, I move the second reading.

Sir JOHN A. MACDONALD. The hon. gentleman has made such an appeal for his Bill that I do not know but, as he says, now that the Elections are over, that we can consider the matter, and I am not going to fight him.

Mr. BLAKE. After the stud is stolen you shut the stable door.

Sir JOHN A. MACDONALD. Of course I made the remark in the same jocular spirit that the hon. gentleman did. My hon. friend opposite takes everything *au sérieux*; he is behind the scenes, he knows the stable, and he knows who stole the stud. I am afraid my hon. friend will be found guilty in many a case of more than petty larceny in that regard. When this matter was before Parliament the last time, I stated that there was then a Bill before the British Parliament dealing with the whole of this subject—a very stringent Bill as it proved to be. I had a copy of it at the time—the Attorney General's Bill—and it was thought it would become law in England last Session, but in consequence of the obstruction that arose in the British Parliament it was choked off; but I believe that the measure will become law in some form during the present Session. I believe Mr. Gladstone's Government is pledged to carry it the present Session, and I have no doubt it will be carried unless something unexpected prevents it. However, I object to some portion of this Bill. The fourth clause is too stringent, and, I think, interferes with the liberty of the subject. I do not see why a contractor, because he happens to be a contractor, should not have the same rights as other people. I have no objection to the second reading of this Bill on account of the merits of some portions of it, but on the understanding that it goes to a Select Committee afterwards, and I should be very glad to settle the Committee with the hon. gentleman.

Mr. CASGRAIN. Of course, I must be ready to submit to what I cannot help, because the hon. gentleman's majority in this House will enable him to deal with the Bill as he sees fit. I may say, however, that the Bill, at the suggestion of my hon. friend, has already been submitted to a Committee, and the hon. Minister of Justice, who is now

Mr. CASGRAIN.

the Chief Justice of Nova Scotia, worked at it very hard along with seven members. I think Mr. Speaker was on the Committee, and after having the benefit of his intellect, I do not think it can be improved by passing into other hands. The Bill was thoroughly discussed by this Committee, and I think was made as good as it is likely to be made by another Committee. However, I would ask, if the Bill is to go to another Committee, that I shall have an opportunity of carrying it before the end of the Session. If my hon. friend will say that we can pass the Bill the present Session, of course, I am willing to accept with *bonne grâce*, the statement he makes.

Sir JOHN A. MACDONALD. I cannot well promise my hon. friend that the Bill will pass this Session—that is beyond my power to promise. I do not know what the Bill may turn out to be—I may have to vote against it—but I will give the hon. gentleman the assurance that after the Committee's report has been received—and there is plenty of time I fancy to get the report—the hon. gentleman will have every opportunity of pressing on his Bill. We will name the Committee to-morrow and I will consult my hon. friend on its composition.

Mr. SPEAKER. I think perhaps it would be more regular to refer the Bill at present to Committee of the Whole House, and when that order is called it can be discharged and the reference made to a Select Committee.

Bill read the second time.

#### IMPORTATION OF LUMBER INTO MANITOBA.

Mr. ROYAL, in moving for copies of all documents and correspondence in relation to the abolition of the duties on lumber imported into the Province of Manitoba, said: My object in placing this motion in your hands, Mr. Speaker, is to call the attention of the Government to the very high prices we have to pay for lumber imported into the Province of Manitoba and the North-West Territories, as well as to the urgent desirability of having those duties either wiped out, or at least very materially reduced. It is a well known fact in our part of the country that Manitoba depends almost entirely on foreign supplies for lumber, and that large quantities are daily imported into Manitoba from the United States. The demand is increasing very rapidly, so much so that it is very difficult to supply the market even at the extravagant figures obtained for lumber in our Province. Lumber must be had by immigrants scattered over the Province and Territories, in order to build shanties for themselves as soon as they come into the country. The large profits of dealers, the very heavy freight charges we have to pay, and the duty that is imposed upon lumber, combine to swell to an almost extravagant figure the price of this necessity. The import duty on rough lumber is 20 per cent, and 25 per cent. on dressed lumber, and if you add to that the very heavy freight charges you will not be surprised to find that lumber, which could be obtained at from \$7 to \$35 in Ontario, will realize, in Manitoba, from \$17 to \$35 and \$40 per thousand feet. Going west we find those prices increase all the time. In the United States there is a duty of only \$2 per thousand feet. The duty imposed in this country amounts to nearly \$7.50 per thousand feet on lumber imported from the United States. We have some pineries, but they are not yet fully developed, and it will take some time and very large capital to have them developed so as to supply our demands. Protection is a very good thing, but there is no ground for protection there, because we have at present nothing to protect. If we had forests of large extent, of course we could protect their development by a protective duty on lumber; but I believe that for some time, until the Pacific Railway is built from the western Province to the eastern Provinces—I think for some years, five, six or seven years—

it would be a judicious policy, if not to wipe out altogether the duty on lumber imported into Manitoba, at all events, to materially reduce it, probably to the same amount as the American duty. As it is, it strikes directly at the immigrant—it is a direct charge which the immigrant has to pay. I believe it would be in the interest, not only of the Province of Manitoba and the North-West Territories, but also of the Dominion at large, to make such a change; and the Government with the large surplus at its disposal could reduce that duty very well. Last year the duty on cordwood was abolished. Now settlers on the boundary can get their supply of wood wherever they can find it, and import it into Manitoba without paying duty. I believe the action which I have suggested would follow logically that dealing with cordwood, and I beg to call the attention of the Government to this very important matter. With the permission of the Government I desire to submit the motion in the following form:—

That an Order of the House be issued to the proper officers for copies of all documents and correspondence in relation to the abolition of the duties on lumber imported into the Province of Manitoba; together with a statement of the quantity of lumber, rough-dressed, imported in the Province of Manitoba, and the duty paid thereon, for the years 1880, 1881 and 1882.

Mr. BOWELL. Any correspondence in the possession of the Government and the Department will be brought down in answer to the address. When all the papers are before it, the House will probably be in a better position to discuss the question than it is at the present moment. I might mention, however, that logs out of which lumber is manufactured, as the hon. gentleman is aware, are admitted free, and lumber in certain different states in which it is imported, is also admitted free—that is lumber as it comes from the woods when it is not manufactured. It is also well known that large quantities of logs have been purchased during the past year in the Western States, in some portions of Dakota and Minnesota, and floated down the Red River for the purpose of manufacturing them in the City of Winnipeg. It will be a question for the House and my hon. friend to consider well, when that question comes up for further consideration, how far that will interfere with what ought to have been done. I am not aware, however, that the price of lumber—or I am rather not prepared to say at present—is such, when imported into the North-West, as will justify the imposition of a duty of \$8 per thousand feet, this would imply that the lumber purchased in Minnesota—Minneapolis, I believe, is the great lumber mart in the American West—would be at least \$40 or \$50 a thousand. However, I do not know at present, and not speaking from personal knowledge, whether those are the prices, which are paid in Minneapolis. I am quite satisfied nevertheless, that next year, my hon. friend will find that there will be a large quantity of lumber imported from Thunder Bay and along that portion of the Canadian Pacific Railway into Manitoba, and I hope—and we have every reason to believe—that ere long the rapidity with which the Pacific Railway is being constructed to the north of Lake Superior, will enable that country to furnish a large quantity of lumber to the North-West. This will come from the west and east of Thunder Bay, and I think there is no doubt that the price will be largely reduced in a very short time. However, the papers will be brought down at the earliest possible moment.

Mr. BLAKE. Mr. Speaker, the hon. gentleman mentions a circumstance which, perhaps, renders it important that the further proposal of the hon. gentleman who moves this motion ought to be amended, or at any rate that we should reach an understanding about it. The hon. gentleman mentions the fact that logs, and also, as I understand, raw material, lumber in various shapes, enters the North-West free. We also know that a very large quantity of lumber enters free for the purpose of the Cana-

dian Pacific Railway, for bridge material. It would not do to state the gross quantity of lumber which comes into the country and the duty, because that would not represent the accurate state of things, as to the burden imposed on the people there, inasmuch as a very considerable portion of the lumber enters at the present time free for the purposes of the railway. It would be, therefore, well to divide the return, so as to show what portion of the lumber imports was free, and what portion dutiable, with the duty on that which is dutiable.

Mr. BOWELL. I did not understand, Mr. Speaker, that the motion referred to the lumber which has been imported by the Canadian Pacific Railway Company.

Mr. BLAKE. I did not say imported by the Canadian Pacific Railway Company; but I say that the lumber which the Canadian Pacific Railway Company itself imports—lumber, timber, and stuff for bridge material—free, ought not to be included in the gross imports of lumber into Manitoba and the North-West; for, if so, the amount of duty given will not represent what is the burden on the people of the North-West in this particular—the duty which, I am sorry to hear, Sir, the consumer sometimes pays.

Mr. CHARLTON. In relation to the lumber question, and the duty on lumber imported into the North-West, I would suggest to the Government the propriety of making the duty specific, rather than *ad valorem*. The prices paid for lumber in Manitoba and the North-West are excessively high, and the duty of 20 per cent. adds very greatly to the burden of the settler in that country. Now, the American Government some years ago changed their policy with reference to the duty on this article, and made it specific, \$2 per thousand feet, without reference to the cost or the value of the lumber, and this would be the course which I would think it well for our own Government to adopt in relation to the imposition of a duty on lumber. The duty of 20 per cent. would amount to \$8 per thousand feet, in many cases, and that is certainly an enormous tax on those who consume lumber in the North-West. I submit that the Government should make the duty specific, and a moderate one at that.

Mr. WATSON. As this matter has been brought up, I would like to make a few remarks on it. It is certainly a great hardship to the residents of the North-West, and of the prairie country, to be compelled to pay such high prices when they want lumber; and I am glad that my hon. friend (Mr. Royal) has brought the question before the House. Some change should be made, for certainly the price of lumber out there is something enormous. As to a duty of \$8 a thousand, I think that this figure is a little extreme; but, at the same time, the freight and duty often amount to more than the original cost of the lumber at Minneapolis, where we get most of our lumber in the North-West. There are certainly large tracts of timber limits and timber lands in the North-West, which are being developed very rapidly; but they do not as yet half supply the demand. Building was kept back last spring, probably for two months, owing to the want of building material; the result is that the material manufactured in the North-West is all used at present in the green state. It is almost impossible to get a thousand feet of dry lumber, the products of the mills in the North-West. The demand being so great the lumber is all used in the green state. I do not think that the manufacturers of the North-West ought to have any great protection on lumber, for the simple reason that their timber limits have cost them little or nothing—\$5 a mile. I consider that they have protection enough. The people have to pay too much for their lumber, freights being very high. Nearly all our lumber has to be imported from the other side; it is carried for 600 or 700 miles over

railways, and it would be no hardship to the Province of Ontario if our lumber came in free of duty, while it would be a great benefit to our North-West. There are several other things which I do not suppose can be just now discussed, but I might say that, as far as our Province of Manitoba is concerned, we have no need at all of protection. I might say, while I am on my feet, that all the machinery which we use in that country comes from Ontario at present, and we have to pay in Manitoba about \$60 more for a self-binder and reaper than is the case across the line in Minnesota, and about \$5 or \$6 more for a breaking plough, the demand being so great for these articles in the North-West that the Canadian manufacturers were not able last season to supply the demand. The consumer of course has to pay this duty, and we feel the burden considerably. I think it would be a move in the right direction to take the duty off lumber, and I do not consider that this would impose any great hardship on the manufacturers in the North-West, because at present they cannot supply the demand, while it would confer a great benefit on the consumers of lumber. It has been stated that logs are allowed to enter Manitoba free of duty, but this does not lessen the price to the consumer in the least, simply because the demand is greater than the supply. If we could get lumber from the States on paying, like the Americans, \$2 a thousand, it would be much better. This would be a move in the right direction as far as the interests of the North-West Territories are concerned.

Mr. WHITE (Renfrew). I do not know that this is the proper time to discuss the question, whether a duty should be placed on lumber or not; but my hon. friend from North Norfolk has painted in such dismal terms the injurious effect of the National Policy on the lumber interest of this country, that I think he will not be disposed to adopt views laid down by the hon. gentleman who has just spoken (Mr. Watson). I may say that the statement made by the hon. Minister of Customs, that within a very short time a very large portion of the lumber used in the North-West will be exported from the Georgian Bay and that section of the country, so far as the information which I have been able to obtain correctly, will be borne out by the hon. member for East Simcoe (Mr. Cook), who is, as I understand, preparing to export, or has already exported a considerable quantity of lumber from Georgian Bay and that section of the country to the North-West, and I believe is prepared to make other exports to it during the next summer. A very short time must elapse before all the lumber required in the North-West Territory will be exported from the Province of Ontario, and if the National Policy is to be of any benefit to the people of the Province of Ontario, it will be thus obtained. I am quite sure that my hon. friend from North Norfolk, who depicted in such dismal terms the injurious effect of the National Policy on the lumber interest, will not be disposed to say that the duty ought to be abrogated on that particular article.

Motion agreed to.

#### DIRECT STEAMSHIP COMMUNICATION BETWEEN CANADIAN AND GERMAN PORTS.

Mr. KRANZ, in moving for copies of all correspondence between any member of this House or other persons and the Government, in relation to the establishment of direct steamship communication between Montreal, Quebec, St. John, New Brunswick, Halifax, and German seaports, said: I wish to call the attention of the Government, and of the hon. members of this House, to the necessity of procuring direct steamboat communication between the various Canadian ports and Germany. The trade of the United States with Germany has assumed enormous proportions,

Mr. WATSON.

while that between Canada and Germany is quite undeveloped; and one of the principal reasons is, I believe, the fact that no direct communication is at present established between Canada and Germany. The present mode of shipping between the countries, *via* England and the United States, is very costly, tedious, and annoying. I have no doubt that as soon as we have established direct communication, the enterprising merchants of both countries will find articles which they can exchange at a profit. In the interest of immigration, it is most necessary that direct communication between Germany and Canada should be procured. At present immigrants coming from Germany to Canada either go by way of the United States or by way of England. In order to go by England they are sent from Bremen or Hamburg in small steamers to Hull, thence by rail to Liverpool, where they get on board the fine steamers which ply between England and Canada. Those going by way of New York are placed on board the German steamers at Bremen or Hamburg, and go direct to New York without transshipment, and on arrival in New York they are taken in hand by active agents of the various States, or of the railway and land companies. German immigrants are appreciated in the United States, and very few are allowed to come to Canada. In the interests of immigration I believe the Government could do nothing better than procure the services of one of the German steamship companies. If they would run a line of steamers fortnightly or even monthly direct between Bremen or Hamburg and the various Canadian ports, I think it would result most advantageously, and would be the best and most expedient act that could be done to secure German immigration.

Sir JOHN A. MACDONALD. There is, of course, no objection to the motion so far as the correspondence has been finished or is now in progress. I quite agree with all the hon. gentleman has said, in the first place, of the great value to Canada of German immigration, and also in the regret that so few settlers of that nationality find their way to this country. The Government have not lost sight of this question. They have been anxiously endeavoring to establish steam communication with Antwerp, Hamburg, and Bremen. I am glad to say that at this moment there are before the Government several communications from companies desirous of establishing lines—one to Antwerp, one to Bremen, and, I think, one to Hamburg, though I am not quite sure, but certainly to Antwerp and Bremen. The Government will do everything they can to encourage the establishment of such lines—fortnightly, if possible, and, at all events, monthly; and they are quite prepared, when they can get a solvent company giving reasonable assurance of establishing efficient lines, to come to Parliament and ask a liberal subsidy for that very important enterprise.

Motion agreed to.

#### IMMIGRATION AND NATURALIZATION OF GERMANS.

Mr. KRANZ, in moving for copies of all correspondence between any member of this House or other persons and the Government, in relation to the naturalization of Germans; also, in relation to German immigration, the appointment of Emigrant Agents in Germany, and the affording of reliable information about Canada to intending emigrants; also, a copy of the Report and all correspondence with the German Delegates who visited the North-West Territories in 1881, said: At no period has it been more advisable and expedient to attract German immigration to Canada than the present. The wise fiscal policy of the present Government has furnished employment to the mechanic and the artizan, and the wise railway policy of the Government and the energetic manner

in which the Pacific Railway Company are pushing forward and finishing their contract, are opening up millions of acres of land which only await the hands and arms of the settlers to be broken up and turned to good account in increasing the prosperity of the country. The German emigrant, before he leaves his fatherland, generally reflects upon the political status which he will occupy in the country to which he comes, and I am very glad that His Excellency and his Government have taken steps to afford to the naturalized subjects of Canada the same privileges, rights and advantages as those enjoyed by natural born subjects. In reference to the appointment of immigration agents in Germany, I believe it would be a good plan, in case direct steamship communication is established, to have one or more good reliable agents in the various seaports of Germany. The German people, who are used to the paternal care of their Government, put more trust in an official agent than they do in an agent of a shipping company, whose interest it naturally is to find freight and passengers for his line. It also affords me great pleasure to state, from correspondence which I have had with the German delegates who visited Canada in 1881, that their work has produced good fruit. By their means, Canada, especially the North-West, has been brought under the notice of the more wealthy class of German agriculturists, who had not been reached to such an extent before, and who could not have been reached in any better manner than through these delegates, in whom the German public had confidence, who, on account of their social standing and their intelligence, were capable of giving reliable information regarding this country.

Mr. VALIN (Translation). I am glad that the hon. gentleman has made the motion, asking for communications between Germany and Canadian ports, which may be the means of bringing here a large immigration. I know we want a large number of immigrants, especially to settle our North-Western Territory. We all know that a large immigration will make Canada prosper, that we cannot and ought not to object to the naturalization of German subjects. The Germans in the United States are in great numbers and very good citizens. They contribute largely to the prosperity of that country by their knowledge in agriculture and their industry. The Germans are very good subjects, and well versed in the agricultural arts. We have everything to gain in attracting a large immigration to this country; but, Mr. Speaker, we should not forget that in Lower Canada there are numbers of Canadians who would like to settle in Manitoba. Still, I am yet to hear that measures have been taken to afford aid to those people to enable them to settle in that Province. When immigrants arrive at Quebec, the agents of the Immigration Office make enquiries as to whether they have the means to pay their passage to Manitoba. Whenever the answer is in the affirmative, they pay for their tickets; but, if otherwise, free tickets are given to them. Well, Mr. Speaker, a large number of our fellow countrymen would be prepared to settle on lands in Manitoba and cultivate them, thus enhancing the prosperity of that vast territory; but many have not the means to pay their fare, and if they apply to the Immigration Office for a free ticket to that Province, the answer is this: "You live in this country, and hence you are not entitled to this privilege." I believe it is unjust to deny to our own people the means of establishing themselves in Manitoba; for they would not only find therein profitable settlement for themselves, but would also have a share in the prosperity of the country. I consider that all Canadians asking for a free ticket to Manitoba by railway, are entitled to the same privileges as foreign immigrants. Why not send to Manitoba honest French-Canadians, Scotchmen or Irishmen who have not the means to pay their fare thither? I hope that with these few remarks, the Government, whose coffers are over-

flowing, will help these poor people to settle in Manitoba, where, through their industry, they will draw from the land products which will increase the wealth of this country. We are not opposed to the naturalization of the Germans; it is a thing which is done in all countries. What would be the consequence if they were denied the right to be naturalized? A country might thus be deprived of the precious services of men of eminence. We have recently seen a man of Irish extraction at the head of the State in France, and in England the late Prime Minister was of foreign origin. It is such men who will help us to build a great country and increase our resources. However I may be in favor of foreign immigration, still I claim a fair share of assistance for Canadians who may be unable to pay their fare to Manitoba. It is but fair that the Government should help them, since they contribute, and have for ever so long contributed, to the resources of this country.

Mr. BLAKE. I am very glad the hon. gentleman has made this motion, and glad also to learn that some progress has been made after the long number of years during which we have been attempting to perfect our system of naturalization. The condition of our naturalization laws has no doubt been one of the obstacles in the way of our getting German immigration. An hon. gentleman who formerly represented in this House the county from which the hon. member comes, brought that question before the House some years ago. There is one thing entirely within our own power to which I wish to draw attention. My belief is, that our domestic plan for accomplishing naturalization is too vexatious—that it involves too much trouble. We know that there are a great many persons in this country, who have been here a good many years, who are just as good and loyal subjects as any we have, who have no intention of leaving the country, and whose votes at election after election are rejected because they are not naturalized. An easy solution of this difficulty is this. I would pass a law to make it the duty of any deputy returning officer, when objection is made of that kind, to administer the naturalization oath, to accept the vote and to return a certificate to the Clerk of the Peace, within ten days after the election, that he had done so. As to what the hon. member for Montmorency (Mr. Valin) says, there is a good deal of force in it, but I have understood the hon. Minister of Agriculture to say that his settled policy is not to promote, by free passes, the migration of people from one Province to another. For us Canadians he does not believe in free passes, and the hon. gentleman knows that the Government would not even give a man a free pass to the Senate.

Mr. HESSON. I have special pleasure in seconding the motion of my hon. friend from Waterloo. This question has been brought before the House repeatedly, and I had hoped that some greater progress would have been made by this Government than has been made in the direction of having it settled. I have no doubt there are very great obstacles in the way of promoting what my hon. friend, and I believe every man of this House, wishes to see accomplished, that is, the affording of greater facilities to Germans who desire to leave their fatherland for Canada. Unless we take some such steps as he proposes, the bulk of the German emigration will continue to go to the United States. German immigrants usually fall into the hands of the agents of American shipping or railway companies, and they seldom reach Canada, unless they have made up their minds to settle here. This is a serious matter for our consideration. We have great tracts of valuable prairie lands waiting for cultivators, and the experience of every gentleman who has had the pleasure of knowing what German immigrants and settlers are, is that you cannot find a better class of citizens. I say this from my own knowledge, having lived for the last thirteen or fourteen years among the German element. There are no paupers among the

German immigrants. They are all able to take care of themselves until they reach this country. I do not think they will ask for free passes from one Province to another, nor do they want cheaper rates than other people; but what they require is, that a little paternal attention be paid to them in the Old Country before starting. Some one should be on hand to direct them where to go, and some one should be here to receive them on their arrival. We might well afford to have more than one agent in Germany, whose population is of so migratory a character, and to pay better than we do. Our agent there is so indifferently paid that he cannot afford to give more than a third of his time for the small remuneration he receives. His allowance is the small one of \$1,000, which certainly does not show any desire on the part of this Government to promote emigration from that country. It gives me much pleasure to see that some progress is being made in the question of naturalization, which is one of great interest to the Germans. On arriving here they find themselves unable to take their position as citizens, and unable to revisit their fatherland, if they had not previously received permission to leave its shores. I am glad now they cannot only come out to Canada, but also revisit the fatherland; and one of those going home again will be of more use as an immigration agent than the expenditure of perhaps thousands of dollars for the purpose of having shipping agents. I am pleased to endorse Mr. Kranz's remarks. He and I live in counties largely peopled by Germans, and know from experience their value as citizens, and how desirable it is that we should obtain as large as possible an influx of that element into our unoccupied territory. It is the duty of this Government to see that everything is done to facilitate immigration from Germany into Canada.

Mr. COCKBURN. I am very glad this question has been brought up. I know of a case of great hardship that occurred last summer in a township where the magistrate, a continuous resident for some fifteen years, and others who had lived there fifteen or twenty years, were prevented from voting, although they had voted at previous elections. The scrutineer read the Statute, and the consequence was these men, being very conscientious, were afraid to take the oath and vote. I hope the Government will see that some provision is made whereby *bond fide* residents can be naturalized, and not allow cases of this kind to occur.

Mr. VALIN said that the hon. leader of the Opposition had not understood what he had said, and had entirely reversed the meaning of his remarks.

Mr. LANDERKIN moved the adjournment of the debate.

Motion agreed to; and (at 6 o'clock, p.m.) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 2nd March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### INTERNAL ECONOMY COMMISSION.

Sir JOHN A. MACDONALD presented a Message from His Excellency the Governor-General.

Mr. SPEAKER read the message, as follows:—

LORNE.

The Governor-General transmits to the House of Commons, an approved Minute in Council, appointing the Right Honorable Sir John A. Macdonald, Minister of the Interior; the Honorable Sir Leonard Mr. HESSON.

Tilley, Minister of Finance; the Honorable Sir Charles Tupper, Minister of Railways and Canals, and the Honorable Sir Hector Langevin, Minister of Public Works, to act with the Speaker of the House of Commons, as Commissioners for the purposes and under the provisions of the Act 31 Victoria, Chapter 37, intitled: An Act respecting the Internal Economy of the House of Commons, and for other purposes.

GOVERNMENT HOUSE,  
OTTAWA, 1st March, 1883.

### OFFICIAL REPORT OF DEBATES.

Mr. WHITE (Cardwell) presented the first report of the Select Committee appointed to supervise the Official Report of the Debates, as follows:—

The attention of the Committee having been called to the fact that the contractor for the translation of the Debates, and some of his assistants, are employes of the House, and receiving remuneration as such, they recommend that no contractor for the Debates, or any portion thereof, or any of his employes, shall be permitted to continue, or be on the Staff of the House.

### BILL INTRODUCED.

The following Bill was introduced, and read the first time:—

Bill (No. 44) to incorporate the Grange Trust, Limited.—  
(Mr. White, Cardwell.)

### PUBLIC LANDS CONSOLIDATION BILL.

Sir JOHN A. MACDONALD in introducing Bill (No. 45) further to amend and consolidate the several Acts respecting the Public Lands of the Dominion therein mentioned, said: This Bill is substantially the Bill that was introduced last Session, but which, in consequence of the pressure of other business, did not go through. It contains some amendments and additions to the Bill of last year, and as they are scattered over the whole Bill, I will not endeavor to explain them now. The Bill is ready for distribution, and every opportunity will be given hon. members to examine it.

Mr. BLAKE asked that the amendments be noted on the Bill.

Sir JOHN A. MACDONALD said he would give special instructions to the Law Clerk to see this done.

Bill read the first time.

### BANK ACT AMENDMENT.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient further to amend the Bank Act (34 Victoria, Chapter 5)—by providing for the more regular and earlier transmission of the certified list of shareholders to Government, and imposing a penalty for contravention of such provision; and by imposing penalties—on banks allowing the amount of their notes in circulation to be in excess of that limited by law—or holding a less amount of their cash reserves in Dominion notes, than is required by law; on banks neglecting to make up their monthly returns within the time prescribed by law, or contravening any provision of Sections 40 or 43 or of the Sections 46 or 51 of the Bank Act; and by amending the form of the monthly returns and the provisions respecting parties unlawfully styling themselves banks, or assuming any designation implying that they are acting as a chartered bank.

He said: In moving this resolution it may be as well to state the provisions in the Bill that I propose submitting on the passage of this resolution. Under the law as it stands, the list of shareholders must be submitted to Parliament. There have been several Sessions in which some of the banks failed to comply with the provisions of the Act. The attention of the banks was called to the fact that the returns were not all made sufficiently full, and last Session the returns were more general than they had been previously. At the same time it has been considered advisable that the returns should be forwarded to the Finance

Minister and submitted to Parliament within a reasonable time and printed. At present the latter course is in the hands of the Printing Committee, and the returns received are printed about once in three years. There are many reasons why it is thought desirable by the Government that the returns should be submitted every year and printed. Great changes often take place in some of the banks in reference to the stockholders, and it is desirable the public should be in possession of these changes every year. It is provided by law that the circulation be limited, but it is found the circulation of banks, at times, exceeds the amount limited by their charters. There are no conditions or provisions in the Act, at present, by which a penalty is imposed for the violation of such provisions, and it only remains for Parliament to deal with the violation by a repeal of the charter, if Parliament thought it of sufficient importance. In Great Britain, the law is that in the case of any circulation in excess of what is authorized by Parliament, the penalty imposed is equal to the excess of circulation. It is not proposed in this case that the penalty shall be as severe as that, because there are cases in which banks having numerous branches, and anxious, for various reasons, to have their full circulation out, it sometimes occurs that although the managers and presidents do not desire it, the circulation exceeds what is allowed by law. In cases of that kind it is proposed to provide that where the circulation does not exceed a certain sum, which sum would not be exceeded where it is a matter that they had not entire control of—or at least they had control of it in their anxiety to have the circulation out to the fullest extent—the penalty should be limited, and then the penalty should be increased according to the excess of the circulation beyond the smaller sums named. At any rate that should be of a sufficient character to prevent its being an object for the bank to increase the circulation, and at the same time be enabled to pay the penalty and make money out of the operation. The third is imposition of a penalty where the banks have less than forty per cent. of Dominion notes in reserve as required by law. It is proposed to make the penalty light, but sufficient to be effectual. In the Act as it stands at present, banks are compelled to pay to any person who makes application \$50 in one or two dollar notes. This was thought desirable because great difficulty occurred in various parts of the Dominion in obtaining small notes, and the banks frequently refused to give them. They were not bound to do it and it was not their interest to do it, but in order to provide for this it was made a condition in the renewal of the charter that they should furnish \$50 of Dominion notes in one or two dollar bills, and it is proposed to make that \$60, including \$4 bills, as we have now a circulation of that kind. Then it is proposed to add to the monthly returns the amount of the reserve fund and the rate per cent. of the last dividend. The Banking Act requires that no bank shall pay a dividend in excess of 8 per cent. until they have a reserve of 20 per cent. There is no provision in the law at present requiring returns showing what their last dividend was or what their reserves are. Therefore, it is not in the power of the Government to know whether they are acting in accordance with that condition of the Act. Then a small sum shall be imposed for neglect in sending in the returns as required by law. At present the Act requires that the returns shall be forwarded to the hon. Minister of Finance ten days after the close of the monthly returns. Some banks having extended their operations to Manitoba and the North-West, it is found difficult to obtain these returns in time to send them in within ten days, and it is proposed to extend the time to twenty days, and to impose a small penalty if they are not made within that time. Then there is a provision in the law which was intended to prevent private individuals from adopting the name of a bank, as has been done in various

parts of the Dominion. There is, for instance, "Clarke's Banking House," "The Farmers' Banking House," "Johnstone's Bank," "Hay's Banking House," "The Orono Banking House," "Scott's Banking House," "The Mahon Banking Company," "The Mitchell Banking Company," "The N. Hayes Loan and Exchange Bank," and several others which have used terms that are calculated to mislead the public. The object is to prevent any persons from assuming the name of a bank unless they had a charter from the Parliament of Canada. Many persons have thus been misled, and it is now pretty well understood that, in some cases, these companies have been taking large deposits made by persons who supposed they were regularly constituted banks, under the authority of Parliament, and with the security that is given by the Banking Act. There can be no objections to John Jones or William Smith calling themselves bankers, that would be perfectly understood; but the object is to prevent them using such terms as will lead the public to believe that they are a chartered banking company, or using the name of a chartered bank. For instance, in some cases, like the Molson's Bank—of course that bank took the name, I believe, of the originator, and one of the founders of the institution. In one case a person has taken his own name—I do not name it at present, but I will suppose it is the Jones' Bank. Well, these are all calculated to mislead parties who may be induced to make deposits there, from the fact that a higher rate of interest is offered, the depositors supposing that they have all the protection given in the case of a chartered bank. Then there is a provision in the general Act that banks are not permitted to make advances on bank stocks, ships, lands, &c., and a penalty is imposed in such cases. Next, a new section is introduced by which banks in Prince Edward Island, British Columbia and Manitoba will be brought under that provision of the Banking Act which establishes certain public holidays in the other Provinces, providing that when a note falls due on that day, it is to be paid on a certain day, and it is proposed to repeal that section and make it applicable to all the Provinces except the Province of Quebec, which was omitted. These are the provisions contained in the Bill based upon this resolution. As I stated, it was not contemplated, when this was framed, to prevent any parties from acting as agents of a bank, and, therefore, the last six words in this resolution I propose to strike out. I move the House into Committee on the resolution.

Motion agreed to; and House resolved itself into Committee.

(In the Committee.)

Mr. BLAKE. I would ask the hon. gentleman to read briefly the enactment he proposes to make with reference to private bankers.

Sir LEONARD TILLEY. The section referring to that is as follows:—

Section 10 of the Act 43 Victoria, Chapter 22 is hereby amended by inserting between the word "bank" and the word "without" on the third line thereof the words "banking companies shall not use the term banking company, banking house, banking association, banking institution, or banking agency or any word or designation which would cause it to seem as if such persons were a company carrying on business as a chartered bank."

Mr. BLAKE. I remember when this clause was introduced into the Act. It was in the course of the progress of the Bill through Committee, and on the motion, I think, of the hon. member now presiding over our deliberations, and we had some little discussion on it. While there was a disposition to agree to the prohibition of the use of the term "banking," which we have generally understood to mean a chartered bank, there was at that time a disposition, certainly on the part of the Committee, to go further in the

way of restriction; and the proposition of the hon. gentleman which did go further was altered and limited, as well as I can remember, to this single word "bank." Whatever is commonly understood by universal usage to signify an incorporated institution under the general law, it may be of course improper to allow private individuals to use; but the hon. Minister's proposal goes a very long way. Banking company, banking institution, and banking house, are not terms which are generally supposed to be the proper mode of describing incorporated banks. A banking house as a commercial house is indicative rather of a private corporation and private actions than of an incorporated company and corporative action. While I agree that the public ought to be protected, to a certain extent, against a state of things under which a man may appear to be carrying on business as a corporation when he is only doing so as an individual or as member of a firm: on the other hand, I am aware that those private institutions which discharge a portion of the banking business are of very great use to the country. There are a great many of them, and they supply the needs of very many localities where it would be quite impossible that agencies of incorporated banks could be established; and anything which would tend unnecessarily to cripple their operations, and interfere with the facilities of the public to obtain the accommodation which they wish, should not prevail.

Sir LEONARD TILLEY. There is no desire on the part of the Government to cripple any such firm or organization or banking operation. It has been urged by some of those engaged in such banking business that there should be no change made. When asked why, the answer given was because the present condition of things gave them a status. There is no desire to improperly interfere with them in any manner, but to provide that the public who deal with those establishments should know they are not banks, or banking companies, or associations chartered under Act of Parliament. When the Bill is introduced there will be time to consider the various details of it, and if it is thought desirable to amend it, we will be glad to consider any proposal.

Mr. MACKENZIE. While I do not doubt the power of the House to prevent any corporation or individual performing the ordinary functions of a bank, assuming deposits and issuing bills, and doing such business as banks chartered by Parliament, I doubt exceedingly whether we have the power to prevent an individual assuming any designation or name he may think proper. I do not know whether the hon. Minister has considered that point or not.

Sir LEONARD TILLEY. We have supposed we had the power, but I will consider the point as the hon. gentleman has called my attention to it.

Resolution reported.

Sir LEONARD TILLEY introduced Bill (No. 46) further to amend the Act entitled an Act relating to Banks and Banking and the several Acts amending the same.

Bill read the first time.

#### CUSTOMS ACTS CONSOLIDATION.

Mr. BOWELL moved that the House resolve itself into Committee of the Whole, to consider the following resolution:—

That it is expedient to consolidate the various Acts respecting the Customs, and to amend the same, so as to make the various provisions consistent, and to remove doubts as to the construction of certain other provisions, and others necessary for better carrying out the principles embodied in the said Acts; and among other things:—

1. To give additional facilities and remedies for the collection of Customs duties, and penalties and forfeitures, and for the prevention of smuggling and other frauds on the revenue, and for the punishment of contraventions of the Customs Law.

2. To provide for the granting of a rebate of duty upon damaged goods paying specific duties.

Mr. BLAKE.

3. To specify the terms upon which bonds given for the due exportation of goods may be cancelled.

4. To make provision for the delivery of warehouse goods as ships' stores to vessels bound for and engaged in the deep-sea fisheries.

5. To provide for the punishment of persons unlawfully gaining access to or removing bonded goods in railway cars.

6. To make better provision for arriving at decisions with respect to seizures or detentions of goods, and with respect to penalties and forfeitures, and to the terms for release of such goods or remission of such penalties or forfeitures.

He said: I do not think it is necessary to enter into a discussion at the present moment of the various amendments which are suggested in this Bill. As the resolution indicates, it is proposed to consolidate the Customs laws as they now appear on the Statute-book in the variety of amendments which have been passed during the past four or five years. It is also to give additional facilities for the collection of revenue, and to place within the power of the Government the enforcing of the penalties for contravention of the law, and also to provide for the granting of a rebate of duty upon damaged goods paying specific duties. Under the present law provision is made for paying duties upon the actual value of the goods, paying *ad valorem* duty when damaged, either coming into the country or *in transitu* to the port to which they are sent. There has been no provision made for making a rebate on the value of goods paying a specific duty, excepting, however, the amendment of last year, with reference to the duties paid on grain when damaged make its provisions apply to all classes of goods paying by water. The proposition of the amendment is to specific as well as *ad valorem* duty, which may have been damaged, either on voyage or on railways, after they have arrived in the country. I think that the House will at once see that this is an equitable provision, and should be applied to all classes of goods imported into Canada. The 3rd clause specifies the terms on which bonds given for exported goods may be cancelled. At present goods which are ex-warehoused—say, for instance, Newfoundland or St. Pierre—have the bonds cancelled on the production of a certificate, as the law says, of any respectable person living on these Islands, or in the country to which the goods may be sent. There is no doubt that frauds to a very great extent have been perpetrated under this provision. We provide for the making of the certificate upon which the cancellation of these bonds shall be made by an officer of Customs, or by some other official in the place to which the goods were exported. This is also in the interest of legitimate trade, and will prevent, to a very great extent, the frauds which in the past have been perpetrated under the law. The 4th clause makes provision for the ex-warehousing of goods and ships' stores for vessels engaged in the deep-sea fisheries. Under the 69th clause of the Customs Act as it now stands on the Statute-book, these rebates can only be made for vessels of a certain size. That clause was relaxed by my predecessor in order to meet some cases which came under his notice; and we have also found it necessary, in the interest of those engaged in this great industry of the Maritime Provinces, to make still further concessions, so we thought it better, that the clause should be amended so as to make it applicable to all vessels, no matter of what size or of what tonnage, provided that they were engaged legitimately in the business of fishing; and also, to provide that in case of any violation of this extension of the law by re-landed goods, the parties offending shall be punished severely. I am under the impression the House will recognize the correctness of this principle; for there is no reason why smaller vessels should not have the same privileges, provided that the regulations be so carried out as to prevent the re-landed goods, and their entry into consumption. Under the present law there is no provision made for punishing persons unlawfully engaged in getting

access to bonded railway cars. As to the provisions for bonding goods in warehouse, the law is quite ample; but there is great doubt whether it applies, as it now stands, to bonded railway cars passing through the country. We have had no little difficulty in this respect, and it was thought better, in order that there might be no misunderstanding of the law on this point, to make this change. The 6th provision makes better provision for arriving at a decision with respect to the seizures of smuggled goods, and of enforcing any decision which may be given. I am not a lawyer, but I know that in many cases some legal gentlemen have advised persons, whose goods were seized and penalties imposed, that while under the law the goods could be retained, and forfeited, and sold, there was no provision in the law for the collection of any penalty which might be imposed either by a court or by the Department; provision is made, in cases of this kind, not only for the imposition, but for the collection of fines by legal process. There are a number of other amendments by which, I think, when the Bill is before the House, the members will see that the law is, to a very great extent, simplified, and a large quantity—if I may use that expression—of words to express one idea in the old law, which appears to have been copied from laws previously in existence, for, perhaps, half a century, are struck out, making the meaning as plain as possible so as to protect the revenue, and to enable the Department to administer the law easier and better than has been the case in the past, and in the general interest of the trade. I shall ask the House, when this question is before them—as it affects the whole trade of the country—to consider it very carefully; and when we arrive at the different clauses, I trust, I shall be enabled to give such explanations as the House may require or desire.

Motion agreed to; and House resolved itself into Committee.

(In the Committee.)

Mr. BURPEE (St. John). I would like to ask the Minister of Customs whether when the Bill is introduced the old sections of the law will be placed in the margin for the purposes of comparison.

Mr. BOWELL. All the amendments proposed are contained in this Bill.

Mr. BURPEE. If I understood right, this is a consolidation of the Customs law, and the changes made might be noted in the margin. The hon. gentleman speaks of requiring certificates of officers of Customs, what will be done where there are no Customs officers, which is the case in many inland places.

Mr. BOWELL. I intended, and think I did say, that a certificate must be given either by some Customs official, or by some other official. The House will see, that to base the cancellation of a bond upon a certificate purporting to be signed by some respectable person, is no protection to the revenue whatever. My hon. friend's experience in the management of the Customs Department proved this at least, that it was impossible for him or any of his officers to tell whether these certificates were *bond fide* or not, particularly when coming from St. Pierre or from the different out-ports of Newfoundland. It is impossible for anyone to say, whether these certificates were *bond fide* or not, and in order to protect the revenue, it is absolutely necessary to make some provision, so as to have certificates from some person in an official position. I admit that, to a certain extent, it is a restriction upon that particular class of trade; but when the privilege is given to a merchant to ex-warehouse his goods free of duty after they have been in bond perhaps for months, and sometimes for

years, he should be asked at least to produce such a certificate of their landing in a foreign port as would be acceptable to the Customs. With reference to placing the amended sections in the margin, the changes are so voluminous in their character,—the Bill containing some 248 clauses—that the hon. gentleman will see that this is almost impossible; and as we have changed at least the larger number of the clauses, it will be almost impossible to act on the suggestion made by the hon. gentleman who has just spoken.

Mr. BURPEE (St. John). I know we had great difficulty in that respect, and I quite agree with the hon. Minister of Customs when he says it is necessary, as far as possible, to have a certificate given by an officer of the Customs. At that time I remember we had correspondence with the Customs officers of Newfoundland and with the officer at Halifax, and we had recommendations from the officers there to such persons as were thought capable of signing a certificate, and these came in turn to the officer at Halifax. I quite agree that if the hon. Minister can get an official of the Government it is better to do so than to have anyone else perform the service.

Mr. ROSS (Middlesex). I see the hon. Minister of Customs provides in the second clause for the granting of a rebate upon damaged goods paying specific duties. Will he be kind enough to tell us how he is to determine the question of damage—how it is to be ascertained, and with whom the final determination of the rebate rests? Is it with the hon. Minister himself or with the Department of Customs, or how?

Mr. BOWELL. The law, as it stands, makes provision for arriving at the amount of the damage done to any goods paying an *ad valorem* duty. We propose to word the clause so as to make the same principle applicable to goods paying specific duties; that is, if the goods are appraised for a certain amount, and it is found that they were damaged say to the extent of 50 per cent., then the specific duty would be reduced in proportion. Provision is also made that the appraisal of the goods shall be made either by the appraisers at the port, or by merchants appointed especially for the purpose. For the information of the hon. member for St. John (Mr. Burpee), I may say that it has been under contemplation—and we propose to enter into negotiation with the British Government with that object—to appoint, at our recommendation, what might be termed a Consul at St. Pierre. We know that great frauds have been perpetrated by goods being ex-warehoused and then brought back on certificates which may or may not have been manufactured, so far as I know. If we have an officer of our own we would insist on the certificates of that officer in all cases before allowing the bonds to be cancelled. I think the hon. gentleman had the same question under consideration when he was in the Department, but it was not successfully decided at that time; but I hope we will soon be able to settle it satisfactorily.

Mr. BLAKE. I hope that when the Bill is printed the hon. gentleman will take care that there is an indication on the margin of such clauses as remain unaltered, and that on the margin of those clauses which are altered, reference will be made to the clauses of the Acts which are amended. We would then be able to understand when we were dealing with an unamended clause of the original Act.

Mr. BOWELL. I will ascertain how far the marginal notes have been printed, and if not too late will act upon the suggestion.

Mr. BLAKE. The same arrangement was made with the Dominion Lands Act.

Mr. BOWELL. I think, however, the notes would require to be more numerous in this case.

Mr. BLAKE. No, I think not. The hon. gentleman has said, and said rightly, this Bill is one of great interest to the whole commercial community, and that being the case I hope it will be got through the printing department as fast as possible, so as to have it generally circulated before it is passed.

Mr. BOWELL. I have been promised it on Tuesday for circulation, but of course if the hon. gentleman's suggestion about the marginal notes is carried out, it will require some days more to have the Bill printed.

Resolution reported.

Mr. BOWELL introduced Bill (No. 34) to amend and consolidate the Acts respecting the Customs.

Bill read the first time.

#### KING'S COUNTY (P.E.I.) ELECTION.

On the Orders of the Day being called,

Mr. BLAKE. I observe that the Order for resuming the debate on the motion of the hon. member for West Huron, does not appear on the papers.

Mr. SPEAKER. It has always been the practice that when a debate takes place on a motion which does not appear on the paper, and the debate is adjourned, the order for the resumption of the debate does not appear on the paper as it still remains a question of privilege. If the debate had been ordered to be resumed at a particular time, then it would have appeared on the Order paper, but not otherwise. That was the practice followed in 1880, on motion regarding the Lennox election; the debate was adjourned, but the Order did not appear on the paper.

Mr. BLAKE. In consequence of its being a question of privilege?

Mr. MACKENZIE. Then it has precedence.

Mr. BLAKE. I believe an arrangement was made that the debate should not be resumed till Tuesday, to which, of course, my hon. friend the member for West Huron willingly assented.

Mr. SPEAKER. It can either be made an Order for Tuesday, or still remain a matter of privilege.

Mr. BLAKE. Better have it remain a matter of privilege on the understanding that it comes on Tuesday.

#### MONEY REQUIRED FOR THE PUBLIC SERVICE.

Sir LEONARD TILLEY, in moving the third reading of Bill (No. 21) to authorize the raising by way of loan of certain sums of money required for the Public Service, said: A question was asked by the hon. leader of the Opposition the other day, with reference to the agreement made, but I find it was laid before the House last Session,

Mr. BLAKE. Yes, I saw it. I would like the hon. gentleman to state what is the total amount of sinking fund applicable to this particular loan which is proposed to be redeemed. In his former statement he gave us only, as I understood, the figures of the amount of this particular loan which had been purchased out of the sinking fund and the loan; but of course it was not necessary that the whole sinking fund should be applied in these particular securities, and it may be that a portion of the sinking fund is in other securities. I would like to know how much we are going to issue afresh and how much in consequence of the reservation in the Bill, which authorizes only the difference between the sinking fund and the whole amount of the 5 per cent. loan. I have another suggestion which seems to me to deserve some consideration. The Bill says, "such additional sum or sums of money to be raised by way of loan," and reference is made to 35 Victoria and to 38 Victoria. Upon referring to 38 Victoria, which,

Mr. BOWELL.

among other things, authorizes the issue of stock, instead of debentures, I find what appears to me to be an error—perhaps a clerical error but still an important one. The Act says:

"The Governor in Council may authorize the creation, issue and sale of Dominion stock, bearing interest at the rate of 4 per centum per annum, under the same provisions under which he may authorize the creation, issue and sale of such stock bearing interest at the rate of 5 per centum per annum; and wherever in the Act, 35 Vic., Chap. 6, cited in the title of this Act, the words 'Five per cent. Dominion stock,' or the words 'Five per cent. stock' occur, the words 'Four per cent. Dominion stock, or' or 'Four per cent. stock, or' shall be understood as inserted before them respectively, and the provisions of the said Act shall apply equally to Dominion stock bearing either rate of interest."

But when I turn to 35 Victoria, I find that 6 per cent., and not 5 per cent., stock is mentioned, and consequently there does not seem to be any authority to issue 4 per cent. stock at all, because that authority depends on an Act authorizing what was supposed to be the issue of 5 per cent. stock, but which is in reality, as the Act is printed, 6 per cent. I would suggest to the hon. gentleman, that in the other Chamber he should take the necessary steps—if my interpretation of the Act be correct—to insert an amending clause making it clear that he has power to issue 4 per cent. stock, which I do not think he has now.

Sir LEONARD TILLEY. I am not aware; I did not examine the Act carefully. I think the only difference was that the subsequent Act had reference to 5 per cents instead of 6 per cents. It just became a question whether it was necessary to have legislation in order to exchange these particular loans. It was thought possible that we might have power under the Act; but on the whole we thought it better to come and ask for the authority without reference to the Act. I think there are about £400,000 of 5 per cent. securities held as security for other loans, in addition to the sinking fund of this particular loan. However, I will look into the matter, and, if there is anything in the hon. gentleman's suggestion we will have the Bill amended in the other House.

Mr. BLAKE. Perhaps the hon. gentleman will take a future opportunity to inform the House how much of the sinking fund belongs to this particular loan.

Sir LEONARD TILLEY. I will do so.

Bill read the third time.

#### PREVENTION OF FRAUD IN RELATION TO PUBLIC CONTRACTS.

On the Order for the House to go into Committee on Bill (No. 5) for the better prevention of fraud in relation to contracts involving the expenditure of public moneys, being read,

Mr. CASGRAIN. According to the agreement we came to yesterday, I move that this order be discharged, and that the Bill be referred to a Select Committee, composed of the following gentlemen, whose names have been given to me by the leader of the Government: Messrs. Amyot, Cameron, (Huron), Casgrain, Costigan, Girouard (Jacques Cartier), Kilvert, Rykert, Tupper (Pictou), and Weldon. Of course since I had to agree to send the Bill to a Select Committee, I cannot help accepting the names given to me, but I must remark that there is too great a preponderance of the supporters of the Government upon it. I thought that a Committee, consisting of four Government supporters and three members of the Opposition, might have been satisfactory. However, I will accept the Committee, as the hon. gentleman is all powerful at present.

Sir JOHN A. MACDONALD. We will not quarrel about the numbers. It is not a political question. The House has adopted the principle, and a Committee will report upon it.

Order discharged, and Bill referred to a Select Committee.

## TRIALS BEFORE COUNTY JUDGES.

Mr. ROBERTSON (Hamilton) moved the second reading of Bill (No. 11) to amend the law in reference to trial of cases before the County Judges' Criminal Court.

Mr. CAMERON (Huron). I think the hon. gentleman ought to give some explanation of the principle of the Bill, and the necessity of introducing it into Parliament. If, however, he proposes to refer it to a Select Committee, where it can be carefully considered, I for one will not object to the second reading. I think changes of this kind should not be made hastily, and I trust the hon. First Minister will see that it is referred to a Select Committee.

Mr. ROBERTSON (Hamilton). I have no objection to the Bill being referred to a Select Committee, but I do not think that is necessary. The object of the Bill is to extend the law in the direction indicated by the Act. At present, a person in Ontario or Quebec, charged with a crime triable before the Sessions, may, if he is committed to gaol, choose to be tried summarily, before the County Judges Criminal Court in Ontario or before a Judge of the Province of Quebec. There are many cases, in which persons are not committed to gaol for trial, but are bound over, and I submit that they also should have the right to be tried summarily if they choose. If the evidence against an accused person is very strong, the chances are in ninety-nine cases out of every hundred, that he will be committed to gaol; but if the evidence against him is slight the magistrate binds him over to answer the charge before the next court of competent jurisdiction, in which case he cannot have a speedy trial unless he chooses to surrender himself in discharge of his bail and go into close custody. Now I submit that that is a case in which a person should have the right to say: I will waive the right to be tried by jury, and would prefer being brought before a County Judge out of Session without a jury. That is the object of this Bill. It merely extends the law as it now is to cases where persons are bound over, and not committed for trial. I do not see, myself, there can be any objection at all to it. I have had numerous communications from not only County Judges, but from Crown Attorneys in Ontario, and they all approve of this proposed amendment. I have no objections whatever to refer the Bill to a Special Committee, but really it appears to me the principle is so well understood from our experience in the working of the law, as it now stands, that there is no reason why it should not be extended.

Sir JOHN A. MACDONALD. If my hon. friend will send his Bill to a Special Committee, I have no objection to the second reading; otherwise I have. I have rather a strong opinion against the extension of the principle of allowing persons to choose their own courts, and get rid of the publicity which ought to follow crime, and publicity is one of the preventatives of crime. I am strongly against the extension of the principle which would enable the party who has committed a crime, to avoid public shame, and cover up his crime as much as possible by getting a summary judgment against him in a private way. I will not oppose the second reading if my hon. friend will send the Bill to a Special Committee.

Mr. BLAKE. There is no doubt whatever that what the hon. gentleman has said is true, that a public trial is a deterrent. There is no doubt also that publicity in the trial itself is an important element in the thoroughness of the trial and the justice of the result. Things are done in a more solemn manner under the public gaze than in many of these County Court trials, where a man is brought up early in the morning and tried, perhaps in the Justice's room, accompanied by a policeman and with a counsel on each side. Everything is slurred over, and the expedition with which the trial takes place, favors especially the old

criminal. He goes in under an *alias*, and it is very much better for him to get a speedy trial and plead guilty, rather than wait for the Assizes, because he gets only the mitigated penalty that applies to the first offence, when, if there were delay and further efforts made to ascertain his identity, he would get a much severer penalty. This has been the case very frequently. We have seen men convicted on the first offence, who, had their record been known, would have been convicted upon the second or third offence and sent for a long term of years to a penitentiary, both in the interests of society and in their own interests, as a last hope for themselves for reform. I throw out the same suggestion to the hon. gentleman opposite, as important for the consideration of those entrusted with the criminal law, that something should be done to give a greater measure of publicity and solemnity to trials, as was embraced in the measure I took the liberty of moving, with but scant success, two or three years ago in this House, with the view of giving facilities for the identification of men once convicted, so that they might in future receive the increased penalty that the interests of society and themselves demanded.

Mr. ROBERTSON (Hamilton). It appears to me evident, while I agree to a very great extent with the arguments made use of by the right hon. leader of the House and the hon. member for West Durham, that their remarks are more applicable to the man who is charged with a crime and is committed for trial, than to the individual I seek to reach by my Bill. As I said before, the presumption in the first place is that a man is innocent until proven guilty, and in the second place when the magistrate, after having heard the case in the preliminary examination, finds that the evidence is so weak, that he does not feel justified in committing the prisoner to jail and refusing bail, there is no reason for refusing the speedy trial, provided for in my Bill. I agree with almost every word that has been said with reference to the desirability of giving those trials more publicity. I believe it is very desirable that something should be done in the direction of making these speedy trials as public as possible. I know from experience scores of people who were hardened criminals, generally speaking, who would choose to be tried in the quiet way in which they are tried before the Judges of the Criminal Courts, rather than be tried before a jury, on account of publicity. It appears to me that is a reason why the law, as it now stands, should be amended in the direction suggested, by making these trials more public or else abolishing them altogether. The motive I have is that we may reach the parties who are not so likely to be guilty, as the parties who are committed. However, if the Bill is referred to a Special Committee, I hope to show to that Committee, and through it to the House, that, in consequence of the law standing as it is, there is good reason for this Bill.

Sir JOHN A. MACDONALD. We are pretty well agreed as to the necessity of having more publicity to these trials, and that summary trials of this kind are not to be encouraged. The more we consider the question, the more we see the importance of publicity as a deterrent to crime. I would suggest, therefore, that the hon. gentleman should read his Bill a second time, and allow it to stand for a Committee of the Whole on Monday; and that between now and then a carefully selected Special Committee should be named, to which would be referred not only this Bill, but the consideration of the whole question of summary trials.

Bill read the second time.

## CONSOLIDATED RAILWAY ACT, 1879.

Mr. MULOCK, in moving the second reading of Bill (No. 15) to amend the Consolidated Railway Act, 1879, said: The object of the Bill is to prevent, what is now going on

in Ontario to a large extent, the practical amalgamation of railways. Whilst we know that railways, without special power, are not entitled to lease other roads or to be leased, or amalgamate with other railways, still by the Consolidated Railway Act they can, at least, for twenty-one years, part completely with their independent character. In the Province of Ontario we have seen this power exercised in a way which was certainly not in the interest of the country nor in good faith with the people, who were served by the railways. We have seen railways incorporated and aided by the public on the supposition and on the distinct representation to the people, that they were to be competing lines, and to have an independent existence. With that understanding large sums of money have at various times been voted by the people as bonuses to such railways. In illustration of this statement, I may refer to at least one railway. The Hamilton and North-Western Railway was brought into practical existence on the representation to the people that they would have for all time a competing line. No sooner, however, was it nearly constructed than it entered into a pooling arrangement under the provisions of the Consolidated Railway Act, whereby it has pooled with the Northern Railway for a period of twenty-one years, thereby defeating the very object which the people had in view in voting a large sum of money to its aid. Now, I do not propose to prevent pooling if such pooling is clearly in the interest of the public, but there are two parties to be considered, the proprietors of the railways and the public. The franchise coming as it does from the people through Parliament, they have a right to be heard before such franchise is destroyed. Much more have they this right in cases where public monies have been given in aid of railways. Therefore, I suggest that the consent of the Government of the day shall be necessary, and without it no amalgamating arrangement shall be valid. At present in amalgamations that take place only the proprietors' consent is required and the public have no voice in it. My proposition is that the Government shall consider all such schemes before they take place, and only sanction them when they are not opposed to the public interest.

Sir JOHN A. MACDONALD. I suppose the hon. gentleman proposes to refer the Bill to the Standing Committee on Railways.

Mr. MULOCK. I suppose that would be the proper course to adopt.

Bill read the second time.

#### IMMIGRATION AND NATURALIZATION OF GERMANS.

The Order being called for resuming the adjourned debate on the motion of Mr. KRANZ, for copies of all correspondence between any member of this House or other persons and the Government, in relation to the naturalization of Germans; also, in relation to German immigration, the appointment of Emigrant Agents in Germany, and the affording of reliable information about Canada to intending emigrants; also, a copy of the Report and all correspondence with the German delegates who visited the North-West Territories in 1881; and the question being put,

Motion agreed to.

#### NATURALIZATION ACT OF CANADA, 1881.

Mr. WELDON enquired, Whether it is the intention of the Government to issue a proclamation putting in force the Naturalization Act of Canada, 1881, and when?

Sir JOHN A. MACDONALD. I may say that the proclamation has not yet been issued, because correspondence has been going on with the Imperial Government, and we

Mr. MULOCK.

expect shortly an answer to the last communication long since sent to the Imperial Government on the subject.

#### ELECTORS RETURNED BY THE CENSUS OF 1881.

Mr. FISHER, in moving for a statement from the records of the Census of 1881, showing the number of males over twenty-one years of age, in each Electoral Division returning a Member to this House, as constituted at the time of the General Election of June last, said: In making this motion it may be proper for me to explain why I ask that the time at which these figures would be placed in our hands by the ordinary issue of the volumes of the Census should be anticipated. By referring to the Census of 1871, I find that the figures corresponding to those I now ask for are in the second volume of the Census of that year, and I suppose they will appear in the second volume of the present Census. I also observe a statement in the newspapers, which I believe to be correct, that the issue of the second volume will be postponed till after the completion of the third, and, therefore, I suppose that we can hardly get the figures before the end of this Session of Parliament. The Government has proposed to introduce legislation in regard to the franchise at this Session of Parliament, and I believe that these figures are essentially important for the due consideration of that question. My object in asking for these figures now is in order to establish a comparison with returns asked for a few days ago, and ordered by this House, at the request of the hon. member for West Durham. I think it is of interest to this House and the country at large that the proportion of adult males in each constituency of the Dominion to those of the voters in each constituency, should be known before discussing any question in regard to the franchise; and it is especially desirable to know what proportions exist between the urban and rural constituencies. I do not ask for any detailed statement, but simply one figure for each constituency in the Dominion, and I trust that the Government will be able to afford the desired information.

Mr. POPE. I would say to my hon. friend that what he asks for is utterly impossible this Session. He is quite right in his reference to the newspapers. The first volume contained the population by religion, origin and birth-place of all the electoral districts, cities and towns, and that the hon. gentleman has already before him. It was thought by the Department that it would be more satisfactory to the country and to the House that the third volume should be next issued, that volume containing property, shipping, lands, animals and their products, and products of the field, the farm, the forest, fisheries, mineral products and industries. That volume will be out during the present Session; but I may say to the hon. gentleman that it will be utterly impossible to get out the second volume for the next three or four months. The second volume will be issued probably by October next, which will complete the Census. We could not facilitate its issue very much, or get it out very much earlier than that. I hope, therefore, the hon. gentleman will withdraw the motion.

Mr. BLAKE. The hon. Minister has totally misunderstood the object of the motion. The motion was not that the hon. gentleman should bring down the second volume of the Census. The motion is simply for a statement of one set of figures for each constituency, which figures are to appear in the third volume.

Mr. POPE. I did not misunderstand it.

Mr. BLAKE. Then, I cannot say what the hon. gentleman did; but he did not accurately state what the motion was. It was not to bring down the second volume of the Census, but only to bring down one set of figures. It may be, of course, that the tabulation of those portions of the

Census are in such a condition that the hon. gentleman cannot bring down the figures asked for. If so, the hon. gentleman's answer is so far complete; but I want it to be distinctly understood that the request is simply to ascertain what is the number of adult males in each constituency, and that simple piece of information cannot be obtained during the Session. If it cannot be obtained, it is much to be regretted that, without informing the House, as to the intention of the Department, its course should have been altered. The hon. gentleman may be quite right in his opinion that the subjects contained in the third volume are more interesting than those in the second, but it is a pity that when he was about to alter the regular course, he did not take the House into his confidence last Session, and announce that he was about to place the cart before the horse, and issue the third volume before the second.

Sir JOHN A. MACDONALD. There is no question of placing the cart before the horse. All the hon. gentleman proposes to do is to issue the third volume before the second, and it is quite clear that the information to be given in the third volume is more important than that in the other volume. I do not really see that a return of the number of males over twenty-one years in each electoral district, or the casual proportion between adult males and infant males in any given electoral district can in any way effect the general principle which must govern any Franchise Bill for the whole Dominion.

Mr. POPE. The hon. member has placed in my mouth words which I did not utter. I did not say that the motion was for the second volume of the Census; but what I did say was, that the information asked for cannot be brought down during this Session, and that it is useless to ask for it, because it cannot be brought down sooner than such time as the second volume is issued.

Motion withdrawn.

#### THE MARITIME COURT.

Mr. CAMERON (Huron), in moving for a return of all correspondence between the Judge or any of the Judges of the Maritime Court of the Province of Ontario and the Government, respecting the rules, practice and procedure of said Court, and the simplification thereof; and the fees and charges now taxable in said Court; also, copies of any amended rules, or proposed amended rules, to the 1st of January, 1882, said: I wish to draw the attention of the Minister of the Marine Department to the fact that in May, 1879, a return was brought down in answer to an address from this House, showing the number of cases disposed of by the Maritime Courts of the Province of Ontario, the expenses connected with the trial of those cases. This return, however, was very imperfect, and a good deal of the information sought for was not submitted to Parliament at all. During the last Session of last Parliament, I moved—on the 20th February—for full information on this subject; but, no return has been brought down, of which I am aware, in answer to that address. I thought it desirable, and I think others who take some interest in this Court, which was established a few years ago, were anxious to get information which I sought to get by that return. I should like to know the reason, why it has not been brought down. It is not a voluminous return. It cannot take much time. The information is important to get, in view of the fact that some members of the House propose some amendments to the Bill or Statute creating the Maritime Court for our Province. Now, it is well known that the law, when it was first passed, was an experiment. How far that experiment has worked satisfactorily, is a problem that can only be solved by getting this inform-

ation. I pointed out, when I made that motion, that the object of the law was to give sailors a speedy and inexpensive remedy for the collection of their wages. I pointed out that instead of it being a simple and inexpensive mode, it was, on the contrary, a very expensive mode. It was a tedious mode. The rules by which the rights of sailors and other litigants are protected, are exceedingly cumbersome. I pointed out that these rules were something like 300 in number; that the Statute itself was not a very short one; that each of these rules had the force of a statutory enactment, and that altogether it was a very expensive and a very tedious process by which parties, who sought to acquire their rights through the jurisdiction of the Maritime Court, were put to. I pointed out this, that in one case where the amount involved was some \$350, the expenses were over \$1,000. I pointed out that in another case where the amount involved was \$200, the expenses taxed to the plaintiff were \$354 and odd, and the expenses of the defendant were somewhere about the same sum, in all, some \$700, to recover a claim of about \$200. I pointed out in another case, which involved some \$110, that the costs were some \$300, and that the counsel fees, allowed by the Judge to the solicitor for the plaintiff, were \$110, in a short, simple little case involving altogether the amount of \$110. I pointed out that this state of things should not exist, and so far as I understood from the short discussion which then took place on the subject, it was admitted on all hands that the law required simplification; that the rules ought to be simplified; and that the costs ought to be reduced to a very considerable extent. Now, what I wish to know, by the present motion, is whether or not the Government have taken any step in that direction; whether the rules have been simplified; whether the costs have been reduced, and whether a new tariff of fees has been established; or whether the Government have taken any steps whatever with the view of remedying what I believe to be a gross outrage, to use no milder term. It was, I think, Sir, understood last Session, that some attempt would be made to simplify these rules, with the view at all events of enabling sailors to recover claims, where their claims were for small sums, in a cheap and inexpensive way, and in some short and summary way as well. Now, I may mention to the Minister of Marine and Fisheries that, in our Courts in the Province of Ontario, claims up to \$200 can be recovered in a very expeditious mode, and at very little expense, by Division Court process. There is no reason in the world why some process of the same kind should not be applied to the Maritime Court, where the amount concerned is a small sum. Now, there is another point to which I wish to direct the attention of the Government. There is no appeal now from the judgment of one of the Judges of the Maritime Court, except to the Supreme Court. Now, I say that is a grievous wrong too. I have no ground of complaint against the Judges of the Maritime Court, as a general rule; but we know that some cases come before the Judges of this Court, with respect to vessels, in which there are complicated points of law and of fact—questions with which they have not been accustomed to deal in the Division Court, and in the County Court; and it does appear to me that where a man thinks he is aggrieved by the adjudication of the County Court, he should have redress, by an appeal to the Court of Appeal, in our own Province, without being driven to the necessity of appealing to the Supreme Court of the Dominion of Canada. Now, I trust, that these points have been engaging the attention of the Government, or will speedily engage the attention of the Government, that they will direct their attention to remedying as far as possible the wrongs we complain of in this respect.

Motion agreed to.

## MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Return of the advertisement for construction of the breakwater at Port Lorne, N.S., and the several tenders therefor; the party to whom the contract was awarded, and the amount of such contract.—(Mr. Weldon.)

Return of the number of causes tried at each of the County Courts of the Counties of King's and Albert, since the first of June, A.D. 1882; with the amount of verdicts and judgments entered thereon.—(Mr. Weldon.)

Return of all tenders submitted for the construction of the freight sheds and warehouses at the Intercolonial Railway Depot, St. John, N.B., for the foundations, brickwork, masonry, and other work connected therewith; the names of the several contractors, and the amount of each contract; the number and names of the Superintendents and Overseers of the work, and the amount paid for their services.—(Mr. Weldon.)

Return of the several amounts paid for damages for lands taken on Mill and Pond streets, in St. John, New Brunswick, for the Intercolonial Railway; the names of the Arbitrators appointed to appraise the land and the compensation paid to them; the several awards made by them and the evidence upon which the same were founded, and the several parties to whom the amount of such awards was paid.—(Mr. Weldon.)

Return of the advertisement for the contract of the building of a steamer to replace the *Glendon*, the several tenders therefor, to whom the contract was awarded, and the amount of such contract.—(Mr. Weldon.)

Return of the tenders for the re-building of the lighthouse at Quaco, New Brunswick, and to whom the contract was awarded, and the amount of such contract.—(Mr. Weldon.)

Copies of all correspondence, Orders in Council, and other documents respecting a grant for the winter service performed on the St. Lawrence, between Murray Bay and Rivière Ouelle, by the steamer *Fulger*; also, a statement of the sums paid, or to be paid, by the Dominion Government for that purpose.—(Mr. Blondeau.)

## STATE OF PUBLIC BUSINESS.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Mr. BLAKE. Before the House adjourns I would like to ask the hon. gentleman at what period it is proposed to bring down the more important measures mentioned in the Speech from the Throne, and particularly the Franchise Bill and the License Bill; also at what time we may expect the financial statement. I am quite aware that hon. gentlemen have been very much engaged in the affairs of Ontario and New Brunswick for some time back, and I am also aware that the affairs of Manitoba and Prince Edward Island are also engaging their attention; but I hope that, before very long, we may expect them to devote some attention to the affairs of Canada.

Sir JOHN A. MACDONALD. Unlike the hon. gentleman, if we do pay attention to these other affairs, we do not do so to the exclusion of everything else. I may say, however, that we will bring down these measures very soon.

Mr. BLAKE. How soon?

Sir JOHN A. MACDONALD. Very soon indeed.

Motion agreed to; and (at 5:30 o'clock p.m.) the House adjourned.

Mr. CAMERON (Huron).

## HOUSE OF COMMONS,

MONDAY, 5th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 47) to revise and amend certain Acts respecting The Union Assurance Company of Canada, and to change the name of the Company to the Crown Assurance Company of Canada.—(Mr. Beatty.)

Bill (No. 48) to incorporate the Wood Mountain, Qu'Appelle and Prince Albert Railway Company.—(Mr. Beatty.)

Bill (No. 49) to incorporate the Dominion Phosphate and Mining Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 50) to amend an Act respecting the Credit Valley Railway Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 51) to amend the Act to incorporate the Chignecto Marine Transport Railway Company, Limited.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 52) to incorporate the Brant County Bank of Canada.—(Mr. Paterson, Brant.)

## BILL IN COMMITTEE.

The following Bill was considered in Committee and reported:—

Bill (No. 16) to incorporate the Central Bank of Canada.—(Mr. Small.)

## SECOND READINGS.

The following Bills were read a second time:—

Bill (No. 29) to incorporate the Bank of London in Canada.—(Mr. Dawson.)

Bill (No. 36) to amend the Act incorporating the Kingston and Pembroke Railway, and the Act amending the same.—(Mr. Gunn.)

Bill (No. 42) to amend and continue in force the Act incorporating the Grafton Harbor Company, and for other purposes.—(Mr. Guillet.)

## REPORT.

The following Report was laid on the Table:—

Report of the Postmaster General for the fiscal year ending 30th June, 1882.

## MONEY ORDER ARRANGEMENTS WITH EUROPE.

Mr. COURSOL enquired, Whether it is the intention of the Government to effect any arrangement with the various nations forming the Postal Union, with the object of placing at the disposal of the public, post office money orders on France, Belgium, Italy and Germany, with the view of promoting trade, and assisting those immigrants who are desirous of sending money to those countries, and receiving it from them?

Mr. CARLING. I beg to say that correspondence is now going on with the different countries mentioned with the object of carrying out the view put forward by the hon. gentleman.

## LETTER POSTAGE.

Mr. AUGER enquired Whether it is the intention of the Government to introduce, during the present Session,

a measure reducing the postage on letters to two cents, in view of the adoption of a like measure in the United States?

Mr. CARLING. It is not the intention of the Government to bring down, during the present Session, a measure to reduce postage rates.

#### CABLE FROM BARRINGTON TO CAPE SABLE ISLAND.

Mr. ROBERTSON (Shelburne) enquired, Do the Government propose to extend the telegraph line from Barrington to Cape Sable Island Lighthouse this year, and have any arrangements been made for the manufacture of the necessary cable?

Sir HECTOR LANGEVIN. Arrangements had been made to obtain a cable, but on the way to Canada the cable was lost. A new cable has therefore been ordered.

#### FOG-WHISTLE AT SHELBURNE HARBOR, N.S.

Mr. ROBERTSON (Shelburne) enquired, Whether it is the intention of the Government to proceed during the present year, with the erection of a fog-whistle at the entrance of Shelburne Harbor, Nova Scotia, for which provision was made in the Estimates during the last Session; and if so, is it to be one similar to those erected at Sambro and Yarmouth?

Mr. McLELAN. A fog-whistle will be placed there as soon as the spring opens. It will not be the same as that erected at Sambro. A delay occurred last year on account of the maker not being able to get it placed in position during the season of navigation.

#### CIVIL SERVICE EXAMINATIONS.

Mr. KILVERT enquired, Is it the intention of the Government to cause an examination, under the Civil Service Act, to be held in the Province of Ontario at an early day; and if so, when?

Sir HECTOR LANGEVIN. The present intention of the Government is to have an examination in June; but an amendment Bill will come down soon and perhaps some change will be made in the time of holding the examination.

#### RAILWAY CROSSING AT ST. PETER'S ROAD, P.E.I.

Mr. DAVIES enquired, Whether the attention of the hon. Minister of Railways has been called to the dangerous state of the railway crossing on the St. Peter's Road, Prince Edward Island, and to the serious accident which occurred there last winter, and whether he intends having a bridge built over that crossing, or having other means adopted for the protection of the travelling public at that place.

Sir CHARLES TUPPER. This question, I think, is not in conformity with the rules of the House. I object to the statements of opinion here made.

Mr. SPEAKER. In questions to be put no argument or opinion is to be offered, nor any fact stated except so far as may be necessary to explain the same. As perhaps there may be two opinions as to whether the crossing is "dangerous" and the accident was "serious," I think those two words should be omitted.

Sir CHARLES TUPPER. If the hon. gentlemen will renew his question in that shape, I will answer it to-morrow.

#### THE CASE OF JULIE BOISVERT.

Mr. COURSOL enquired, Has the Government definitely considered and decided on the petition of the citizens of Montreal for the release of Julie Boisvert, now confined in the penitentiary?

Sir JOHN A. MACDONALD. I may mention, for the information of my hon. friend, that enquiries have been made and reports obtained from the medical officer of the penitentiary, from the warden, and from the Chief Justice who tried the case; and, after considering all the reports, the hon. Minister of Justice has not thought fit, within the limits of his duty, to recommend the release.

#### CANADIAN PACIFIC RAILWAY.

Mr. BLAKE moved for—

(1.) Copies of the official memorandum of the Canadian Pacific Railway Company, dated December 12th, 1882, describing its position and prospects.

(2.) Of the advertisement published thereafter by the Company asking for subscriptions for its increased Capital Stock.

(3.) Of all memoranda issued in connection therewith.

(4.) Statement showing the amount of the subscribed stock of the Company prior to the authorization for the increase of its Capital Stock from \$25,000,000 to \$100,000,000, and of the amounts paid up on such subscribed stock with the date of each payment in cash, and also the amounts (in any), satisfied by the acquisition of property or otherwise, specifying in such case, the consideration therefor and the amount of stock given and the date.

(5.) Statements of the amounts paid out of the capital for interest on such Capital Stock, and the rate of such payment.

(6.) Statements of the facts as to the acquisition by the Company of the Canada-Central Railway, and of the Montreal, Ottawa, and Occidental Railway with dates.

(7.) Statements of the facts as to the acquisition by the Company of any interest in the Credit Valley Railway and the Ontario and Quebec Railway.

(8.) Statement of the various matters required to be returned under the Consolidated Railway Act, 1879, and amendments thereto, separately as to

1. The line of Railway provided for by the contract with the Canadian Pacific Railway Company, and

2. The branches and extensions built or acquired by the Company.

(9.) Statement of the total sum expended up to the 1st of February, 1883, by the Company under their contract,—

1. For works of construction on the line contracted to be built by the Company as specified in the contract.

2. For rolling stock for the line of the Canadian Pacific Railway as specified in the said contract.

3. For works of construction on extensions and branches not embraced in the Railway specified by the contract.

4. For rolling stock for all extensions and branches not embraced in the Railway specified by the contract. And of the receipts of the Company up to the same date, on account of—

1. Cash subsidy.

2. Land grant bonds.

3. Bonuses.

4. Land sales or transactions not embraced in the operations connected with land grant bonds.

5. Number of acres of land subsidy.

6. Amounts of bonuses agreed for though not paid.

He said: The motion of which I have given notice and in which I propose that the House should ask for several items of information, with respect to the Canadian Pacific Railway, is directed to the investigation of one of the questions which we regarded as a very serious one at the period when the contract was entered into, and which I think subsequent events have indicated to be quite as serious as was then apprehended. I refer to that measure of control over the monopoly that was given, and which, it was asserted, would be obtained by the Government reserving the power to regulate the tolls, provided they return a profit to the Company of not less than 10 per cent.; and the information asked for—I say directly that the investigation into the practical working, as far as our experience up to this time—shows what will be the effect of this clause, not so much at all with reference to the rates which have been authorized; not so much at all with reference to the earnings that have been obtained; not so much at all with reference to the profits on the working of the line, which have been realized by the Company; but the question is based on the capital, upon which the calculations have to be made, in order to regulate the tolls to be charged, and to ascertain the powers which are given with reference to the 10 per cent. that can be collected under the Act. The general law, Sir, very wisely provides certain powers to be exercised between the Government and these corporations,

with reference to the tolls, that can be levied by railway companies; and there are for this two reasons, I presume: 1st, because these companies have received valuable public franchises, and it is consequently fitting that they should be, in a certain measure, under public control, owing to their responsibility to the public due to the granting of such franchises; and 2nd, because all railways are, to a certain extent, monopolies. Between way stations—non-competitive points—they are practically monopolies, being free from the restraints caused by competition. These two objections I presume, induced Parliament to confer on the Government the power to retain certain powers necessary to secure the due regulation of the profits by these companies from the prosecution of their enterprises. These objections, of course, apply with infinitely greater force to the great railway with which this motion deals: 1st, because that railway was to be constructed largely—it was admitted and as many contended—at the public cost, not at the private cost of those who were about to receive the charter; and 2nd, because many special privileges and advantages were sought for; and, while it was actually a statutory monopoly, the nature of the line rendered it for a long period of time an actual monopoly over a considerable part of the country through which it ran. Obviously something more—and it was reasonable that something more should be demanded than was insisted upon in ordinary cases. Well, a safeguard was suggested to prevent the dangers apprehended from the exercise of a monopoly, and the only safeguard which was suggested was the power taken by the Government for the regulation of the tolls. When the original contract was presented it was contended that this power was entirely illusory; but under the circumstances it is well to refer to the record, and see exactly what it was that we contended, while the debate was going on, was the effect of the proposition which the Government laid before the House. I said on the 15th of December:

“So that while the Governor in Council has, as applied to other railways, an absolute power to reduce the tariff of tolls at any time, the Governor in Council, as to this railway, cannot reduce any tariff of tolls unless to a point at which they will produce not less than ten per cent. per annum profit on the capital actually expended in the construction of the railway. And is it because it is not the Syndicate's money—is it because it is our money—on which the ten per cent. is to be paid, that they are to be secured, while private capital is exposed to a lower dividend? Why is it that they are not to be subject to the Order in Council to as full an extent as all other railway companies are subject? Why is it that the power of the Governor in Council is limited to this ten per cent.? Now, let us discuss this ten per cent. a little. The hon. gentleman ventured the suggestion the other day that this was on the Company's own private capital, but he will not find that suggestion borne out. I shall be very much pleased if the hon. gentleman is able to obtain a declaration from the members of the Syndicate, that what is intended is, that they are to get not less than ten per cent. of the money they themselves put into the railway. That nothing that comes from the country—that the Thunder Bay branch, for instance, is not included—that the railway in British Columbia or the Pembina branch is not included—that the proceeds from the sale of lands is not included—that only that, which, after the public resources are exhausted, they take out of their own pockets, is to bear this ten per cent. If the hon. gentleman will say so, he will remove a large part of my objections to this contract. But he cannot say so; it is not the agreement; it is not the contract; it is not the law. If this contract passes in this shape, the capital, no matter from what source—though it represents the money we have put in, and the money we are going to put in, and the proceeds of the land we give—is the capital spent on the whole of that undertaking, called, by the Act the Canadian Pacific Railway, which is entitled to bear ten per cent. And if you say that I under-estimate the cost of the road; if you tell me, so as to make out that they have got a worse bargain, that the road is going to cost them \$120,000,000, then they can take \$12,000,000 a year in tolls, and that without expending even for a brief space more than \$5,000,000 of their own capital. They are first of all to take enough of the profit out of the middle and paying part to work that part, and then they are to take profit enough to work the British Columbia end and the Lake Superior end, and after they have taken enough to pay the working expenses of the whole line, after having taxed the farmers of the North-West with enough money to pay the working expenses of the whole, they are then, after all, to set the profit at what rate they please to put it. Call the cost of the road \$90,000,000, that is \$9,000,000 direct profit. Call it \$120,000,000, that is \$12,000,000 a year before you can

Mr. BLAKE.

reduce tolls once established. It is contemplated they shall get ten per cent. interest. You make a provision that their rate of profit shall not be less than ten per cent. in effect so far as you can make that provision. Besides, you will fix these tolls, in the first instance, with reference to the larger running expenditure that will exist and smaller returns that may at first exist. The Syndicate will reasonably say, fix a toll at a rate which will make the railroad pay or help to pay under existing conditions. You fix it, and once fixed you can never alter it until the day arrives at which the Company is getting \$9,000,000, or \$12,000,000 a year profit, after paying all the expenses of the road. Nor is that all. The hon. gentleman has taken the Union Pacific as his standard, and there may be a construction company, there may be a Canada Credit Mobilier, there may be arrangements which would easily swell the nominal capital account to the \$150,000,000, so that it may appear that the \$150,000,000 had been expended on the construction of this railway, though it may have cost only \$90,000,000 to construct it. The hon. gentleman has himself told us how men are deceived. He, the man who is chiefly responsible for the making of this contract, who submitted it to Parliament, who inserted this clause that the Union Pacific should be the standard, actually did believe that the Union Pacific did cost the \$130,000,000 he mentioned. I have shown you it cost nothing like that sum, that the amount was a nominal one made up by fraud, by all the devices that can be resorted to in such cases. If the hon. gentleman did not know that the cost of the Union Pacific built as it was, as I have said, was much less than the nominal cost, how will his friendly eyes ever open to the conception that it is possible a similar result may be reached in the case of the Canadian Pacific Railway.”

Once again, Sir, at a much later stage in the debate—on the 18th of January—referring to a very recent report of the New York Board of Trade and Commerce, and reading an extract from that report, which is as follows:—

“An illustration of the workings of this policy is found in the present situation of the New York Central and Hudson River Railway. The earnings for the past year were nearly 12 per cent. net upon its grossly inflated capital, besides adding largely to equipment, which was charged to operating expenses. It is now reported in Wall street that a further inflation of its capital is to be made under the guise of a consolidation with the Lake Shore road. In 1867 and 1868, \$47,000,000 of watered stock were added to the capital of the New York Central and Hudson River Railway, upon which regular 8 per cent. dividends have since been paid, and these dividends upon that water, with the interest thereon, compounded annually for 13 years, now amount to over \$75,000,000, while the stock itself is quoted in the market at \$150 per share. In other words, if instead of watering the stock of these roads in 1867 and 1868, Mr. Vanderbilt had reduced the rates for transportation to a point which would have yielded 8 per cent. net upon the then outstanding capital, the public would at the present time have been \$75,000,000 better off, and \$47,000,000 of stock, which cost only the paper and ink with which it was printed, and which is now quoted at \$150 per share, would not now be in existence and form a pretext for further taxing the industry and commerce of this State and country for all time to come.”

Well, at a later stage in the debate, Mr. McDougall, then member for Halton, reiterated these difficulties which had occurred to many minds, as to the true construction of the contract, and stated his own opinion to be that which had before been expressed in various quarters of this House: that as the contract stood it was the whole capital which was spent in the construction of the railway—namely, from whatever source it came—that was to bear the dividend; but on that occasion, the hon. First Minister, much later on, announced to the House formally, that the Government and the Syndicate adopted a different view, and that the business was to be rectified; and declared that the Consolidated Railway Act was to be amended in the course of the then Session, in such a manner as to secure the country against such a construction, and to provide for this construction, namely, that the 10 per cent. profit was to be only paid upon the amount actually invested by the Syndicate in the building of the road. That, I understand to be the substance of the hon. gentleman's declaration. Now, of course, we met that question, so far as it was possible to meet it by declarations, and at a subsequent stage, however, before we reached the Consolidated Railway Amendments Act, I took leave to point out, on the 31st of January, when the hon. the Minister of Railways was carrying the Bill based on the contract, through the House, that:

“There was a very important omission in the Bill which he thought could be remedied consistent with its provisions, viz.: that specific and detailed accounts of the operations connected with the various departments of the Pacific Railway should be submitted to Parliament. No doubt Parliament possessed the power, with respect to this corporation,

as to any competition at this time or at any time, to demand various accounts and statements. Experience on the other side of the line had shown that this was exceedingly important with reference to the question of calculating what was the capital of the Company and what were the tolls. The utmost difficulty was experienced in obtaining a statement as to what was the actual cost of the Union Pacific, particularly with respect to this question of tolls, and three or four commissions were appointed to ascertain the facts. A clause should be inserted in the present Bill compelling the Pacific Railway Company to bring down, within fifteen days of the opening of each Session, a detailed account, showing what the receipts were from the Government subsidy; 2nd, profits from land sales; 3rd, from other sales; what the expenditure was on capital account, on construction, and also on administration of the land."

The hon. Minister met that suggestion by saying that he would not amend the Bill for that purpose, but would introduce into the amendment of the Consolidated Railway Bill clauses of a general character, and perhaps some containing a specific reference to the Canadian Pacific Railway which would meet the object; and so it was that the contract was finally passed upon by this House. Well, Sir, at a later date, of course, the Consolidated Railway Amendment Act came in, and it was to me very disappointing. I made some observations upon it, which, in view of what has since taken place, show, I think, that the objections which we took to the course and policy of the Government in that regard were entirely well founded. That debate took place on the 10th of March, 1881, when I said this:

"The hon. gentleman whom I asked to explain the clause dealing with this subject contented himself with simply reading it again. I could have read for myself, and did so. I think the hon. gentleman might have pointed out what the operation of the clause would be with regard to the Canadian Pacific Railway. According to my own understanding of the powers given to the Canadian Pacific Railway, it seems to me this clause would not operate satisfactorily, or accomplish what was suggested during the debate on this subject, about really to be accomplished. It will be remembered it was generally avowed that the resources which the Company was about to obtain from the public, including its borrowing powers upon the lands, would be adequate—its borrowing powers and cash subsidies which, by a slight actual payment on the capital stock and work, were estimated at a certain value. It will be remembered that calculations were gone into, indeed not disputed by the other side, seriously, which indicated that somewhere about \$5,000,000 was, perhaps, the outside of the actual cash in the way of share capital which would be acquired by this railway company. The statement made from the Ministerial benches was that this power to levy tolls or rates, or rather the limitation of this power of the Governor in Council and Parliament to reduce the tolls, in the case in which those tolls should be exceeding ten per cent. of the capital, was to apply to the actual paid up capital of the Company. Nothing was said at that time of the interest for the period during which dividends should not be paid. Not a word was said to Parliament of that important addition to the mass on which interest profits are to be paid at the rate of ten per cent. It is a new introduction altogether. But more than that, the discussion being based upon the view that but a small amount of share capital would be really required, we are now face to face with a plain scheme which makes it the direct interest of the Canadian Pacific Railway to adopt those modes of action which it was suggested during the course of the debate might be adopted in order to render nugatory any restrictions as to its profits based upon the amount of its capital account. We all know that the greater part of the interest rate of railways in the United States, of the capital account, is very much larger than the real, genuine expenditure upon those railways represents, that the capital account has been swollen by stocks issued, not at par, but by bonds sold at great discounts in many instances, by watered stocks and fraudulent bond issues. We all know that the capital account, as it stands, is something wholly different from what the real cost of the railway was. Take the statements which are made by hon. gentlemen here and in England, very much to the detriment of railway enterprise in Canada, with reference to the capital account of our great railway—to the several construction accounts—to the subsequent swelling of the capital account, or to all those things which indicate an original swelling of the capital account, to a point far beyond the genuine cost of the work—take off this fund created not many years ago, when there was an issue of ordinary stock to something like £10,000,000 sterling, at 20 per cent. on which but £2,000,000 was realized by the company; and, for this, the £10,000,000 sterling emitted, besides has been added to the capital stock of the Grand Trunk Railway. That debt was created—not for the purpose of renewing construction, but for steel-railing the road. But, at any rate if that were to be added to the capital account, although the renewal of its rails ought to have been provided for out of ordinary revenue—the only thing properly, on the most liberal construction, that ought to have been added to the capital account was the difference between the cost of the steel and iron. But the whole £10,000,000 were added to that account for only £2,000,000 cash, which makes of the clause a totally illusory showing as to what the real capital account of the Grand Trunk Railway is; and the same results to a very notable extent have been seen with reference to some other railroads in the United States. Another

important illustration in the same sense is given us in the capital account of the Central and Union Pacific Railways; for a recent report of the authorities of the United States indicates that while the apparent cost of those roads was something over \$300,000,000, the actual cost at present prices would be about \$75,000,000. The practical result of all this is, that it is easy to swell the capital account; and when you reflect that in the case of the Canadian Pacific Railway the provisions are such that there is no security for the capital stock representing money actually paid to the apparent value of that stock, it will be observed that every facility is afforded for the undue increase of the capital account. In virtue of the provisions of the charter it is competent for the Company to dispose of the capital stock at such prices as the directors may choose to affix to it, and for a consideration such as they may choose to take for it. It is therefore competent to them, for example, to arrange a construction company which may be paid partly in securities of the railway company, partly in cash, and partly in its capital stock—this construction company being composed practically of the corporators of the Company. That is what took place as we know, with regard to the Union Pacific when the *crédit mobilier* was constructed, and large blocks of the stock of the Union Pacific were handed over to those contractors—who were really the Company itself—at nominal rates. Well, you give an inducement to the railway company to enter upon this plan, while under other circumstances there would have been no inducement to the swelling of the capital stock beyond reasonable limits. Your present proposal is a direct inducement to them to enter into these courses, because you tell them that they may make returns free from the power of the Government, and they will offer rates up to ten per cent. on the capital stock and the interest thereon, and therefore you tell them that the larger they swell the capital stock so much the greater will be their power to obtain dividends on the enterprise uncontrolled by the Government. The natural result will be that they will make such financial arrangements in such a way as will give them that freedom, such as shall insure the emission—I do not say for money, but for a small consideration—to themselves probably of the whole block of this capital stock. And we do not provide that, unless for the years in which they receive a dividend upon it, interest shall be added to the amount so created for ten years during the construction, and on this aggregate they may have ten per cent. profit uncontrolled. Of course, it is easily managed. It may be said they will not abstain from dividing profits in order to secure this result: but during these ten years there will be a very easy application of all the profits they will make from the running of the completed portions of the road. They will be engaged in construction during the whole of that time, and instead of dividing the profits, they may use the profits on the completed portions in their hands, and facilitate the work of construction of the remainder. Again, they may make a division as soon as they acquire, from time to time, large portions of the lands, and that would not be a dividend on capital stock. On the whole, it is tolerably clear that they may, without any practical inconvenience, make arrangements by which, without their being really represented by money, or at all events money to the extent of more than four or five millions, the whole shares of the \$25,000,000 capital stock may be omitted, and a charge made of the interest of the capital stock so omitted, amounting altogether to about \$40,000,000, on which they might obtain dividends, uncontrolled by the Government, up to the extent of 10 per cent. That is practically the result which may be achieved under this clause. I quite agree that that is a better result than what was to be looked for under the Bill lately before Parliament. But it is not the result which we were told would be secured. I believe, if the expectations of the Syndicate are largely carried out; if the calculations of the Government are largely verified, it would be unnecessary to expend more than \$5,000,000 of money in the shape of capital stock, and they will have a nominal capital by the time the road is completed of \$25,000,000, with \$15,000,000 interest, or in all \$40,000,000, bearing dividends within the meaning of this clause, and there will be no efficient control over the rates in future."

Now to that position the hon. First Minister made an answer, and this is his answer:

"We have been treated by the hon. gentleman to a very elaborate argument upon what appears to be really a small matter. The definition of the word capital in the first section of the Bill is not the general interpretation of the word capital in Acts of Parliament generally, but is simply the meaning of the word capital in the Railway Act of 1879, so far as regards the collection of the tolls. It may be remembered that when we were discussing the Canadian Pacific Railway, the argument was used that they might raise large sums of money on the lands they were to receive, they might steal that money, issue bonds to any extent, throw the road on the public or on the bondholders, and that the 15 per cent was too large and they would have a monopoly of rates. There was no use arguing that the Government had a check, because no tolls or rates could be imposed except under approval of an Order in Council. There was no confidence in the Syndicate, because it was a monopoly, and no confidence in the Government because it was the Government. The Act of 1879, to which this clause relates, provides that the Parliament of Canada may, from time to time, reduce the tolls on railways, but not without the consent of the Company unless their profits were over 15 per cent of the capital actually expended. No matter how the road had been built, whether by bonds or paid up shares, 15 per cent must be the profits on the capital expended before the tolls could be reduced. That rate was now

diminished to 10 per cent., and it was proposed that subsidies should not be counted. It seems to me that the Canadian Pacific Railway Company have gone up a great deal more than was ever asked or expected from any other railway company; yet hon. gentlemen opposite were not satisfied. If it is watered or bogus stock, it is not capital expended on the road. There is nothing in the objection taken by the hon. member for West Durham, and the hon. gentleman appears to have raised it just for the purpose of making it."

And so the matter ended; and now we are able to ascertain to some extent what the probable results of that ending are. We pointed out at that time that by the calculations laid before us, the Company, probably, would not only have the road for nothing, but at a large profit; and, as I stated in the debate on the Address, their official memorandum of the 12th of December last, and the subsequent documents which have been issued to the public, establish that proposition conclusively. I have given these figures already, but hon. gentlemen opposite declined to enter into any discussion of them. I shall briefly repeat them, because I do not think they can be too thoroughly impressed upon the minds of hon. members. The Company's calculation is that they will do all the work bargained for and fully equip the road, and besides buy or build 684 miles of branch lines and equip the same, and besides, pay interest on their capital at a real average rate of  $8\frac{1}{2}$  per cent.—really on the following sums: \$25,000,000 of cash subsidy; the proceeds of \$20,000,000 of land grant bonds already emitted and almost wholly provided for; \$90,000,000 of stock at sixty, producing \$54,000,000; making a total of \$99,000,000. I estimate that the branches and extensions, amounting to 684 miles, will cost about \$9,000,000, subject to liens for \$5,500,000, stated to exist in the prospectus. This of course is an estimate of my own merely. It is not confirmed by any statement emitted by the Company, but is based on such information as I have been able to obtain as to the cost of the work. That would reduce the cost of the whole work stipulated for to some \$90,000,000. The assets which the Company are to receive from the public are as follows: Cash subsidy \$25,000,000; proceeds from the sale of 6,254,000 acres, already sold, about \$17,500,000; and the balance of the land grant, assuming it to realize the same average rate as the land already sold, \$49,500,000; making a total of \$92,000,000, apart from town sites, municipal bonuses, lots in the mile belt, and any special available lands, such as timber and coal lands, which would produce say \$8,000,000 more; and apart also from the value of the Government works, which are stated by the Company in this document of the 12th of December to be worth \$35,000,000; bringing their total assets received from the public up to \$135,000,000, and giving them a profit—as between their expenditure and the value they are to receive in cash, lands and works—of from \$37,000,000 to \$42,000,000, say \$40,000,000. So that, after all the information they have obtained as to the cost of works and their practical experience as to the value of the lands, their own statement now is that the railway is to cost them nothing, but that they are to have it with practically a margin of Government works. It is also important to observe in this connection, that the effect of our contentions was that it was very wrong to distribute the subsidy in the mode in which it was distributed. We declared that an inordinate proportion was assigned to the prairie section, and that that section ought to have been reserved and allocated to the more difficult portions of the work; and then again some proof of the truth of our proposition is afforded by the prospectus of the 12th of December. The ascertained profits from the work on the prairie section, as far as one can gather them, are these: A cash subsidy of \$10,000 a mile, for about 600 miles, \$6,000,000; and 7,500,000 acres of land, which sold at an average of \$2.63 an acre, \$20,000,000, aggregating \$26,100,000; while so far as we have been able to gather, the cost of the prairie section is \$7,000,000 leaving a profit of say \$19,000,000, apart from certain specialties, to

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which I have already referred, and which would add considerably to that profit. But, you may say, that profit is not yet realized. It is true, it is not realized in cash, yet sales have already been made, and the value of the land has been ascertained, and it is upon the ascertained profit derived from the sale of the lands along the 600 miles of railway already built, that I have been calculating these results. Yet, what have been the actual receipts of the Company in cash upon construction thus far? It is true, the arrangements under which they have issued their land grant bonds are such, that until the Treasury receives enough from the Company in respect of land sales to meet the whole \$20,000,000 of bonds, a certain smaller proportion is payable out, and therefore the Company may have received only a proportion of what they will ultimately receive; but what have they actually received? So far as I can make out, it is as follows: subsidy payments, \$6,425,000; the proceeds of land grant bonds, \$5,628,000; interest on the deposit of land grant bonds, about \$80,000; advances on rails not yet upon the track, \$1,145,000; and rails and fastenings received from the Government, \$280,000; making an aggregate in money and rails of \$13,558,000, which has been received from the Government of this country since the contract went into operation, and which added to the original capital of the Company—amounting to \$5,000,000, which is said to have been all paid up—makes \$18,500,000 available for the work which they have done. And yet the papers brought down to the House show conclusively that the Company have been very anxious to get more; that from day to day, the very instant anything was due the request was made by them for the amount; that the amount they owed to the Government on account of the construction of the first 100 miles was in part refunded to them in order to enable them to carry on their work—though the advance has been since repaid; that the \$1,000,000 they deposited as security has been handed back to them, and the bonds or debentures of another railway taken in exchange, in order to give them more cash; so that all the indications are, notwithstanding the very large receipt of over \$13,500,000 from the public, and \$5,000,000 of their own capital, that they wanted money. Now, we contended that the unlimited power of building branches and extensions was inconvenient and might prove dangerous. What I have already said shows to you that such was the case, because it is quite out of the question that the funds—the \$18,500,000 I have mentioned—have been watered for the contracted line. The prairie railway has cost, perhaps, about \$7,000,000, the other expenditure on the main line and equipment about \$3,000,000, and a very large margin remains entirely unaccounted for as far as the stipulated line is concerned. But we can easily account for the expenditure of that money, because the Company has been going very extensively, apparently, into other works, and those resources which we gave to the Company in order that the railway might be built, have been, as I suppose, very largely applied to these extensions and branches and other operations to which I am about to refer. There are 135 miles built of branches in the prairie; there is a very considerable amount of work done on a branch to Algoma Mills; there is the Canada Central Railway which has been acquired; there is a portion of the Quebec, Montreal, Ottawa and Occidental which has been acquired; there are, as appears from the papers brought down, interests in connection with the Credit Valley Railway Company and the Ontario and Quebec Railway Company—because we find the Canadian Pacific Railway is the holder of some \$1,615,000 of the stock debentures of the Credit Valley Company, which it hands over to the Government as security in lieu of the \$1,000,000, and we find, among the papers brought down, a proposal of guarantee by the

Canadian Pacific Railway, upon the completion of the Ontario and Quebec works, for the Credit Valley debentures—thus indicating there is a connection, of some description, between the Canadian Pacific Railway and the two corporations to which I have referred. There is the Hamilton and North-Western and there is also the St. Lawrence and Ottawa road in which they have obtained an interest, though now, it is said, not a controlling interest. They have engaged in this way the credit and resources of the corporation to a considerable extent under the large and dangerous powers given to them by the Government of engaging in outside operations not necessarily connected with the great undertaking they stipulated to perform for what we agreed to give them. There are other dangers involved, of course, in that class of operations. The hon. First Minister said the other day, when I pointed out the result which had flowed from the contract, as proved by the prospectus, and showed the Company made out they would obtain the railway without any expenditure ultimately in their own account, that I gave a very flourishing account and that he would give my speech to the Company to be circulated widely, because on the London stock market, the Canada Pacific Railway securities were not considered so highly as I rated them. The hon. gentleman was quite right in his observation in reference to the London stock market. The reason is to be found in the diverting by the Company of the resources given them for a particular purpose to other, if not alien, purposes. The public accounts and the result of the recent proposal to place \$10,000,000 upon the stock market proved the truth of the hon. gentleman's observation. Of that \$10,000,000, \$3,600,000 was taken in Amsterdam; \$4,000,000 in New York, and \$800,000 in London, leaving a balance not taken of about \$1,200,000. Why was \$800,000 only taken in London? Why was it in New York and Amsterdam the loan was taken? It was because the course pursued is one which has aroused the hostility of the other great railway corporation which this country possesses—the Grand Trunk Railway Company. Of course, competitive operations through the eastern part of Ontario—even between this city and the boundary—inevitably produces that hostility, and we all know what power a hostile railway company has. Of course, competition may be very good, but not that which is acquired at the expense of the public, with the funds of the public that should be devoted to the construction of the Pacific Railway itself. Then there is the direct and important bearing which the free construction or acquisition of branches and extensions has upon the question of tolls. Can it be supposed that all these branches and extensions are in themselves to be vastly profitable? Can it be supposed for instance, that it is an extremely profitable operation to take freight from Montreal away up to Ottawa, thence to Brockville and lay it down at Chicago in competition with other roads? It is not. These lines will not give enormous dividends. You may say we have no interests in the dividends. We have the deepest interest in them, according to the construction of these papers indicating the interpretation the Canadian Pacific Railway places on its contracting rights. Why? Because according to the reading of the contract indicated by these returns, they bulk the whole enterprise, extensions, branches and all. They give us but one return of expenses and receipts. They take the Eastern and Western divisions—separated though they are by 1,000 miles of territory and bulk them together. If that is the course to be taken, if branches and all are to be mixed up in the question whether the railway is earning a profit, and whether the 10 per cent. clause is applicable, we have the deepest interest in the question; because if these branches earn but 5 per cent., the Company will have the right to raise the rates so as to make the earning up to 10 per cent. As to this capital stock, the original amount was \$5,000,000, and is said

to have been paid up in cash. But the statements that are made, perhaps not correctly, are that that stock was, by some means or other, swollen to \$15,000,000 upon the occasion of the recent determination to increase the capital stock of the whole Company to \$100,000,000. We have no information as to how that increase took place. Some part of it, no doubt, is applicable to the purchase or acquisition of branches or extensions to which I have referred; but a very large proportion is probably for what the committee of the New York Exchange called "Water." It is quite clear that if the proprietors were determined to issue some \$70,000,000 or \$80,000,000 of stock at 60 per cent., the first step they would take would be to issue enough stock for themselves to put themselves on an equal footing with the new takers at a discount. Therefore, if \$9,000,000 were paid up in cash, it would require an addition of \$6,000,000 to put them on a par with the new takers at 60 per cent. The \$90,000,000 they now announce they require to finish the road, taken at 60 per cent., makes a real capital of \$54,000,000. But as I have pointed out, to meet that \$54,000,000 there are about 18,000,000 acres of land, a great part of which may perhaps not be sold at the early time which is now laid for the completion of the railway, but which will, at the price indicated, be sufficient to meet that capital stock altogether. But by these papers it appears to be intended that dividends shall be paid on the whole \$90,000,000 of stock. Once again, with reference to the interest on the capital, the Consolidated Railway Act provides that a railway company may pay interest at any rate not exceeding 6 per cent. upon the paid up calls of its stock during construction. This Company announces that it is about to pay 5 per cent. only, and 5 per cent. only on what? 5 per cent. on the paid up stock, that is, the stock issued at 60, which is equal to  $8\frac{1}{2}$  per cent. on the actual money paid on that stock; so that, contrary to the provisions of the Consolidated Railway Act, as I understand it, an arrangement is being made under the powers of issuing paid up stock for less than par by which a larger sum than the Railway Act contemplated is for payment of dividends or interest during the construction of the road. Now, I maintain that it was not intended, that it was not represented to the country nor to Parliament, that those results would flow, and although many of us feared them, none of us thought that they would be so extensive as they now appear to be. The capital was \$25,000,000 and I pointed out that it might not represent a real \$25,000,000, but a very much smaller sum, and that to that smaller sum might be added a larger sum for interest, and so a capital of \$40,000,000 might be aggregated. But the Company assumes it has power under the general Act to increase its capital stock indefinitely; more, it assumes what I think is of doubtful legality, that it has power with reference to that increase of stock to treat it as it may treat its original stock, as paid up stock, and thus to create stock for any amount which may represent as little as it pleases of actual value; and the result is that instead of a possible maximum of \$40,000,000 there is now a maximum of \$100,000,000 or a minimum of \$90,000,000 of capital to be issued upon the dividends and paid up stock. Now then with reference to the branches and extensions, suppose one of these were to be valued to the Company at what they actually paid for it in money, 5 per cent., but suppose it is paid for by the issues of this watered stock at 60, it would produce upon the capital so fictitiously created only 3 per cent., and the difference, as the case might be of 5 or 7 per cent., would fail to be made out of that portion of the road which can practicably be controlled by virtue of the monopoly, and thus make the burden upon the North-West trade very much heavier than it was contemplated it should be, even at the time the contract was made. I say then, that we have a direct interest in the settlement of these questions—in the ascertainment first of all of this

question, has the Canadian Pacific Railway Company, when it comes to deal with the question of tolls and profits, the right to build what branches it pleases, the right to acquire what extensions it pleases, the right to add the capital which it devotes to those branches and extensions to the original capital, and the right to demand 10 per cent. on all before the toll shall be regulated? Second, has it the right in reference to its original capital, or with reference to its increased capital, the capital which is now authorized to raise it up to \$100,000,000, the right to issue stock at 60 and receive from the public only 60 per cent., and to demand dividends upon the par value of that stock? Third, has it a right, by the contrivance to which I have referred to, to obtain  $8\frac{1}{2}$  per cent. instead of 6, the maximum stipulated for by the General Railway Act, in the way of interest on capital during the period of construction? On all these points, the indications are from the action of the Company, from the mode in which it has kept its accounts, from the mode in which it emitted its capital and made its returns—the indications are, I say, that it asserts these rights; and if it can lawfully assert these rights, and if there is no remedy or redress, it is quite clear that, that which the late hon. member for Halton (Mr. McDougall) pointed out when he discussed this subject at the stage of the debate to which I refer, that not in our time, nor in our children's time, would it be likely that that local effect would come into operation at all—would be but too true. Because it is clear that dividends upon a vast mass of capital in excess of what was required, or in excess of what was really used, dividends upon a vast mass of capital not at all required for the purposes of the road, and some large portion of which is devoted to extrinsic and other objects, will be required to be paid, and paid out of the fertile lands of the North-West by virtue of the monopoly. These are considerations, as it seems to me, of the utmost gravity. I have thought fit to state them thus early in the Session, in order that they might have that attention which, perhaps, at a later period they would not attract. It seems to me we are entitled, under these circumstances, to get further information, to get all that information which may enable us fully to consider and form a calm and careful judgment of what the interests of the country require upon this most important topic.

Sir CHARLES TUPPER. If I do not rise for the purpose of making an answer to the elaborate speech which the hon. mover of this motion has just made to the House, it is not from any want of respect to the hon. gentleman, nor for the arguments he has used. But as I passed over a somewhat similar statement on the discussion on the Address, so I propose to pass over this now. The course I have pursued in relation to the discussion of this question, as the House knows, is one that I think commended itself to the judgment of both sides of the House as saving a great deal of time, and that was to avoid having a great number of discussions on the same subject, and I propose to follow that practically on the present occasion; and when I make the annual statement, which I will take the opportunity of doing when the Estimates come up, as to the position of the Canadian Pacific Railway, and when we have the papers for which the hon. gentleman has moved before us, it will give me great pleasure to enter as fully, as may be found necessary, into the question in such a manner as to state fully and fairly the whole of this question to the House. But there is another reason which impels me to allow the hon. gentleman's statements to go to the country unimpaired by any criticism that I might feel it my duty to offer, when it became necessary to deal with this question. I regard the progress and prosperity of the Canadian Pacific Railway as vital to the progress and prosperity of Canada, and I believe anything that conduces to increase the success of the Canadian Pacific Railway, will conduce to increase the prosperity of the country itself. I

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listened with a good deal of pleasure to the statements made by the hon. gentleman, which are calculated to be of great value to the Canadian Pacific Railway. The hon. gentleman has directed your attention, Mr. Speaker, to the fact that those hostile to that great work, have succeeded in shutting the Canadian Pacific Railway Company, down to the present hour, practically out of the great money market of the world. If there is one place in the wide world where projects of this character are weighed and estimated, if there is one place where capitalists are found prepared to venture their money upon all projects and enterprises, that give a fair and reasonable prospect of return, it is to be found in London, the centre of the money market of the world; and yet the hon. gentleman, notwithstanding the statement he has made of the enormous profits this Company are to derive, is obliged to admit that the enemies of the Canadian Pacific Railway Company, and of the construction of a Canadian Pacific Railway, have been able, down to the present hour, to exclude that great Company from the great money centre of the world. That fact itself would incline me to allow all the remarks the hon. gentleman has made to go without any criticism or remark calculated to impair, in the slightest degree, their effect or operation. The hon. gentleman knows that those who have succeeded in shutting that great enterprise, so vital to the progress and prosperity of our country, out of the money market of London, have not only acted in a hostile manner to the Company, but they have also taken hostile action against Canada itself; and there was nothing that could interfere with the progress of this country, nothing that could impair public confidence, the confidence of the world, in the position of Canada, than the enemies of that Company and of that great enterprise, the Canadian Pacific Railway, have hesitated to resort to in endeavoring to accomplish their object. I am, therefore, glad that at last the hon. gentleman is prepared to make those speeches to the House, because they carry great weight here, and they will carry great weight outside, and everybody who attaches importance to his utterances will use those statements for the purpose of meeting and combating the efforts made to discredit the Company and its position. I shall have great pleasure in bringing down the papers so far as they are in the possession of the Government; and as regards those not in the possession of the Government, but in the possession of the Canadian Pacific Railway, application will be made to the Company to furnish them. I may say that a day or two ago I received a communication from the Secretary of the Company to the effect that they would be very glad to furnish all information in their power in regard to the progress of the work, not simply down to the period which the law requires, but down to the latest period in their possession, down to the end of the year. As I have already said, we will bring down all the papers in our possession, and will endeavor to obtain all those not in our possession, in so far as possible.

Mr. BLAKE. I am glad to hear from the hon. gentleman that we are to obtain the information, and that the Company does not object to give the fullest information, because we ought to have had it before now. The House last Session passed a resolution in regard to this subject, and I mentioned to the hon. gentleman privately that the obtaining of information resembled the operation of drawing teeth, in which it was distinctly set forth that the information required by the Consolidated Railway Act should not be submitted merely down to the end of the year, 30th June, but should be brought down to the latest practicable date. The return which has been brought down is, therefore, very seriously defective. Now that we have learned that the Company does not object to give that later information, I hope we will get it, because it is clear that in the case of a Company which has done so much between 30th June and the close of the year, the state of things is very much alter-

ed; and the latest information is of the greatest value. With regard to the statement respecting further information, the hon. gentleman took the precaution, at my suggestion, to add to the Consolidated Railway Amendment Act a clause specially requiring all railway companies to furnish any further information the Governor General in Council might at any time require; and so it is perfectly easy for the hon. gentleman, in the exercise of his duty as a responsible adviser of His Excellency, to obtain from the Company, by the passing of an Order in Council, any further information that might be required. Nobody regrets more than myself, in the interest of the public, the hostility shown to the Canadian Pacific Railway, and to which the hon. gentleman has referred. It is deeply to be deplored that it exists, for no doubt it has an injurious effect, and if any words of mine would tend to mitigate the hostility and place the two great corporations in a somewhat different relation to that which they occupy at this time, I would be delighted, and would feel I had done a very good day's work for my country. But what I have pointed out to the House, and what I desire to point out particularly to the hon. gentleman is, that we objected seriously to the Canadian Pacific Railway as contracted for, being complicated by unlimited power being given to it to build branches, extensions, etc.; that the possession of such power was likely to produce dangerous and inconvenient results, and it has produced those dangerous and inconvenient results. I do not care how good a thing the contract may be, it is possible to spoil its goodness. If the policy does not concentrate the energies of those concerned in the enterprise upon the enterprise itself, if its means and resources, those obtained from the public as well as private resources, are to be expended, as they have been very largely expended, on other and outside operations, then you will find difficulties arise. If you add to that the fact that such operations, from the point of view of other corporations, tend to produce hostility, because those corporations claim that what they call their territory is being interfered with, the same sort of feeling which existed between the Northern Pacific and the St. Paul, Minneapolis and Manitoba Railways in the States of Minnesota and Dakota, may tend to impair the conditions of the contract in another important respect. It has, indeed, done so, because the companies have, by the hostility shown, excluded the Canadian Pacific Railway from the London money market. These are very important considerations, and their importance is largely due to the fact that the contract was so framed as to permit the Company to branch out into extension lines, and thus produce these results.

Sir CHARLES TUPPER. I must remind the hon. gentleman that the process of tooth extraction is quite as painful to the party operated upon as to the dentist. The hon. gentleman, however, thinks he is very much to be commiserated with because he has made these representations. My attention was drawn by him a few days ago to a number of blanks that occurred in the return which was brought down by the Government. I have since gone over the paper, and I certainly do not agree with the hon. gentleman; I think the information was almost entirely supplied. The hon. gentleman referred especially to the questions of bonuses. No bonuses have been paid, but all bonuses by any parties are embraced, so that that must have been quite overlooked. The information, as I have already said, is only required by the amended Act to be furnished down to a certain date. That has been furnished down to the date required, but the Company have, in response to my application intimating the desire of the Government to give the fullest information, stated that they will bring that information down to the latest practical period. My hon. friend ought not to have omitted noticing the fact, that in the report submitted by the Secretary of the Company, a very full state-

ment, covering the entire operations of the year down to the present time, has been already laid upon the Table of the House.

Motion agreed to.

#### INTER-PROVINCIAL TRADE.

Mr. PAINT moved that a Select Committee be appointed to take into consideration, and report how inter-provincial trade may be best promoted, the earnings and enlarged traffic of the Intercolonial Railway be further increased by products from Ontario to Quebec, east to the Maritime Provinces and Newfoundland, and by returning freight. He said: Mr. Speaker, a Committee for the consideration of inter-provincial trade I consider of great importance to the people of this Dominion. Our railway system, the Intercolonial, and the system of canals, along with our lakes and rivers, where it is possible, should be utilized in this respect to their utmost extent. The great impetus given to the industries of the Dominion, through the effects of the National Policy, forces us to look out for and to seek enlarged channels for our trade to flow in. This great Dominion, this heritage of ours, should be cultivated and made productive to its utmost extent. It is true, Sir, we are more united and friendly—and I now refer to our several Provinces—than we were in 1867, when we were confederated; our boundaries since that time have been greatly enlarged and our stakes more firmly driven. But if ever we are to become one in trade and commerce, and united in those respects, it will be necessary, where it is possible, that our several Provinces should use the commodities and productions which they furnish among themselves. I trust, Sir, that this Committee will be enabled to develop a favorable scheme, which will tend to the development of the benefits already conferred by the National Policy still farther, and set trade free, which is at present bound and fettered. The flour and other products of the industries of Ontario must find an outlet to the Provinces by the sea, by the most direct and cheapest route, and likewise the coal, the fish, and the oil of the Lower Provinces, should, in like manner, be returned by the most direct possible course to the Upper Provinces. I may say, Sir, that in Nova Scotia, in New Brunswick and in Prince Edward Island, we have a tonnage of the value of \$25,000,000. We have some thirty coal mines costing \$15,000,000 to put into successful operation. The products of the fisheries in the whole of the Dominion last year, amounted to \$14,000,000, of which \$7,000,000 were the result of the fisheries of Nova Scotia, which have increased \$900,000 during the past year over 1881. This, Sir, I beg to submit to the business men of Ontario as part of our stock-in-trade in the Lower Provinces; and I trust that they will not regard with indifference—at all events they should not do so—any effort that is being made for the development and enlargement of this trade; and that we may rely on their advice and their assistance. I rely upon the Committee, eliciting much valuable information, that will assume practical results at the opening of navigation. I feel certain, Sir, that our able and energetic hon. Minister of Railways and Canals will regard this attempt with favor, and will lend it all the aid in his power. I may say, Sir, that the volume of inter-provincial trade last year was equal to the bulk of 3,000,000 barrels, or amounted to that capacity; that means, in other words, that it would furnish full cargoes for seventy-five of the Allan steamships. This I believe, Sir, is capable of being further enlarged. Referring to our coal and shipping interests which were, only a few years ago, in a languishing and dying condition, but which through the wise policy of our able and hon. Finance Minister, who discriminated in the Tariff in favor of ship-building material, and also by the imposition of 50 cents per ton on foreign coal, I may say that these industries, along with many

others, very numerous, owing to the National Policy, in this extended Dominion, were invigorated and brought to life. Sir, I may here refer to the bounty, which was wisely given for the encouragement of the fisheries generally, but more especially of the deep-sea fisheries; and the result of which will be a large addition to the fishing fleet of Nova Scotia and New Brunswick, possibly 5,000 tons. The Nova Scotia fleet numbered 640 vessels, averaging from 40 to 50 tons, and some of those which are now being built this winter, shortly to be launched, will be as large as 120 tons, and these vessels go to the Grand Banks of Newfoundland, where they remain for three or four months during the fishing season. I may say, Sir, that Nova Scotia having fisheries to the value of \$7,000,000 will be more largely benefitted than any of the other Provinces, that Province alone having no less than 30,000 fishermen. I look with pride and admiration upon the men, who, in 1878, told the country that if reinstated in power they would inaugurate the National Policy. The people believed them; they were returned to power, and they had the fortitude, the tact, and the force to put that Policy into operation. From 1878 to 1882, the Opposition had been telling the electors of the Dominion, at every point, that if the country had an opportunity of pronouncing upon the Government they would be hurled from their places and the Opposition reinstated. The Ministry of the day, led by the right hon. Premier, accepted the challenge and went to the polls, and the result was that the Government were returned to power with between seventy and eighty of a majority. The Ministry received instructions from the electors of this country to continue to build up the surplus which they had accumulated, to maintain the credit of this great Dominion, to raise it, if possible, to a higher pitch than ever before, and to maintain British connection unimpaired, by discriminating in favor of British goods as against foreign. The electors felt assured that if this were done they might rely upon the protection of the old flag, and the support of the invincible army and navy of Great Britain. It gave me satisfaction, when I sat in the gallery of this House twelve or thirteen months ago, to hear the remarks of the Minister of Public Works, which would have been an effective answer to fifty pamphlets such as a writer by the name of Edgar has issued. He said there was some restlessness, some disturbance respecting independence and nationality, but when the hon. gentleman rose in his place he said that he had better be quiet for a while; that he had been born under the British flag, and that he expected to die under it, and that we should hesitate before taking such a step as was proposed, until we had at least 30,000,000 or 40,000,000 people. Such a remark spoke volumes, coming as it did from a gentleman representing a certain nationality. It went to prove that they were loyal to the British flag and would support the present Ministry. I am happy to say that the National Policy, however it may be sneered at, has conferred benefit on the county which I have the honor to represent. It is true, Sir, that we cannot reap the full benefit of that policy, as we have no manufactures there, but we have the shipping and the carrying trade, and we have improved freights. We have experienced benefits in that direction since the coal mines were put in a state of activity; and the best indication of these benefits is the state of the county bank. There were usually deposits in this bank to the extent of \$120,000, but in 1831, the additional deposits amounted to \$23,000, and in 1882 to \$43,000, not a very large sum, but still a balance on the right side of the ledger. There are, however, some small grievances which I think I should bring to the notice of this House, with a view of improving, if possible, inter-provincial feeling and inter-provincial trade. One matter to which I wish to refer, is the coast-line telegraph. This means of communication is lacking along the southern coast of Cape Breton west to Louisburg, Forchu, St. Esprit, Larche-

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veque, Grand River, L'Ardoise, and St. Peter's, where vessels pass every day during the twelve months, and where a sum of \$10,000 would supply the defect. No less than \$700,000 has been spent in the telegraph communication of the North-West; \$300,000 along the coast of the Gulf of the St. Lawrence, and \$100,000 in the Province of British Columbia. Yet I heard the hon. member from British Columbia say the other day that he would be very thankful to receive some of the crumbs which fell from the master's table. I would not wish to lessen the amount which that Province receives, but I think they have received some cuts from the very best joints on the table. I have heard some sneers from the Opposition side of the House, and it may not be improper for me to trace a certain missionary tour taken through the lower Provinces some months after I was in the field. That tour extended to my own county. It was taken by the hon. leader of the Opposition, and the accomplished gentleman who occupies a seat at his side—the hon. member for East Quebec—and we can trace their journey with great interest. It commenced in Restigouche, a county which was represented by a Reformer; they passed through, and that county was lost.

Sir JOHN A. MACDONALD. Won.

Mr. PAINT. They came to Gloucester, and that county was lost. They passed through Chatham, and the able hon. first Minister of Marine was returned by acclamation. They then proceeded to St. John, where the Minister of Finance had a majority of nine in 1878, but in 1882 his majority was 139. They passed through Moncton, in the County of Westmoreland, and the result was that a chieftain fell at that place and the county is represented by a supporter of the Government. They then went to Yarmouth, and a gentleman who sits close beside me represents the county in place of the Reformer who formerly represented it. They proceeded to King's County, the garden of Nova Scotia, and in it, too, a supporter of the Opposition was displaced by a valiant supporter of the National Policy. They then came to Hauts, of which Windsor is the principal town, and that county was lost. I may relate rather an interesting circumstance that occurred there. There had been a cotton company in Windsor, which, for months, was unable to raise the amount of its capital stock; it was about half subscribed when these gentlemen held their meeting, and when, for the purpose of decrying the National Policy, they represented to the electors the enormous profits that were being realized by the cotton manufacturers of the West, the stock was subscribed at once. At present the company is in full operation, and has sold its products for a long time ahead at profitable prices. They then visited Halifax, and the result was the election of the two respected and hon. representatives who sit near the centre of this Chamber. They visited Pictou, and the result is that two supporters of the Government have come from there. They then visited Cape Breton, eighty miles east, and held a meeting in Inverness. Well, Sir, in that county 20,000 descendants of the sons of the heather reside, with a smaller number of French settlers, and they returned the hon. member for Inverness, in place of a Reformer who held the seat for some time previous, with 800 majority. Then they came to St. Peter's, the centre of the county I represent. The electors came from the country round in large numbers. There are 7,000 French speaking people in that county, and the hon. member from Quebec was able to discuss political questions to their satisfaction. Well, Sir, I never flinched from the position I took that the National Policy was my platform out and out, that I would sink or swim, win or lose on that, and I succeeded in being returned, notwithstanding the manner in which these hon. gentlemen held up the benefits of Free Trade. I have also much pleasure in tendering to hon. members my best wishes for

their happiness. They may rest assured that on all occasions I will make it a duty to act towards them with the consideration and respect which good breeding requires.

Mr. SPEAKER. I wish to call the attention of the House to the fact that notice has not been given of the names of this Committee, and they can only be agreed to now by the consent of the House.

Sir JOHN A. MACDONALD. There can be no objection, I think, to this motion. The Committee will be a very valuable one, and if they address themselves to the subject with the same earnestness that my hon. friend does, will make a most valuable report. I do not suppose that my hon. friend opposite will object to the names.

Mr. BLAKE. I consider it very objectionable that notice should not be given of the names of this Committee. Sometimes the engagements of hon. gentlemen, who would otherwise be very valuable members of a Committee, are such that they cannot take part in it. It is impossible to judge at the moment who are the fittest persons; therefore, I think, we ought to adhere to the reasonable rule that notice shall be given.

Mr. PAINT. I may state that I have seen personally all the gentlemen nominated, and they have consented to serve on the Committee.

Mr. BLAKE. That answers any question as to these hon. members, but not as to others. Some hon. members may wish to serve upon, and may be very desirable members of that Committee, whose names are not there. I see no reason for departing from the rule, especially so early in the Session.

Mr. SPEAKER. The motion may stand as a notice.

Mr. LANDERKIN. I cannot understand the necessity of this Committee. If, as the hon. mover of the motion has told us, the National Policy has done so much to develop the trade of this Province, what is the necessity of a Committee to enquire for means of developing it? It appears that the National Policy has been a failure, and that this is a vote of non-confidence in the Administration and their policy.

Mr. ROBERTSON (Shelburne). I am glad the Government have consented to the appointment of this Committee as it is of vast importance to the people of the Maritime Provinces, and I hope it will endeavor to lay before the Government a plan by which our inter-provincial trade may be more greatly developed. There are some points, however, in the speech of the hon. member for Richmond which I cannot allow to pass unchallenged. He has seen fit to take up some subjects foreign to the question of inter-provincial trade, and he makes some statements with regard to the National Policy which are not borne out by the facts. He says the effect of the Tariff, in imposing a duty on goods used in the manufacture of ships, has been to cause a development of that important industry. It is simply nonsense for any hon. gentleman to make any such statement as that. Our ships are principally engaged in foreign trade, over which this Tariff has no effect whatever. The truth is, the ship-building industry is not in as prosperous a condition as it was eight or ten years ago, for the simple reason that wooden ships are going out of date and steamers are taking their place. The hon. gentleman also says that the granting of the bounty of \$150,000 to the fishermen has resulted in a large development of that important industry. Why, Mr. Speaker, the \$150,000 voted last year has not yet been paid to the fishermen, and if it had been paid it would have been too small a pittance to have caused the prosperity of the fishing industry. The success of that industry during the past year was due, as it will be this year, to other causes entirely. Never

before in the history of Nova Scotia were such prices obtained in the United States and the West Indies for the products of our fisheries. That condition of things was entirely due to the failure of the Norwegian fisheries and the partial failure of the Newfoundland fisheries. The hon. gentleman also pointed out that a very large amount of money is now finding its way into the savings banks of the county he represents. I am surprised that so much money should go there to draw 4 per cent., if it could be more profitably invested in the shipping and fishing industries. He has furthermore commented on the result of the elections in the Province of Nova Scotia. I may remind him that several counties formerly represented by Conservatives were carried by Liberals. I may tell him that the hon. gentlemen who represent Halifax were barely elected, although four years ago they had a majority of several hundreds. He will also find, if he looks at the returns, that a larger proportion of the people of Nova Scotia are opposed to the National Policy than before. I am glad the Government have decided to appoint this Committee, and I hope it will do some good in promoting trade between the Provinces.

Motion, with names of Committee omitted, agreed to.

#### SURVEY OF RAILWAY BETWEEN HARMONY STATION AND ELMIRA.

Mr. McINTYRE, in moving for a return of all reports, papers and documents bearing upon the survey made in May and June last, of a proposed branch line of railway between Harmony Station on the Prince Edward Island Railway to Elmira, East Point of Prince Edward Island, together with a statement of the cost of said survey, said: Mr. Speaker, I wish to offer a few words in explanation of the motion which I have just made. In 1879 a large petition was sent to the hon. Minister of Railways and Canals, from that section of Prince Edward Island to which this motion refers, asking for the survey and construction of a short branch line of railway, leading from Harmony on the Prince Edward Island Railway, to a place called Elmira, a very short distance from the East Point of the Island. I may remark that the cause which gave rise to the petition is the fact that the main post road leading from the East Point to Souris, the nearest and ordinary place of market for this section of the country, is so very hilly that in the fall of the year the farmers find it next to impossible to have their produce marketed in time to command the highest prices. They are, therefore, compelled to wait for sleigh roads, but by this time navigation is fast closing and the markets are down flat as to prices. These people, therefore, labor under very great disadvantages. Well, for the next three seasons after the presentation of the petition, nothing was heard from the members at that time representing the county, in regard to it. At last, towards the end of the Session of 1882, just on the eve of a Dominion Election, these gentlemen were struck with a sudden inspiration, and it was communicated to the hon. Minister of Railways and Canals, in the shape of a letter written by the mortal hands of our two representatives. The Minister was doubtless urged that a survey should now be had, as the Elections were coming on, and it would, no doubt, have the effect of assisting the Government candidates. The following is the reply of the hon. Minister of Railways and Canals:—

“OTTAWA, 9th May, 1882.

“MY DEAR SIRS,—In reply to your letter, asking that a Railway be constructed from Harmony to East Point, I have to say that during Recess I will have a careful survey made, and the result reported, with a view to arriving at a decision upon the matter.

“Yours faithfully,

(Signed)

“CHARLES TUPPER.

“C. B. Muttart, M.P.,

“A. C. McDonald, M.P.,

“House of Commons, Ottawa.”

Well, Sir, the survey was made during the heat of the Dominion campaign. For three or four weeks previous to Election day surveyors, chainmen, &c., could be found in all this section of the country. Their arduous labors were betimes intermitted by a little fishing and other equally amusing pastimes, such pastimes in fact as are usually required by those who are overworked. Sometimes the pleasant hours were whiled away by a little canvassing, and wherever friends of the party and others were found to be inclined to kick over the political traces, they were brought in again by the most lavish promises of position on the line even in advance of its survey or construction. As soon as the Elections were over the surveyors disappeared as if by magic, and it is even unknown to this day what has become of them. This was the last heard of the celebrated survey. However I have been reminded by my friends in that section of the country to make enquiry about the matter and hence my excuse for bringing it to the attention of the House. The people gave their votes to the Government candidates and have consequently performed their share of the bargain, and now they ask the Government to perform their share of the agreement; and I think it is a very reasonable request. I have little doubt that when the report comes down, it will be found to be favorable in every particular, as there are no engineering difficulties whatever to be met with in the centre of the country, the land being as level as a prairie. I have every hope, therefore, that when the Estimates are brought on to the Table of the House, they will contain a sum sufficient to construct this much needed work.

Motion agreed to.

#### FRAUD IN AGRICULTURAL FERTILIZERS.

Mr. MASSUE moved that the House resolve itself into Committee of the Whole on a resolution declaring it expedient to pass a Bill to prevent fraud in the manufacture and sale of agricultural fertilizers.

Sir JOHN A. MACDONALD. I do not think that the House is in possession of the facts to enable them to discuss this Bill intelligently. They do not know to what extent fraud has been practised in the manufacture and sale of agricultural fertilizers, and they have no means of knowing. I think, therefore, that my hon. friend had better consent to refer this important matter to a Committee.

Motion withdrawn.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Papers, reports of engineers, petitions and correspondence relating to the building of a breakwater at New Harbor, Guysborough County, Nova Scotia.—(Mr. Kirk.)

Papers, reports of engineers, petitions and correspondence relating to the building of a breakwater at Indian Harbor, Guysborough County, Nova Scotia.—(Mr. Kirk.)

Copies of the Appendix to Report of Select Committee appointed last Session to enquire into the effects of the National Policy upon the agricultural interests of the Dominion.—(Mr. Vanasse.) Referred to Printing Committee.

Statement for the fiscal years 1873-4, 1874-5, 1877-8, and 1878-9, as to persons employed in any of the Departments whose remuneration was charged to Public Works in connection with which they were employed; giving, 1st, the name; 2nd, the date of first employment; 3rd, the remuneration; 4th, the nature of the service; 5th, the works to which the remuneration was charged, with the amount charged to each work.—(Mr. Bergeron.)

Mr. McINTYRE.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 6 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

TUESDAY, 6th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### CANADIAN PACIFIC RAILWAY CONTRACTS.

Sir CHARLES TUPPER laid before the House—copies of contracts for the Canadian Pacific Railway, in terms of Section 19 of the Act 37 Victoria, Chapter 14, as follows:—

Articles of Agreement entered into between John McDonald and Her Majesty the Queen, represented by the Minister of Railways and Canals of the Dominion of Canada,—to construct six combined Passenger and Freight buildings on 42nd contract, Canadian Pacific Railway. (Contract No. 97.)

Also,—Between Colin Nichol Black and the Minister of Railways and Canals, &c., &c.,—for the supply of 30,000 tamarac ties, 8'-0" x 7" x 6" at 25 cents each, for the Canadian Pacific Railway. (Contract No. 98.)

Also,—Between Guest & Co. and Her Majesty the Queen, &c., &c.,—for the supply of steel rails, and steel fish plates for the Canadian Pacific Railway. (Contract No. 96.)

Also,—Between Horton & Son and Her Majesty the Queen, &c., &c.,—for the supply of 72 tons of iron bolts and nuts for the Canadian Pacific Railway. (Contract No. 94.)

And also,—Between Bayliss, Jones & Bayliss and Her Majesty the Queen, &c., &c.,—to supply bolts, nuts and spikes for the Canadian Pacific Railway. (Contract No. 95.)

#### BILL INTRODUCED.

The following Bill was introduced, and read the first time:—

Bill (No. 53) to declare the meaning and effect of certain provisions of the Act incorporating the London and Ontario Investment Company, Limited.—(Mr. Hay.)

#### KING'S COUNTY (P.E.I.) ELECTION.

Mr. CAMERON (Huron). Before the Orders of the Day are called, I would like to enquire of the Government whether they propose proceeding with the motion that I made some days ago, and which was allowed to stand over till to-day.

Sir HECTOR LANGEVIN. I have been requested to ask the hon. gentleman to be kind enough to allow the motion to stand for a few minutes, until the hon. the First Minister shall be here.

#### CRIMINAL LAW AMENDMENT.

House resolved itself into Committee on Bill (No. 7) to amend the Criminal Law, and to extend the provisions of the Act respecting Offences against the person.—(Mr. Cameron, Huron.)

(In the Committee.)

Mr. CAMERON. The Committee will observe that the Bill, as introduced, contains four clauses: the first, to provide for cases of parent and child; second, of brother and

sister; third, of grand-parent and grand-child; and fourth, of uncle and niece.

On the fourth clause,

**Mr. DESJARDINS.** I desire to invite the attention of the Committee to the point as to whether such a Bill is necessary. I have not heard that the morality of the community since last year has been of such a nature as to justify the enactment of such a law. Our duty here is to provide for the protection of public morality when it is attacked; but I do not know that we should, by such a piece of legislation, cast a blot on the reputation and character of the population, if we have not facts to justify the adoption of such a law. I do not know, but perhaps in the vicinity of the constituency which has elected my hon. friend, facts may have come to light which would justify him in coming before the House and asking for such legislation. For my own part, I do not know, nor have I gathered from newspapers or public evidence, that the character or morality of the people is such as to justify the addition of this Bill to our laws. It seems to me that we should first enquire as to the necessity of the Bill, and afterwards consider whether, in the event of the Bill becoming law, it should not prove a dead letter, as is the case with many of the criminal laws of England. Unless I am shown that I am laboring under a false impression, I beg to move that the Committee now rise.

**Mr. CAMERON (Huron.)** I think the hon. member for Hochelaga (Mr. Desjardins) is too late in raising his objection. The principle of the Bill has been approved by the hon. leader of the Government, and by the House. It has received a second reading; it has been referred to the Committee of the Whole, and three clauses have already been assented to. If any argument, however, were wanting for supporting the Bill, I have only to go to the Province of Quebec, near the hon. gentleman's own doors, to obtain it. I find that since last Session, when the hon. gentleman and his friends voted down the Bill, a gross outrage has taken place in the adjoining county to that in which the hon. gentleman lives, and the law could not touch the parties because there was no Act covering the case either in the Dominion or Province. Perhaps if I hand the hon. gentleman a copy of a Montreal newspaper containing the report of the case he will change his mind as to the necessity of the present Bill. I do not care to read that particular article to the House, as it would not prove edifying; but I hand it to the hon. gentleman, and he will be convinced as to the necessity of the Bill. I have cut out from newspapers since last Session four cases which have taken place, some in Quebec and some in Ontario—not one of them in my own county, I am glad to say, but elsewhere in the Province, and if elsewhere, the law should reach them. My hon. friend should not oppose the Bill on the ground that we should not legislate in advance of the commission of such crimes, because such crimes have been committed in the Province of Quebec, and because, if that argument were to hold good, we should never legislate in criminal matters unless some violent and scandalous case had occurred; but we should legislate to prevent the commission of those crimes. The hon. gentleman says we should legislate in respect to known wrongs. He is a newspaper publisher and proprietor, and he should know, if he reads the public prints, that those crimes are not unknown, but that many have taken place in his own Province and in Ontario. Does he not recollect that within a decade a man was executed in Montreal for murdering the fruits of illicit connection? And he will see by the paper I have placed in his hands that, since last Session, cases of the character dealt with in the Bill have taken place within his own Province.

**Mr. AMYOT.** I think if nature and religion cannot provide against those offences, legislation will not prevent

them, but only bring about new scandals. I object to the placing on the Statute-book of Acts dealing with those descriptions of crime, which simply excite the curiosity of young people, do not prevent the crime itself, but are rather suggestive of crime; and we should protest against enacting such legislation which is a dishonor to the Dominion at large.

**Mr. DAVIES.** It is a pity that this Bill should be thrown out for a cause of the kind given by the hon. gentleman. Cases of this nature occur in all the Provinces; and these criminals have not been punished because we have no such law as this on the Statute-book, and it seems unreasonable to throw it out on the ground stated by the hon. gentleman who has just sat down. There have been cases which have happened during the last year or two, known to several hon. gentlemen in this House, where the criminals have escaped because such a law as this to punish them did not exist. It is no reflection on any class in the community or on any individual. It is merely like every other law which is passed; there happens to be a *lacune* on the Statute-book in this particular relation, and this Bill is intended to fill it up.

**Sir JOHN A. MACDONALD.** I gave my general assent, as far as my assent is worth anything, to the principle of the Bill on its second reading. Now we are in Committee on it, and I still am strongly of opinion that the first three clauses should be adopted, but the fourth not; and for a very good reason: for we all know that within the limits of the British Empire, many marriages, such as there mentioned, have been recognised by law, and are not considered incestuous in any way. I think that the hon. gentleman should assent to the elision of this clause.

**Mr. CAMERON (Huron.)** Mr. Chairman, I think that the third clause ought to be struck out. Though I made provision that it should not apply to such cases as had occurred in the past, we know that such marriages have taken place in our own Provinces and elsewhere; and I will allow that clause to be struck out, first, second and third to be passed.

**Mr. BLAKE.** I am very glad to hear the observation of the hon. the First Minister; and I hope that it will receive the favorable consideration of the House. We all agree, Sir, that we occupy a disgraceful position with reference to this question just now; but I do not agree at all with the hon. gentleman who spoke, when he says that the reason for this disgrace is, that such a law should be proposed. The present disgraceful condition of things lies in the fact that such criminals go unpunished, and that there is no law to punish them. We know that in England there is a law on this subject; but the system there is different. These are offences against the law of God, and they are offences which shock our consciences, and they should be offences against the law of man in this country; and that is what this Bill proposes to make them.

Some hon. MEMBERS. Question, question.

**Mr. CAMERON.** Let us understand the effect of this motion; if the motion is carried the Bill is killed.

The CHAIRMAN. I decide that the motion is lost.

**Mr. DESJARDINS.** I demand a division to which I am entitled.

Motion (Mr. Desjardins) that Committee do now rise, negatived on a division.

**Mr. IVES.** I rise to a point of order. You are proposing, Mr. Chairman, a Bill of five or six clauses; but there is no such Bill before the House at all. The Bill must be printed as reported by the Select Committee, before this House can consider it.

**Mr. CAMERON.** The hon. gentleman will see that this is precisely the same Bill, only it has been divided into clauses.

Mr. IVES. I do not know anything about that.

Mr. CAMERON. If the hon. gentleman does not know anything about it, he should not say anything about it. If the hon. gentleman reads the Bill, which is in your hands, he will see it is the same Bill that the Committee reported, only it is divided into clauses.

Mr. IVES. It is easy to be witty; but it is better to be in order. The Bill, as amended, before it is passed through Committee, according to the Rules of the House, ought to be reprinted as altered by the Select Committee to which it was referred.

Mr. CAMERON. I do not understand that it referred to any Select Committee whatever.

Mr. IVES. There is only one clause in the Bill before the House.

Mr. BLAKE. The hon. gentleman who has charge of the Bill, when it came before the Committee, proposed that, instead of one clause, it should be divided into five clauses, each clause dealing with a special offence, and the amendment was carried. But the hon. gentleman says it is out of order because we have amended it. What then do we go into Committee for?

Mr. IVES. I would like to enquire, Mr. Chairman, what Bill is passed? What is the number of the Bill?

The CHAIRMAN. No. 7.

Mr. IVES. There is only one clause in that Bill.

The CHAIRMAN. It has been amended in Committee.

Mr. BLAKE. It is not like one of the laws of the Medes and Persians, which altereth not.

Bill reported, Committee to sit again.

#### COUNTY JUDGES CRIMINAL COURT CASES.

Mr. ROBERTSON (Hamilton) in moving that the Order for the House to go into Committee of the Whole on Bill (No. 11) to amend the law in reference to trial of cases before the County Judges Criminal Court, be discharged, and that the Bill be referred to a Special Committee, composed of Messrs. Robertson (Hamilton), Brecken, McCarthy, Rykert, Fleming, Amyot, Hall, Baker (Missisquoi), Ives, Ouimet, Coursol, and Wood (Brockville), with power to consider and report to the House upon the present system of speedy and summary trials in certain cases of persons charged with felonies and misdemeanors, said: In moving this motion, I shall do no more than draw attention to the fact that the suggestion has been thrown out that the Bill should be referred to a Special Committee. I think it is proper that the Committee should consider and report as to the system now in force with reference to summary or speedy trial. I certainly cannot say more than has been said by the hon. the leader of the House, and the hon. leader of the Opposition, with reference to the desirability of making the trial of criminals more public than they have heretofore been. There is no doubt that criminals—hardened criminals particularly—will seek to take advantage of the law as it stands with reference to speedy trials, knowing, as they do, that the public generally are better engaged than in attending these trials. The consequence is that when a trial of that kind takes place there are only present those who are personally interested in the trial, and perhaps a friend or two of the prisoner. This is a state of things which really should not exist. One of the great deterrents from crime is the publicity that is given by exposing the misdoings of those who are charged with crime. After the present law was passed with reference to speedy trials, I remember of hearing an eminent counsel in the city of Hamilton remarking on the fact during the trial of a hardened prisoner, that in

Mr. CAMERON (Huron).

all probability the prisoner would be sentenced to three months imprisonment for the crime for which he was charged, and that in three or four or five months he would be back again, and again be sent to prison. The hon. gentleman spoke of the matter in a jocular way, but his remarks showed that his idea was that these criminals were returned over and over again for trial; they were sent to prison but came back hardened as ever, and were again brought before the court of justice. I hope the Committee will consider the whole matter, and will be able to report a scheme by which we can cure what I consider a very great evil.

Motion agreed to, and Bill referred to a Special Committee.

#### DISCHARGE OF PAST INSOLVENTS.

Mr. BEATY, in moving the second reading of Bill (No. 8) for the discharge of past Insolvents, said: I may mention the features of the Bill more fully than they were indicated to the House by my former observations. The general feature of the Bill is that it shall apply to past insolvents only, and that it shall not operate concurrently with any Bill relating to the distribution of insolvent estates. At whatever time the Act comes in force, whether immediately upon its passing or within a limited time thereafter, all who are insolvents at that time will be the only persons who shall be entitled to the benefits of the Act, and in that respect the first clause is made as general as possible. The Act is not limited to traders, but applies to every trader or person who is insolvent or unable to pay his liabilities in full, and who has made or shall make a voluntary assignment, or is subject to a compulsory assignment of all his estate for the benefit of his creditors. The same clause also states that the Act shall not apply to any case of insolvency occurring after the passing thereof. The Bill is intended to meet the difficulties which merchants complain of, that so many persons recklessly enter into trade, and after a year or two become insolvent, when they immediately seek a discharge upon their giving over what remains of their estate. There are, of course, certain persons who will not be admitted to the benefits of the Act, such as trustees, administrators, executors, and other persons occupying fiduciary positions. There are two modes provided for obtaining a discharge. In the first, the debtor will have to obtain a majority of his creditors, representing three-fourths in value, to consent; and in such cases, application may be made to the Court, and if the debtor is not guilty of fraud or fraudulent dealing, he will obtain his discharge. Then, again, if a debtor cannot obtain a majority in number, or three-fourths in value of his creditors, he may, after the expiration of one year from the date of a voluntary assignment, or an assignment made under any Act respecting insolvency, apply by petition to the Court or Judge, and if, as in the other case, no fraud or fraudulent action appears, he may obtain his discharge by order of the Court. These are the two modes indicated in the Act by which a debtor can obtain his discharge. The Act is, I may say, primarily intended for insolvent debtors, and only so far as they may have assets is it intended for creditors. The other Act, relating to the equitable distribution of insolvent estates, has relation primarily to creditors, and not to debtors. I desire to keep the two clauses distinct as far as practicable, and this Bill is for the purpose of enabling unfortunate debtors, who may have become such by reason of the emergencies of trade, to obtain a discharge for past liability at the expiration of a reasonable time, and giving them the opportunity of again engaging in trade, instead of becoming deadheads upon the community, as they must be with large liabilities hanging over them.

Mr. BLAKE. I should like to know what the views of the Government are upon this rather important measure.

Sir JOHN A. MACDONALD. I understand that this Bill will go to the Committee on Banking and Commerce. I was going to say that the hon. gentleman has, I presume, considered fully the question whether we have the power to legislate respecting the estates of past insolvents. Past insolvents, I suppose, are men who might come under the operation of an Insolvency Law, and who are unable to pay their debts. Is this an Insolvency Law—a Bankruptcy Law? Is it not an interference with property and civil rights? It occurs to me very strongly—I speak without, perhaps, having given the matter the consideration which it deserves—that it is going very far to say that we can deal with the discharge of liability for debts when the party does not come within a general Insolvency Law. I hope the hon. gentleman will consider that well before he presses this measure. It is a very important matter, and it is intended to relieve a great many men, some of whom are very deserving men; and I have not the slightest objection, with this caution, to the Bill going to the Committee on Banking and Commerce, where the question can be considered.

Mr. BLAKE. This is a proposal, as I understand the Bill, for the relief of those who have become insolvent anterior to its passage, and not at all for the benefit of any persons who may become insolvent after its passage. We have an Insolvent Act which was in force up to the close of the Session of 1880, and therefore the persons who are to be relieved are those who have become insolvent between the Session of 1880 and the close of this Session of 1883. I have heard such accounts, from the hon. gentleman and others, of the prosperous condition of the country during these three years, that I am surprised to learn that there exist a very large number of persons who have during that time become insolvent, and who are now a burden on the community.

Sir JOHN A. MACDONALD. They are all free-traders, however.

Mr. BLAKE. No; the hon. Minister of Customs takes charge of the free traders, and we have not got the return about them just yet.

Sir JOHN A. MACDONALD. The sheriff has charge of them.

Mr. BLAKE. And I am told he is putting some of them into insolvency by some process of his own. But this is a relief which the hon. gentleman proposes to accord to the people who, during the gloriously prosperous times of the past three years, have gone under. Well, Sir, I think when a temporary law is proposed—a law to deal with particular individuals in the community for a space of time—a fixed and very short space of time—that there ought to be special reasons given to the House for such temporary, special, partial legislation—partial in reference to the classes of persons who are affected by it, and partial as to the date. A man who becomes insolvent between the two dates is entitled to the benefit of it, but no one who may become insolvent afterwards. Why should the line be drawn there? If it is right and proper that there should be a capacity for obtaining a discharge up to the close of this Session, why is it not equally reasonable that it might be attained at a later date? This is another recurring instance of that peculiar tone and temper of which we had an instance some time ago. When the Insolvent Act became onerous to the community, a kind of facility to obtain discharges under it was granted. Although repeated efforts were made to make the provisions of the Act more and more stringent, yet the community rebelled against the large number of cases in which discharges were granted—and I admit there were a great many which should not have been granted; and now for the second time legislation is proposed to reenact those which were the objectionable features of the old law, without, at the same time, providing

for that administration of the estate, and those other ingredients of such a law in favor of the creditor, which ought to accompany—which ought, indeed, to be the presiding principle of such legislation with reference to the discharge of debtors. I do not offer at this moment any opinion upon the statement of the hon. leader of the Government. It is clear that we must make this out to be, properly speaking, an Insolvent Law, to bring it within our jurisdiction. A decision in a recent case indicates that the Local Legislature may go a long way in the direction of an Insolvent Law, and that we may go a considerable distance in the direction of property and civil rights without passing an Insolvent Law. But there is no doubt that that must be the turning point of our jurisdiction. We have no right to adopt any provisions in that direction except as incidental to an Insolvency Law, the principle of which, I apprehend, is to provide for the distribution of the assets of a debtor; and it may or may not, though it generally does, provide for the discharge of his liabilities. I do not propose to enter into the statement of the hon. gentleman, to-day; nor do I propose to enter into a discussion of the details which he proposes to submit to the Committee on Banking and Commerce. There are, no doubt, a great portion of those details which might be more aptly discussed by a Select Committee composed of the legal profession, while its general principle and the safeguards to be secured may more fitly be discussed in a large Committee composed of gentlemen of all classes and trades concerned in it.

Mr. IVES. It seems to me that there is a very important question of principle to be decided on the motion for the second reading of this Bill. The present Bill goes very much further than any other Insolvent Law which has ever been in force in Canada, or I think in any other country. The first section of this Bill, as I understand its scope, purports to be a means of paying the debts of everybody who may be in the unfortunate position of being unable to meet them by paying twenty shillings in the pound. Our late Insolvent Act only applied to persons who were in business, and who were supposed especially to be in danger of getting into financial difficulties. But this Act applies not only to traders but to non-traders—to all classes of the community—and proposes to be a means of obtaining a discharge from liability by everybody. It seems to me it is, at least, a strong proposition to ask this House to consent to a second reading of this Bill with very little discussion, and send it to one of the important Committees to be amended. Surely, that Committee would attack the first section to begin with which furnishes the means to everybody who owes a debt to come before a court with the signature of the majority of his creditors and apply for a discharge from liability. That seems to me to be a very disturbing piece of legislation, and I think it is not in the interests of the country that the provisions for the discharge of debtors should be extended so far beyond those of the old Insolvent Act.

Mr. WHITE (Cardwell). I think it is to be regretted that this Bill should be read a second time at all. It is quite true that in the Committee on Banking and Commerce there would be abundant opportunity for discussing the details, but I object altogether to the principle involved. The Bill is to relieve all persons, who are unable to pay their debts, from liability, up to the time of its passing. We know that, whatever may be the general condition of the country, there will always be certain persons anxious to escape payment of their debts, and others who, from want of business capacity or capital, are unable to pay their debts. The effect of this Bill will be to convince these people that the best thing they can do, in the meantime, is practically to become insolvent, because they will have the opportunity, as they believe, under this Bill, of getting their discharge as soon as it will have passed, from a judge. I venture to say

there is no insolvent in Canada to-day who has not his discharge, or cannot get it from a merchant, unless it be that class of persons who have permitted their property to go into the hands of special creditors to the prejudice of all others. The complaint made with a great deal of force is that, under the law as it exists, a merchant can allow a judgment to go against him by a favored creditor, and in that way cut off all the others from any recourse against him. Under this Bill, the creditor in the past will be deprived of any recourse, and this debtor will, after having given his property to one creditor, be relieved from all obligation, discharged from all indebtedness, and be enabled to go into business and repeat the operation. That would be most unfortunate. All experience proves that when a man fails in business or finds himself in difficulties, and frankly meets his creditors and endeavors to arrange a settlement with all on an equal basis, he has no difficulty in getting an extension of time or a release from part of his indebtedness—practically his discharge. It is only in cases where the debtor prefers one or two creditors over the others that he finds it difficult—very properly so—to make an arrangement. Under these circumstances, I sincerely trust the Bill will not go to the Committee, but be discussed now fully in this House. In that view I move the adjournment of the debate.

Mr. MITCHELL. I have listened to the arguments put forward by the mover of this Bill and those used against it. I differ entirely with the views of the hon. gentleman who last spoke. He has stated as facts that there is no debtor who, if he has not made an undue preference to particular creditors, will not get a discharge on a proper clear exposition of his affairs. I have had experience as a business and as a professional man, and have seen hundreds of instances of a contrary character. There are more cases of persecution of unfortunate debtors throughout the country, than of men, who, on coming squarely up exposing their condition of their affairs, and showing willingness to do what is right, get their discharge. The arguments used by the hon. gentleman might apply forcibly to great centres where men are engaged in vast operations, and have broad views of the difficulties and uncertainties of trade. When a man comes before men of this class and makes a proper statement of his affairs at a meeting of twenty or twenty-five creditors, the man among those creditors who, in a country community would be disposed to persecute the debtor and insist on the last pound of flesh, would be ashamed in the larger community to adopt such a course. The public opinion to be found among business men in large centres would force him to consent to a discharge. But I repeat, having had a great deal of experience in county constituencies, that I have known of hundreds of instances of unfortunate men to whom the exaction of the full pound of flesh or slavery for a lifetime was the result of there being no Insolvency Law on the Statute. You must not conclude from this that I am an advocate of an Insolvency Law such as we have had. I am not. It was a law passed for the purpose of official assignees, and did not give due protection to the creditor or debtor. During my five years of public life in the New Brunswick Legislature, I recollect when we could not agree on a Bankruptcy Law, and the disasters of trade placed one-fourth of the whole community in a state of partial insolvency, the Legislature came to their relief and passed an Act to accomplish what, I presume, my hon. friend claims this Bill will accomplish—wipe out the past, and let men start again and not remain slaves for ever at the mercy of a tyrannical creditor. I have not studied the full details of this Bill, but have only glanced over some of the clauses. I think it should go to the Committee for the purpose of having it carefully considered, with the object of giving relief to unfortunate debtors who have been unfortunate in the past, and have not the opportunity of getting relief in any other way.

Mr. WHITE (Cardwell).

What is the object of keeping men in slavery for a lifetime—men who have been so unfortunate as to have failed in business? They may not have been dishonest and are fairly entitled to get the benefit of an Insolvency Act. While we may not be able to get that legislation which some men desire, which the great commercial community desire, still we can have that which will at all events wipe off that stigma of slavery upon those poor men who are so unfortunate as to be unable to pay their debts. I shall support the motion to send this Bill to a Committee, and should be glad, in the Committee, if I have to be there, to give what aid I can; and when it comes back to this House, to stand up and endeavor to get the Bill through, which, without doing any injustice to the creditor, will relieve the unfortunate debtors, thousands of whom are in this country to-day.

Mr. WHITE (North Renfrew). There might be considerable force in the argument of the hon. gentleman if the limit of misfortunes were fixed at the present date, if for the future we had an assurance that no further misfortunes in trade would occur. But it seems to me a monstrous proposition that an Act should be passed that declares that all those who have become insolvent during the last three years should obtain discharge from their liabilities to their creditors; but that for the future all persons who may be subjected to the same misfortunes as those during the last three years have met with, should be prohibited from receiving relief from their creditors. I say this Bill is one that ought not to pass this House, and if any legislation on the question of insolvency is to be proposed to this House, it ought to be a Bill having a scope as great at all events as the Insolvency Laws which were repealed in 1850. I do not think from the complexion of this House—which is such as that of the last House—that an Insolvency Bill could be passed. But if any insolvent legislation is to be proposed to this House, I think it ought not to assume the form of this Bill, a form which would relieve debtors who have become insolvent during the last three years, and prohibit all unfortunates from obtaining that relief in futuro.

Mr. CAMERON (North Victoria). If we have a second reading of this Bill, it seems to me we can only do so upon the ground that a general whitewashing Act, such as that which the hon. member for Northumberland (Mr. Mitchell) has described, is a necessity, and is proper legislation at the present time. I confess that my knowledge of affairs, at any rate in Ontario, does not lead me to any such conclusion. I do not think there is any general demand for an Act of this kind. I do not think there are many cases in which people are situated in that unfortunate position which my hon. friend has described—ground down by hard-hearted creditors. My experience rather accords with that of the hon. gentleman who spoke last, which is, that wherever a debtor was fairly and honestly entitled to his discharge he has not had any difficulty in obtaining it, and that those cases in which debtors have not obtained a discharge are, so far as my observation extends, cases in which they did not deserve to obtain it. Before we pass legislation of this kind, in which, as the hon. member for Renfrew (Mr. White) pointed out, we would declare to a certain class that all they had to do was to come forward and obtain their discharge, utterly irrespective of how their estates had been administered; whether their creditors have had a fair distribution of assets, whether they have acted honestly or dishonestly, we ought to be satisfied that there is a large class in the community who are fairly and legitimately entitled to the relief which it is proposed to give them. I do not think that necessity exists, I do not think there is that class, and I think we would be holding out a pernicious temptation and opportunity to dishonest men to get their discharges, wholesale, under legislation of this kind. I think also that, as a matter of proper legislation, a discharge should

only be given by Act of Parliament, in connection with the due administration of the assets. For my part, in the former Parliament I opposed the repeal of the Insolvent Law, because I thought that the evils that existed with reference to it were evils of administration which might be cured. I thought a general Insolvency Law was a necessity for carrying on the commercial operations of the country, and that those merchants who made an outcry against it, and at whose instigation it was repealed, had themselves to blame for their failure to see it properly administered; and that instead of raising a cry to have it repealed, if they had exerted themselves to have it administered properly, there would have been no need to repeal that law. But inasmuch as Parliament saw fit three years ago to repeal the Insolvency Law *in toto*, it seems to me that what has occurred since, the great diminution in failures—not as my hon. friend from West Durham said, such an apparent increase in the number of failures—that this legislation was a necessity. I say there is no such increase, but that, on the contrary, there has been a large diminution in the number of failures under the improved prosperity which has resulted from the fiscal administration of the affairs of the country. I say that there is no widespread necessity for it. I say that failures have vastly fallen off, and that in those cases which have unfortunately occurred, as they always will occur in every commercial community, wherever the Act was fairly administered the creditors have shown a readiness to discharge debtors, and I have no doubt that every honest debtor can get his discharge from his creditors without the necessity of a sweeping, whitewashing Act like this. I hope, therefore, that the motion to send this Bill to the Committee on Banking and Commerce will not be pressed at the present time, because doing so would be the adoption of a principle which I think is a vicious one.

Mr. CASEY. I think the two hon. gentlemen who have last spoken have put the issue correctly in regard to this Bill. Of course, the question of a second reading is only one of principle, and we need not, therefore, go into the details of it. But I think the principle we are asked to pronounce upon is not whether we should have an Insolvency Law, but whether we should have a whitewashing Bill to cover a certain period in the past, and either a total lack of provisions for going into insolvency in the future, or some other different set of provisions for the future. I agree with those hon. gentlemen that a Bill which proposes to whitewash all who have become insolvent in the past without making any provision for the proper distribution of assets in the future, would be a great mistake. The question is whether we should adopt patchwork legislation in regard to insolvency matters. I notice that the hon. member who brings in this Bill, has another Bill on the paper providing for the equitable distribution of Insolvent Estates in the future. Although we are not discussing that Bill now, I suppose the hon. member thinks that by the second Bill he will make provision for a similar execution of justice in the future, to that which he proposes by this Bill to execute in regard to past insolvents. But we must take this Bill by itself, since we do not know whether the other will become law, and we are not sure but that in giving it its second reading, we may adopt the principle of whitewashing as regards past insolvents, without making any provision afterwards for whitewashing future insolvents, or even for the equitable distribution of their assets. If the hon. gentleman wishes to deal with the question of insolvency I think he should have put in this Bill a provision covering future insolvents as well, and then the general principle would have come before us of whether any Insolvency Law was necessary, or whether the particular Bill before us was a just and fair Insolvent Act. At present we have not such an issue before us, but we have the question whether it is proper to deal in

this piecemeal manner with the whole subject, or whether we should reenact the law that was repealed three years ago, and extend its provision to every person in the community—for that is the effect of this Bill. It reenacts that law and extends it to the several classes of persons contained therein, and applies to the time covered by that Act as well as to the time since that Act was repealed. I think it would be establishing a bad precedent to pass this Bill to a second reading, and so adopt the principle that it is right to deal in this patchwork manner with such an important question as that of insolvency. I think, too, it is about time the Government of the day took some share in the management of this extremely important trade question. They have every facility for being informed of the wishes and will of traders, bankers, and all classes of commercial men in the country. They are supposed to have the highest financial talent among themselves in the special departments in which financial talent is needed. They are, therefore, without excuse in not trying to direct the deliberations of this House on this important matter. They allowed the old law to be repealed three years ago without taking sides upon it; they now permit any member who pleases to bring in Bills and pass them to the second reading without affording an indication of their views upon the principle at stake. I think they should not keep themselves in this non-committal position, and they owe it to the commercial community to take a line and carry it, as they certainly could carry it through the House. I must refer to one remark made by the hon. member for Victoria (Mr. Cameron), in regard to the number of insolvencies that had taken place since 1880. I did not understand the hon. member for West Durham (Mr. Blake) to say that insolvencies had so increased since 1880 as to make the Bill necessary. I understood him to express surprise that there had been sufficient insolvencies since that time to make it necessary; but the hon. member for Victoria stated that the number of insolvencies had decreased. Now, if the reports of the Wiman Trade Agency are worth anything at all, the number of insolvencies in Canada considerably increased during the past year; I have not the figures at hand, but we all saw the figures published in the newspapers of New York and Canada, showing that the number of insolvencies during the past year had increased. Of course, I do not vouch for the correctness of those reports, but they are as likely to be correct as the opinion of any member of the House, who has no special means of ascertaining how many insolvencies have taken place.

Mr. BEATY. I have not heard yet any good reason why the principle of the Bill should not be adopted. Many hon. members seem to misapprehend the purport of the Bill. It is not a general whitewashing Bill, but it is to allow debtors who may have one, two, or three creditors who will not consent to a discharge, being granted, to come before a court and demand a discharge when a majority of the creditors in number and three-fourths in value consent. It must, however, be on just grounds and according to the legal principles applicable to cases of this character. There can be no doubt that many of those persons who were in trade before 1830 still have hanging over them their liabilities, and cannot obtain a discharge, by reason of the obstinacy of two or three creditors; and it is for the purpose of meeting a difficulty of that character in relation to unfortunate debtors that this Bill is proposed. It is not designed by an Act of Parliament simply, without reference to the creditors, or without reference to their interest, to wind up debtors' estates; but it is only in cases where persons have already made assignments, and whose assets have already been distributed, or where they may make assignments of all their estate for the benefit of their creditors, that if the creditors will not consent to a discharge, one or two creditors holding out,

the debtor can ask the court to grant a discharge, and he ought to get it. The principle of the Bill is simply whether it is proper under any circumstances to allow a debtor who has not paid his debts in full to obtain a discharge. That is the principle of the Bill; we do not ask hon. members to adopt the details. If any hon. gentleman has a better proposition to make, if he wants the terms enlarged so as to cover three-fourths, two-thirds, or nine-tenths of the creditors, and if that is the judgment of Parliament, I have no objection; but the Bill is founded on the principle that only a proportion of the creditors must agree to the debtor obtaining his discharge. What that proportion should be, it is for the House to consider; I have placed it at one-half in number and three-fourths in value, and I think that is enough, because if a majority of the creditors agree it would seem reasonable that all the rest should agree, especially if three-fourths of the amount of the indebtedness of the debtor is represented also. As to the suggestion of the hon. the First Minister in respect to this Parliament having jurisdiction in the matter, it seems to me that this is an Insolvency Bill. It comes within the clause in the British North America Act relating to insolvency; it has its basis on the fact that persons are insolvent and are asking relief in consequence of their insolvency; and it is in that view I have prepared and introduced this Bill, which I trust will go to the second reading and be referred either to the Committee on Banking and Commerce, or, if deemed necessary, to a Special Committee for consideration, beyond that which the House has just given it.

Mr. BOURBEAU (Translation). After having listened attentively to the speech of the hon. gentleman who has just sat down, I feel bound to declare that I am not at all convinced of the necessity for the second reading of this Bill. It is still remembered that when the Insolvent Law was yet in existence, that law did not suit all debtors; for amendments were made to it year after year, without, however, giving satisfaction to either debtors or creditors. Yet, that law was such as to enable debtors to make a settlement of their affairs, owing to the existence of official assignees; and those official assignees were intended to be equally advantageous both to debtors and creditors. It has been stated that in several cases those official assignees—at least it was so reported, even in this House—had induced tradesmen to make assignments in their own hands; and when they did not personally advise them to that effect, they did so through other parties. What was their object in inducing debtors to make assignments? It was, Mr. Speaker, to make fees for the official assignees. In such cases, is it at all likely that a creditor who is aware of such shameful manoeuvres will ever consent to grant his debtor a discharge? No. If it were in the interest of such debtors that the hon. member has presented this Bill, I believe we would not be justified in voting in favor of his motion. For my part, Mr. Speaker, I would oppose with all my strength the revival of a law, the abrogation of which gave satisfaction to the public, a law which no longer exists on our Statute-books, and the repeal of which has been generally approved by the electors of the Dominion of Canada.

Mr. PATERSON (Brant). I do not propose now to discuss the question as to whether we should have an Insolvent Law at all, or not; but it does seem to me that this Bill must be very objectionable, and that if we adopt it in principle, by letting it pass the second stage, consequences rather grave in their nature may arise out of it. I do not, myself, consider that there is any considerable class of persons in the country who are suffering from want of an Act of this kind; and if there were any such considerable class, it would be doubtful to my mind whether this would be taking the right course to meet the difficulty. My experience as a business man, and all my knowledge in this respect,

Mr. BEATY.

points out this one fact to me; that all this tyranny and extraordinary oppression, of which we hear so much in the House occasionally, as exercised on the poor debtor are something which exists in the imagination, more than in reality, was to the credit of the business men of this country, and the change sheets of Dun, Wiman & Co., of Bradstreet, and of any other mercantile agency, reveal the fact—that over and over again, men, who has been unfortunate in business, have compromised with their creditors; have had clemency shown them by their creditors; have fallen into an unfortunate position again in two or three years; have again been permitted to go on; and for the third time, have received the same amount of clemency. I do not believe, that there is any considerable amount of truth in the statements made on this subject, or that the fact mentioned by some members exists to any extent as to the grinding oppression of the creditor on the debtor. The first strong point to which I wish to call the attention of the House is this—and I think that it is one which the members of this House ought to weigh carefully at the present time—I am happy to say, I do not believe that what the hon. members for West Durham and West Elgin have said is correct; it is the fact, however, from the information I have gathered from the reports of the mercantile agencies, that there has been an increase in the number of failures in the country at the present time compared with the past year, which was a year of great prosperity. I am willing to admit, at the same time, that there has been no such amount of failures in this country as there was a few years ago, during the period of great depression; but if to-day we pass this Bill to a second reading, we give a peculiar notice to the public. There are now a great many traders who may be somewhat embarrassed. We do not know their circumstances and they may be induced by the fact that there would be no relief for them, unless they made ends meet and were more economical in the management of their business, to fail rather than wait and attempt to weather the storm which is perhaps looming in a time not far distant; and if we pass an Act such as this, containing such a principle, you are saying to these people: "Whosoever does not choose to take advantage of this Act, and go into insolvency during the next two or three weeks, before this Act can go into operation, will be unable to take shelter under its provisions." My own opinion, as to the passing of this Bill to a second reading, is, that the result would be a very fruitful crop of insolvency cases at once; and taking that view of the case, I ask the House to consider, and consider well, before it permits the second reading of this Bill to be taken.

Mr. HESSON. Mr. Speaker, I quite agree with the remarks which have been made by the hon. member for Brant. I think he is in the right with regard to the Bill. I feel that the very first clause of it is objectionable, and of such a nature as to cause me to vote against it at this or at any other stage. I have already objected to an Insolvent Law on principle, and I shall vote against this Bill on principle, and not only here, but also in Committee if it should reach that stage. The remarks of the hon. member for West Elgin, pointed out to this House: that there was some necessity for this Bill from the very fact, that it is presented by the hon. member for West Toronto for the discharge of insolvents, owing to the circumstance that there has been an increased number of insolvents in Canada this, as compared with last year. If the hon. member had chosen to be exactly correct in giving this statement to the House, he might have said that the number has been of late greater than it was last year—1882—but not greater than in 1879, or in 1880. The facts are these: I believe that in 1879 the failures in Canada amounted to \$25,000,000; but, last year, according to Dun, Wiman & Co., they were something under

\$9,000,000, being a fraction over \$8,000,000. Now, Sir, the hon. gentleman might have been honest enough to have stated to the House precisely how the matter stood. It is true that 1882 was a year of great prosperity, as the hon. member for Brant has pointed out—the amount of failures being something like \$5,000,000. I do not consider that any necessity exists for such a Bill at all. I do not consider that the number of traders affected in the way my hon. friend from Toronto has spoken is large. I fancy that it exists merely in the imagination of some hon. gentleman. I have no knowledge of any in my own county who are asking for such legislation, I think that the people of Canada have had a sufficiency of the Insolvent Act; that their experience was that the country, under its influence, was becoming demoralized in all its trade relations; and that any legislation of this kind, which is, after all, only intended for a few individuals who have been, as my hon. friend says, unfortunate in business—is of a dangerous character. I was not pleased with the reading of the first clause of the Bill; and consequently I did not take the trouble to read the rest of it, for that very simple reason. It may be said that my view is not correct. Probably not—I did not read the Bill through; but the first clause is as follows:—

“This Act shall apply to every trader or person who is insolvent or unable to pay his liabilities in full, and who has made or shall make a voluntary assignment, or is subject to a compulsory assignment of all his estate for the benefit of his creditors, and whether made under any Insolvent Act heretofore in force, or now in force or not, and who has become insolvent or unable to pay his liabilities in full, previous to the passing of this Act. This Act shall not apply to any case of insolvency occurring after the passing thereof.”

Now, I do not like the wording of this clause at all events. It not only appears to me to apply to those who have been unfortunate, but also to all those who may be or may consider themselves unfortunate as capable of taking advantage of the Act. I will oppose the Bill at this and every stage in this House.

Motion agreed to, and debate adjourned.

#### PUNISHMENT OF ADULTERY AND SEDUCTION.

Mr. CHARLTON, in moving the second reading of Bill (No. 13) to provide for the punishment of adultery, seduction and like offences, said: I shall not enter into a discussion of the features of this Bill with any degree of fullness, as my right hon. friend the First Minister has indicated to me his desire to have the Bill referred to a Special Committee, and, of course, that is law with me and with the House. I may, however, Sir, be permitted to refer very briefly to the character of the Bill. I believe that the interests of public morality would be promoted by the passage of a measure of this kind. I think, Sir, that the offences dealt with in this Bill are of a very grave character. We provide for the punishment of petty larceny and theft; but for the very serious crimes of the character mentioned in this Bill there is no remedy in law as it at present exists. Certainly, a blighted home and a ruined life are matters that require on the part of the law some remedy against the person who perpetrates this wrong. The Bill I introduced last Session on this subject was referred to a Special Committee. That Committee, Mr. Speaker, gave very serious consideration to the provisions of the Bill which by it were very much changed. The Bill as reported last Session and agreed to unanimously by the Committee, was brought down too late to be acted upon by the House during that Session. I had hoped Sir, that the Bill as reported by that Committee would have been allowed to have been placed on its merits now before the House. Such, however, Sir, is not the case. I may state in a few remarks—which I will make very brief—that the necessity for a Bill of this kind is not now felt for the

first time; and I believe that the public sentiment of the country, as far as I can judge, is very strongly in favor of the enactment of a measure such as I now submit to the House. I hold in my hands an abstract of laws on this matter, in twenty-four States of the American Union; the list is incomplete, however; but in these laws the provisions against seduction under promise of marriage, and the other offences mentioned in this Bill, are, in the majority of cases, much more severe, than are those contained in the Bill which I have now the honor to present to the House. In many of these States such laws have been on the Statute-book for a good many years. Such a law was passed by the State of New York in 1848, and the experience of that State has never pointed to the necessity of repealing or modifying the law. The Statute of that State provides for a maximum penalty of five years' imprisonment, and \$5,000 fine. The States in which such a law is in force are: Massachusetts, Ohio, Rhode Island, New York, New Jersey, Arkansas, Nebraska, Michigan, Minnesota, Maine, Indiana, Connecticut, Iowa, Kansas, South Carolina, Alabama, Wisconsin, Oregon, North Carolina, Pennsylvania, Georgia, Illinois, Tennessee and Virginia; and the United States, wherever it has jurisdiction, in the District of Columbia, in the Territories and the High Seas, also has a law punishing this crime. We find communities containing more than forty millions of people living under laws of this character, and we find, too, that in almost every instance where new States have to frame their constitutions, they place such a law on their Statute-book.

Sir JOHN A. MACDONALD. I agree with the hon. gentleman that it is perhaps advisable to refer the Bill to a Committee rather than discuss it in the House, as for obvious reasons there is a measure of restraint upon members in discussing the several clauses in the House. As the hon. gentleman stated this Bill was referred to a Committee last Session, but they were unable to report, and I think the whole subject might very well be sent to a Special Committee, where I hope very material amendments will be made in the Bill and certain provisions introduced to prevent it being made a measure of blackmailing. That is, I think, the great danger in measures of this kind; and there is also the fact that we must draw a line between what is a sin and what is a crime. Still we have the example of many States of the Union which have adopted measures similar to this, in their general principles, though I have no doubt they vary in the different States, some being more stringent than others. There are portions of the Bill which I think merit consideration, and which it would be in the interests of morality to adopt, but I think it would be very unsafe to pass the Bill in its entirety. I think if the Bill were not seriously amended I would be obliged to vote against it, but at the same time I think there is a sufficient savor of good in the Bill to allow it to go to a Committee where it may be calmly considered. The evils against which the Bill is directed strike, as we all know, at the very root of society—at the conjugal relation—and if it were possible by any means to restrain this class of immorality, it would be very desirable to do so. At the same time I feel very strongly that there are vices which cannot be reached by legislation, but that can be reached by education, and especially religious education, and by the maintenance of a high standard of morality among the people. There are two clauses of the Bill which I think are worthy of consideration, and, therefore, I ask the House to allow the Bill to go to Committee, and though I cannot sit on the Committee myself, I shall put myself in communication with the chairman and with members on this side who may be upon the Committee, and see if we cannot get such a Bill as will advance the cause of morality, without entailing those consequences which I fear would follow the adoption of the Bill in its present shape. The hon. gentleman has

stated that there are many States of the Union which have adopted laws of this kind; but I am afraid if we read the newspapers of the United States, and especially those published where these laws are predominant, we will see unmistakable evidence of the failure of these laws. In New York, which is one of these States, if we may judge from the reports which we read in the daily press, there prevails a very grave state of immorality—greater indeed, I believe, than before the Bill passed. Still, there may be some means of prevention, some means of punishment, without offending the common sense of the people, and without running counter to the general principle that there are some offences which must be left to education and instruction and the self respect of the man and the woman. I trust the Bill will be allowed to go to the Special Committee.

Bill read the second time, and referred to a Select Committee.

#### CARRIERS BY LAND.

Mr. McCARTHY, in moving the second reading of Bill (No. 14) respecting carriers by land, said: In 1874 this House passed a law respecting carriers by water, but I find no legislation on the subject with which this Bill deals. The Bill proposes to enforce here in substance the Carriers' Act of 1830 passed in England, and amended in 1865. That Bill provides that carriers shall be exempt from all responsibility for articles beyond a certain value, which I have fixed in the Bill at \$50, unless a certain amount be paid to the carrier as compensation for the additional risk incurred by him. Upon this additional liability being paid he is to be liable at common law. The other portion of the Bill introduces the provisions of the English Act of 1845 which is intended to extend the limits of the liabilities of carriers. This provided, in the first place, that carriers shall not be exempted from responsibility unless the contract shall be signed by the consignor or his agent. And even a contract signed by the consignor shall not limit the liability of the carrier if loss afterwards happens by neglect or the want of due care on the part of the carrier. Most of us are aware that under the present practice, carriers, either by special contract with shippers, or by notices which are held to be binding, have practically introduced a method by which they are wholly irresponsible for the safety of the goods which they are paid to carry. At common law they are held liable for all losses, except those caused by the Queen's enemies or the act of God; but they have, in the manner I have indicated, limited their responsibility to so great an extent that I think legislation on this subject is of the greatest importance. I have considered a suggestion thrown out by an hon. gentleman as to the competency of this House to deal with this subject, and I may say that I think it is clearly within the jurisdiction of the Parliament of Canada, and not of any of the Local Legislatures. The question came up the other day in one of our courts. The Legislature of Ontario has introduced the English law with regard to bills of lading; and the judges, although it was not necessary to the deciding of the case, were unanimously of opinion that the law of the Province of Ontario on that subject was *ultra vires*. I trust that this measure will become law. I believe it is one not unfair to carriers, and certainly one in the public interest, and I trust the hon. First Minister will allow it to go to Committee of the Whole; or, if he thinks proper, to a Special Committee, although for my part I think this is not necessary.

Mr. AMYOT. It is most important that we should exactly understand and agree upon the limits of the jurisdiction of the Provincial and Federal Governments respectively. Without saying one word against or in favor of the principle of the Bill, I think we might take this opportunity to decide

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that question. I think, therefore, that instead of referring the Bill to the Committee of the Whole House, there should be no objection to referring it to a Special Committee composed of all the practising lawyers in the House, who would consider that question and report upon it to the House. We have, in the Province of Quebec, a complete set of laws relating to carriers by land or water, and the authorities cited on that point by the codifiers are from the French law, which shows that the regulation of public carriers has always been considered as forming part of the civil law; and if so, it undoubtedly belongs to the Local Legislatures. Under the circumstances, when the time comes for the Bill to be referred to the Committee of the Whole House, I shall have the honor of moving that it be referred to a Committee composed of all the practising lawyers that sit in this House.

Mr. BLAKE. They will be quite sure to agree.

Sir JOHN A. MACDONALD. This measure is a very important one, and as my hon. friend who spoke last, truly says, it raises the question, whether it is within the competence of this Parliament to deal with this subject. I hope the Bill will be allowed to go to the second reading, and that a future day may be fixed for a Committee of the Whole House upon it. When that day comes, if the House thinks well, after due consideration, to send it to a Special Committee; that may be done, and the Order discharged.

Bill read the second time.

#### PERMANENT BUILDING SOCIETIES.

Mr. WILLIAMS, in moving the second reading of Bill (No. 17) to further amend the Act 37 Victoria, Chapter 50, respecting Permanent Building Societies in Ontario, said: The object of this Bill is to give building societies a wider field for investment than is now permitted by the law. They are now restricted to investing in municipal debentures or school debentures, and I am sure every hon. member of this House will admit that there are securities in the country quite as safe as those to which the law restricts them. The Bill is a very short one, although, perhaps, in the opinion of some hon. gentlemen, it goes a little too far. I, myself, think that it goes, perhaps, too far, and I intend, if the Bill is read a second time, to move that it be referred to the Committee on Banking and Commerce when all parties interested in it can have an opportunity of expressing their views.

Mr. BLAKE. May I ask the hon. gentleman whether this Bill is brought forward at the instance of any large number of societies or whether it represents the opinion of some small proportion of them.

Mr. WILLIAMS. The Bill was placed in my hands at the suggestion of some parties connected with a building society, but I think it will be put in such a shape that it will be satisfactory to all the building societies throughout the country.

Mr. BLAKE. I merely wish to say that while greater elasticity may be proper, I hope the House will be very cautious about adopting this Bill in its present shape. I think it is of the utmost consequence to the country that we should not relax the provisions of the law as to the securities in which building societies may invest. There is a very large amount of our domestic capital invested in these societies, and the safe and prudent investment of that capital is of the utmost possible moment. The failure of one of these societies would be, I believe, felt by them all, and would affect the safety of the community very much like the failure of a bank; and, therefore, while the hon. gentleman may, perhaps, show the Banking Committee that there are securities in which these societies may properly invest, it should be very reluctant to enlarge the range to

such an extent as to admit any class of speculative securities whatever.

Mr. CAMERON (Victoria). I wish to call attention to the very objectionable manner in which this Bill is drawn. The attention of the House has already been directed to this point. The Bill simply says:

Section four of the said Act is hereby amended by adding, after the word "corporations," in the sixth line of said section, the words following, "and other Corporations constituted under or in pursuance of any statutory authority or"

That is the whole Bill. In order to understand that, it is absolutely necessary to refer to the Act itself. It has been repeatedly laid down here that if an amendment of that kind is proposed, the original clause repealed and the clause re-enacted with the proposed alterations printed in italics should be shown in the Bill so that every hon. member will know the effect of these proposed words. I have not been able to catch the observations of the hon. member for Durham. I have not the slightest idea of what this proposed alteration will result in. The principle on which this Bill should be drawn, as I have said, is to re-enact the whole clause printed at length with amendments in italics and this principle has been repeatedly insisted on by Committees of the House.

Mr. CASGRAIN. It strikes me that these corporations are private corporations, and the Bill should come under the head of Private Bills. I call the attention of the hon. leader of the Government to the fact that this is a private rather than a general Bill.

Bill read the second time.

#### UNPROTECTED APERTURES IN THE ICE OF NAVIGABLE WATERS.

Mr. ROBERTSON, in moving the second reading of Bill (No. 30) to amend the Criminal Law and to declare it a misdemeanor to leave unguarded and exposed, holes, openings, &c., in the ice on any navigable water, said: I ask to have this Bill referred to the Select Committee to which Bill (No. 6) was referred. Its object is to prevent people making holes in the ice on navigable waters—inland waters is the intention of the Act and it may be amended in that respect. Its purport is to cause fences to be erected so as to prevent accidents through walking or driving into those holes in the ice. There is hardly a constituency in the country that does not suffer at times from the negligence of persons cutting holes in the ice. Every year, in the constituency I have the honor to represent, there are serious accidents resulting sometimes in loss of life. This Bill proposes that persons who make those holes shall protect them by means of some sufficient guard or other. I think the Bill is very plain but if it can be amended in any way so as to be made plainer I shall be very glad and will ask that it be referred to the Special Committee I have named.

Bill read the second time, and referred to the Select Committee to which Bill (No. 6) was referred.

#### CONSOLIDATED RAILWAY ACT OF 1879.

Mr. RIOPEL, in moving the second reading of Bill (No. 32) to amend the Consolidated Railway Act, 1879, said: The object is to facilitate railway companies by making traffic arrangements under the authority of section 60, of the Consolidated Railway Act. As all our railway lines have been constructed by private enterprise they originally assume mostly an independent character; but as they multiply and extend to all parts of the country, it becomes more advantageous for certain companies to combine the administration of their roads in order to increase the volume of their traffic and to economize on their working expenses. I am of opinion those

arrangements are favorable to the public as well as to the companies, because the cheaper the administration is the more the rates will tend to be reduced. The second and third paragraphs of clause 60, afford ample protection to other companies and the general public against the dangers of monopoly. Moreover, we must encourage investment in our national undertakings, and the greater the facilities afforded railway companies in their operations, the more competition there will be in the pursuit of those great improvements which contribute so mightily to develop the vast resources of the country. It is therefore desirable, in order to meet those views, that we should extend to fifty years the period of twenty-one years granted railway companies for the purposes above cited.

Sir CHARLES TUPPER. With reference to the question raised by the Bill, moved by my hon. friend who presented his views in so able a manner, it is one of very great importance. Any hon. member who regards the scope this would give to the railroad companies intended to be affected by its operations, will see it is a Bill of very wide scope indeed, and I think we must be understood as giving a second reading of the Bill for the purpose of referring it to the Committee on Railways and Canals, where it will be fully considered and weighed; but we will not be understood as committing ourselves to the principle.

Mr. BLAKE. I will first say that so far as I am concerned, I have made up my mind about the principle of the Bill, and I am entirely opposed to it. I believe it would be a most unfortunate thing if we were to sanction the proposition that these working arrangements could be made by the volition of the two railway companies concerned, without any intervention on the part of the public, or any power of any kind to control them for a longer period than that which the law has now allotted, which is twenty-one years. I think the question is, whether that period should not be shortened. I think there is no question at all that it should not be lengthened. Therefore, I desire to be understood, not as not committing myself, but as committing myself absolutely against what is proposed to be done, now by giving this Bill a second reading.

Mr. RIOPEL. I may be permitted to remark that the principle is not only admitted in the General Railway Act, but almost every private company which has applied for absolute powers of amalgamation has been granted such powers both by the Federal and Local Legislatures. Therefore, this principle being so generally admitted, the only question now is whether it is proper to extend to fifty years the period of twenty-one which is already granted.

Bill read the second time.

#### MAIL CARRIAGE BY THE ST. LAWRENCE AND LAKE CHAMPLAIN JUNCTION RAILWAY.

Mr. DUPONT enquired, Whether it is the intention of the Government to have Her Majesty's Mails carried, during the current year, between the Village of Farnham in the Electoral District of Missisquoi, and the Village of St. Guillaume in the Electoral District of Drummond and Arthabaska, by way of the St. Lawrence and Lake Champlain Junction Railway?

Mr. CARLING. The matter is under the consideration of the Government.

#### RAILWAY CROSSINGS IN PRINCE EDWARD ISLAND.

Mr. DAVIES enquired, Whether the attention of the Minister of Railways has been called to the state of the railway crossing on the St. Peter's Road, Prince Edward Island, and to the accident which occurred there last winter, and whether he intends having a bridge built over that crossing,

or having other means adopted for the protection of the travelling public at that place?

Sir CHARLES TUPPER. I would say in answer to the hon. gentleman that the attention of the Department has been called to the state of this crossing, which I may say is not more dangerous than crossings usually are across rail ways, and I objected to that definition being specially given to this passage. I took exception to the term "serious accident," because in this case it occurred through the reckless driving of a pair of horses, as it was shown that the party had driven in front of the engine against all the notice that could be given by the railway to prevent such an accident. It was thoroughly investigated, and it was found that it was owing entirely to the reckless course pursued by the driver. It is quite impossible to take any measure to prevent accidents of that kind, but directions have been given in all cases to see that the bell is sounded and the whistle blown at every crossing, so that due warning may be given not to go on the road in front of the locomotive.

#### THE ACCIDENT AT THE MONTREAL CUSTOM HOUSE.

Mr. WHITE (Cardwell), in the absence of Mr. CURRAN, enquired, Whether it is the intention of the Government to make any provision for the widows of the late Meharg, engineer, and Cooney, fireman, at the Custom House in the City of Montreal, who were killed by the accidental explosion of the boiler in that institution?

Sir HECTOR LANGEVIN. The matter has been brought to my notice by the hon. member for Montreal Centre, and the case will be considered when the Estimates are submitted to the Government.

#### LIFE SAVING STATIONS.

Mr. PLATT, in moving for copies of correspondence, petitions, reports of surveys, and reports and recommendations of Inspectors, and others, relative to the establishment, location, character of apparatus to be used, and mode of management of Life-Saving Stations at dangerous points on coast of Lake Ontario or other waters, together with such other reports upon the construction and operation of Life-Saving Stations in other countries, as may be in the possession of the Government, said: In drawing the attention of the House to a subject, which, in my humble opinion, is of the greatest importance, it is but fair to state that the motion I have the honor to make is not for the purpose of eliciting information upon which to base any hostile criticism of the administration of the Department of Marine, for I have just reasons to fear the operations of the Department, in the direction indicated, have not been extended to any appreciable extent; and the sin of omission, if such there be, is probably no more chargeable to the Government than to Parliament, and, perhaps, no more chargeable to Parliament than to the country at large. In looking at the wonderful dimensions to which the life-saving service of other countries, notably that of Great Britain and the United States, has grown, it seems passing strange to me that Canada, with its extensive range of dangerous coast line, has not to-day a single thoroughly equipped life-saving station, not a single wreck-gun or mortar, not a surf-boat, and not a single life-boat worthy of the name. We suffer in common with other countries from shipwrecks upon our coasts, and we know too well that every season adds hundreds to the list of those who have perished upon our apparently unfriendly shores. We spend thousands of dollars of public money annually to induce immigrants to come here, but we spent very little to save the lives of those who have taken up their abode amongst us. I think I am fully justified in calling the attention of the House to this important question, and I cannot better

Mr. DAVIES.

do so than in making some reference to the history of those institutions which have been organized and carried on in other countries. We know that like every other institution they have been of slow growth. England boasts, perhaps, of one of the finest life-saving institutions in the world dependent, not upon Government aid, but entirely upon donations and benevolent assistance. It had its origin, I believe, in 1824, when Sir William Hillary, influenced by the difficulties he had experienced, and the defeats he had met with in attempting to save life on the coasts of the Isle of Man, determined to arouse the nation on the subject, if it were in his power. He secured the assistance of the member for London, and a meeting was called, which met in the London Tavern, and after a few words from Sir William Hillary, a resolution was passed expressing regret at the condition of affairs, but also expressing the belief that much might be done in saving the lives of fishermen and shipwrecked sailors. The meeting then adjourned for a month, and during that time King George the Fourth had become the patron of the institution, Sir William Wilberforce took up the advocacy of the cause, and many others of the English nobility consented to become vice-patrons. The result was that at the next meeting a society was organized under the name of "The Royal National Institution for the Preservation of Life from Shipwreck." The first year their receipts amounted to £10,000 sterling, and at the end of the year they had twelve properly equipped life-boats under their control. The institution went on very successfully for the next quarter of a century, but it was not until 1850 that the nation became thoroughly aroused on the subject, after which the progress became more rapid. At that time the late Prince Consort, with his highly cultivated mind and his intuitive appreciation of all that was great and good, lent himself to the cause, and Her Most Gracious Majesty, who had been patroness of the institution from the date of her coronation, gave that year 100 guineas and fifty pounds a year to the society. Since that time the Prince of Wales, the heir apparent to the Throne, and the Duke of Edinburgh, have presided at the annual meetings of the association. In 1853 a change of name was adopted, in consequence of amalgamation with another society which had been formed some years previous, and was known as the Royal Institution for the Saving of Shipwrecked Mariners and Fishermen. The newly combined association then assumed the name of the Royal Lifeboat Institution, and since that time it has been known by that name. In 1856 Captain Fitzgibbon, of the Royal Navy, gave £10,000 towards its funds. In the same year the Merchants Shipping Act was passed, and the Board of Trade undertook the management of the mortar service on the coast of England. Progress since that day has been rapid. England with a sea coast of 2,000 miles possessed, in 1873, 183 thoroughly equipped life-boats; Scotland, with 1,500 miles of sea coast, thirty life-boats; and Ireland, with 1,400 miles of sea coast, thirty-one boats; that is to say, that on a coast line of 4,900 miles there were 242 life boats under the control of the Royal Lifeboat Institution, together with numerous wrecking mortars under the control of the Board of Trade. There is one very pleasing feature in connection with this, and that is that the 242 life-boats were presented to that institution, most of them by relatives and friends of the poor sailors whose lives had been saved through the efforts of that society. If we look at what has been done by that institution we shall see how rapidly it has grown and won its way into the hearts of the people. In 1850 with an income of £354 sterling it possessed nineteen boats and was the means of saving 209 lives. In 1853 its income was £703, boats thirty-four; number of lives saved, 1,773. In 1869, income £40,000; boats 220; number of lives saved, 1,231. In 1873, income £31,000, boats 242; number of lives saved 668. Up to the end of 1873 this magnificent institution had equipped 242 boats, and distributed £42,000 in

awards and 920 medals. Up to that time what was the aggregate of success due to the efforts of that organization? It had saved no less than 22,153 lives, and an amount of property valued at £5,000,000 sterling. From that day to the present, the managers of that institution have not relaxed their efforts, but have gone on increasing in strength and usefulness; and during the last decade they have progressed until they have an army of over 30,000 men, who with their wives and children stand up as witnesses on behalf of that association, which only a quarter of a century ago had its birth. Besides we have the influence which it has had on the conduct of other nations, and I can only regret it has not had the same influence on Canada. Russia, Turkey, Italy, Germany, France and other countries have life-saving associations, organized under the fostering care of the Royal Institution of England, all benefitting by the advice and counsel, and by the pattern life boats and apparatus; and Canada could very easily have received the same assistance if she had only asked for it. Let us now look nearer home and glance at the magnificent proportions of the life-boat institution of the United States. There of course the institution differs entirely in its character from that which exists in the Old Country. The United States with a coast line of 10,000 miles has not failed to grapple with the question, and although her wealth is mainly in the interior the Government have taken hold of the service and life-saving stations are supported by Government grants. In that country, as in this, the progress has been somewhat slow. The system in the United States had its origin, to be sure, in a benevolent institution. As far back as 1799 the Massachusetts Humane Society was formed, an institution which did nothing more than place a few huts on the coast of the State. In 1807 the first life-boat was built. In 1847 the first Government grant was made, the amount being \$5,000. The reports of the success of this small institution were so forcible that they pushed public opinion, and public opinion pushed the Government to still greater efforts. We find that in 1854 \$42,500 were granted. In 1855 there were 55 life-saving stations with 83 life-boats elsewhere. In 1871 a grant was made of \$200,000, owing to the loss of the *Pouchotan*, which occurred just outside the limits of one of the stations, and to the opinion being held by the nation that if there had been a life-saving station at the spot every life might have been saved. At that time the gentleman who is now the general superintendent of the life-saving service, Mr. Sumner I. Kimball, became inspector. He threw his whole soul into the great work, and it has flourished remarkably since that time. The effect was marvellous. Unworthy officers were dismissed and efficient men obtained, and in 1872 there was not a life lost on the Atlantic coast of the United States within range of those stations. In 1873 the stations saved 1,165 lives, only two being lost within range of their operations. In 1874 they saved 855 lives, only sixteen being lost; in 1875, 729 saved, twenty-two lost; 1876, 1,500 saved, eleven lost. At that time the self-righting boats and Lyle guns came into use; and since then the service has been still more remarkably successful, as, in 1877, the stations saved 1,331 lives, only twenty-nine being lost. The country was more than usually aroused by the success of the institution at that time. The loss too, of the *Metropolis* and *Huron* by which 183 lives were lost, one of which occurred during the season when operations had ceased, and the other outside of the range of the station's operations, led the Boards of Trade and Chambers of Commerce to send in countless petitions, the result of which was the unanimous passing of the Bill of 1878. The whole life-saving service of the United States at the present time is divided into twelve districts, all under one general superintendent, each district having sub-inspectors and a number of surf-

men, of whom it is unnecessary to speak. It is systematically arranged and cared for by the Government. It is a branch of the Treasury Department at Washington, and the sole control of it is placed in the hands of the general superintendent and of persons appointed to act as inspectors under his supervision. The keepers of these stations are not changed with the change of Administration; they are not placed there for political purposes, but solely on the ground of their efficiency, and many of these keepers have been there for ten or fifteen years back. We find, Sir, that we have on the southern coasts of the great lakes, three of these districts:—District No. 9, comprises Lakes Erie and Ontario, with nine complete life-saving stations; District No. 10, Lakes Huron and Superior, with thirteen stations; District, No. 11, Lake Michigan, with seventeen stations—no less in all than forty stations which affect the interests of our own marine. The total number of these stations in the United States at present is 203 complete, besides many life-boat stations, which are not called life-saving stations there, as well as many other posts. Now, Sir, I cannot more thoroughly, perhaps, impress this House with the grandeur of this work to-day in that country than by giving a few statistics, culled from the report of 1881. During that year, no less than 215 disasters to vessels occurred within the range of the operations of this service; on board these vessels the lives of 1,878 persons were imperilled, of whom this institution succeeded in saving a no less number than 1854, succoring 1,407 wounded seamen, and 1,060 days relief and treatment being given them; the value of the vessels involved in these disasters was no less than \$2,741,000; the cargoes amounted in value to the sum of \$1,310,000, a total of \$4,054,000; of this amount this institution succeeded in saving \$2,828,000 worth of property. If we take the list affecting ten years of the operations of this institution, we find that the total number of disasters was 1,317; the value of the vessels amounted to \$16,083,000; and cargoes to \$8,500,000; of which were saved no less than \$14,958,000 worth of property. The number of persons imperilled by these wrecks was 12,259, of which this institution saved no less a number than 11,864. The loss of persons, during these ten years, numbered 395, of which 183 were on the *Huron* and the *Metropolis*; and of these two wrecks, one was outside of the season's operations, and another outside of the scope of those operations. Well, Mr. Speaker, let me ask this House, what are we doing? With a coast line longer than that of Great Britain and Ireland, exposed to all the inclemencies of the season, with the knowledge constantly present to our minds, that every year hundreds of our fellow men are driven to destruction on our coasts and that with very little effort on our part to relieve them; we, I say, who boast already of our maritime power, and scorn to take second place in the scale of progress and of Christian philanthropy, are we abreast with the times in these respects? I fear that the response to the motion I have made to-day will show that we are not; and whatever may be the cause of what I am almost obliged to term culpable negligence on our part, I trust that it may be speedily removed, and that some action may be taken in order to save our reputation amongst the Christian nations of the earth. Yet all our coasts, Sir, are just of the character which imperatively demands that something should be done in this respect; rugged coasts, with numerous narrow harbors, an abundance of piers exposed to the raging of gales and tempestuous seas, all these, I say, combine to make very dangerous coasts, whereas, by the very nature of these coasts, they are rendered more simple and easy for the landing of life-boats, not making necessary the construction of surf-boats, as are used in the English service, on their sandy shores. It is not a very difficult matter to enter

on this project; we will not have to undertake all the labors, as others have labored in this field long and well; we can profit by their experience; they have solved the problem as to the best boats to be used, and the best means of carrying on the service; and no doubt, they will gladly place all their knowledge in this respect, and all their assistance, at our disposal. I suppose that there are many gentlemen within the sound of my voice, who can call to mind instances of vessels wrecked within their own knowledge, on which lives were lost; when, had life-saving apparatus been at command many lives would have been saved. Within my own recollection, on the coasts of the county which I have the honor to represent, two of those cases occurred. Some ten years ago, the schooner *Jessie* took shelter behind Salmon Point, during a southern gale, one Sunday afternoon; they thought that all was right; but on Monday morning they found that the wind had suddenly veered to the westward, and they were completely trapped between the points. It was impossible to escape; the wind blew up to a gale. In the morning the whole neighborhood was aroused. The vessel had dragged anchor and stranded within 200 yards from the shore. Hundreds of people soon collected along the coast; fishing boats were sought; the largest were brought which were to be found in that section of the country; heroic men manned them, and tried their very utmost to reach the vessel, but all that faced the storm were tossed back like cockle-shells, and thrown contemptuously on the sands. Well, Sir, that was a day never to be forgotten. There, almost within a stone's throw of the land, men were clinging to the wreck and uttering heartrending cries for help; but no man could reach them. Had a mortar been there a small line could have been thrown across the wreck, and we could have saved every man on board, but no mortar was there. The whole lifelong day the spectators remained on the beach and wondered what could be done. It was a sight not to be forgotten by those who witnessed it. Men and women fell on their knees on the sand and prayed, and strong men with tearful eyes, wrung their hands and cried: "What can be done to save these men," but all in vain, and one by one succumbing to exposure, the poor victims dropped from the wreck and sank into a watery grave. The story is soon told, and will be soon forgotten by most but not by those who witnessed it, and never by the wives and families of those poor fellows who perished by this wreck. Only last November, the schooner *Henry Folger*, was discovered one stormy morning stranded on a reef off Salmon Point. It was thought when she was first discovered, that men were seen moving on her decks, whether so, or not, we know that the story was soon told. In a few hours she became a complete wreck; and in a few days the mangled bodies of the helpless crew were found on the shore. It may be said by some, that in most of these circumstances, the tempest and the waves would be so great that it would be impossible to reach and succor them, but, such is not the case. I believe that the history of the life-saving service of all countries will give that supposition a most triumphant denial. We know, that from the Atlantic coast of the United States, as well as from the storm-beaten shores of the seagirt isle, the same heroic exclamation is heard: "To discover a wreck means to reach it and rescue the imperilled ones thereon!" We know, Sir, that there is nothing that man cannot do, if he is supplied with the proper means against the elements, and when we read the history of the life-saving service, both of England and the United States, we become convinced that there are very few wrecks on our coasts at which lives could not be saved. I know, Sir, that I am running the risk of wearying the House; I have spoken, perhaps, longer and more earnestly on this question than becomes so young a member of this House.

Mr. PLATT.

My only excuse is the importance of the question which imperatively demands that some action should be taken, and if I have spoken longer than may be seeming in a new member of the House, the charge may, perhaps, be laid at the door of the hon. the First Minister, who, by a motion for adjournment yesterday, gave me opportunity for extending my research over a longer period of time than would otherwise have been done. Before leaving home I asked the captain of a vessel, who is well known, what he knew about life-saving stations, and what had better be done. "Well," replied he, "tell the Government that if they do not care to save the lives of their own sailors, they should save the lives of the American boys who have saved my own life and the lives of many of our sailors on the southern coasts of our great lakes." Let me say in conclusion, Mr. Speaker, that I take it for granted that no defence will be necessary for energetic action on the part of the Government, either on the floor of this House or in the country, for

"The voices of the rescued,  
Whose numbers will be read;  
The tears of speechless meaning  
Their wives and children shed;  
The memory of mercies  
In man's extremest need;  
All for the dear old life-boat,  
In unison will plead."

Mr. McLELAN. The description which the hon. gentleman has given us of the condition of the life saving service in other countries has been very interesting indeed. The hon. gentleman asks what we have been doing in this country. In answer I might say that the attention of the country and the Government has been given to the lighting of the coasts, the building of lighthouses, the erection of fog alarms; and we have the inland coasts of the Dominion and the sea coasts as well lighted, and almost as perfectly, as any other coast in the world. I have no doubt that 500 lighthouses are to be found on the sea coast and inland waters of Canada; but now that the trade of the inland waters has increased so rapidly the attention of the Government will have to be turned more largely than ever to the erection of additional lighthouses on these inland waters. Now that these lighthouses, fog alarms, and bell buoys are in operation for the purpose of saving life and warning our mariners of hidden dangers, the attention of the Government in the future will be more largely devoted to the life boat service in particular, and the various organizations which life saving stations have perfected. The hon. member who preceded the hon. gentleman who has just spoken in the representation of Prince Edward County brought my attention to this matter, not by detailing what was done in other countries, but by bringing to my notice the necessity of having, in connection with his own county, some life saving stations—that county being by its peculiar formation especially liable to ship-wrecks and other marine disasters on its coasts. Life boats have been provided in many places, but there being no one in charge of them it was found that when the necessity for using them arose, they were apt to be unserviceable; but after consulting day after day with a former member for Prince Edward County and receiving from him voluminous communications on the subject—and I take occasion to say that Mr. McCuaig gave very earnest consideration to this question and was indefatigable in pressing it upon my attention—I decided that that county should have new life saving stations. I gave directions that a contract should be entered into for the construction of the best life boat that could be procured, and this boat was to be located at such a point as might be determined upon. Under the contract the boat was to have been delivered on the 9th of December, but, as frequently happens in contracts, the contractor failed to have it ready at the specified time. The boat, however, is completed now, and will be forwarded before navigation opens to a point selected for her location.

We have also decided that this boat shall be placed in charge of a crew and captain, who shall be paid a certain sum for the time they spend in practice. They will have stated periods for practice, and I propose that in other sections the same system shall be adopted—that is, that the boats shall be put in charge of captains and crews, who shall be paid something for practising and taking charge of the boats when the necessity arises.

Motion agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to :—

Copies of all correspondence between the Government of Nova Scotia and the Departments of Railways and Public Works respecting the transfer of the Branch line of Railway between Truro and Pictou, and all correspondence with the Halifax and Cape Breton Railway and Coal Company respecting Eastern Extension Railway matters in Nova Scotia.—(Mr. McDonald, Cape Breton.)

Return of casualties, where no loss of life occurred, to trains on the Intercolonial Railway, arising from collision, broken rails or otherwise, from March 1st, 1882, to July 1st, 1882; also, from July 1st, 1882, to March 1st, 1883; with the respective causes and dates, and the amount of damage (if any) in each case, to property, and amount of compensation paid to owners of property destroyed or damaged, as well as amount of claims for loss or damage to property, (if any) unsettled.—(Mr. Weldon.)

Return of the instructions issued to the inspectors and other officers of the Fisheries, as to the enforcement of the Order in Council of June 11th, 1879, whereby fishing for salmon in the Dominion of Canada, except under the authority of lease or license from the Department of Marine and Fisheries, was prohibited, the number of seizures and informations laid before Justices of the Peace against parties fishing without such lease or license; the number of convictions obtained; also, a statement of suits brought against Fishery Officers for trespass and assault in endeavoring to enforce the said Order in Council, and the amount of damages (if any) recovered in each case.—(Mr. Weldon.)

Return showing the amount paid out of the appropriation of \$150,000 made last Session of Parliament "to aid in the development of the Sea Fisheries;" the amounts paid to each person or vessel, and their names; the name or names of the persons appointed to distribute the same, and their compensation; copies of all instructions given to such persons as to the distribution of the Fund, and all correspondence connected therewith.—(Mr. Robertson, Shelburne.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 6.15 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

WEDNESDAY, 7th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### BILLS INTRODUCED.

The following Bills were severally introduced and read the first time :—

Bill (No. 54) to incorporate the Quebec and James' Bay Railway Company.—(Mr. Bossé.)

Bill (No. 55) to incorporate the Canadian Passenger Steamship Company.—(Mr. Mitchell.)

Bill (No. 56) to incorporate the Edmonton and Peace River Railway and Navigation Company.—(Mr. Dawson.)

Bill (No. 57) to further amend the Acts relating to the New Brunswick Railway Company.—(Mr. Weldon.)

Bill (No. 58) to amend the several Acts incorporating the Portage, Westbourne and North-West Railway Company, and to change the name thereof to the Great Northern Railway Company of Canada.—(Mr. White, Cardwell.)

Bill (No. 59) to amend the Acts incorporating the Atlantic and North-West Railway Company.—(Mr. Colby.)

#### EMPLOYMENT OF SHORTHAND WRITERS.

Mr. HACKETT. I beg to move that the Select Committee appointed to enquire into means for the facilitation of communication between Prince Edward Island and the mainland be authorized to employ a shorthand writer.

Mr. BLAKE. It is becoming the practice of all Select Committees having a subject for enquiry to employ shorthand writers. We had a discussion on this subject some years ago. It was found that the expenses of the Session were very largely increased by that course, and a much more rigid rule, by general consent, was adopted—that a case should be made out by the mover of the motion indicating that a very large volume of evidence was to be taken, and that the labors of the Committee could not be otherwise performed. Under these circumstances an order for the employment of a shorthand writer was to be made. I have no information myself as to whether this is a proper or an improper case, but I should not suppose that a vast amount of evidence would be required to be taken, and I think that at any rate it would be important to observe the rule: that a statement is to be made indicating to the House the special grounds which justify the incurring of this special expenditure.

Sir CHARLES TUPPER. I think that there is a good deal of force in the hon. member's suggestion; but I would suggest that this motion should be allowed to pass, while the remarks made should be held to be a notice to parties making similar motions in future, to furnish the grounds on which they are made.

Motion agreed to.

#### NATURALIZATION OF ALIENS.

Mr. WELLS, in introducing Bill (No. 60) to facilitate the Naturalization of Aliens, 1883, said: This Bill, Mr. Speaker, is designed to remedy an evil which many members of this House have experienced—especially those who represent counties such as Bruce, Grey, Huron, Perth and Waterloo. I do not wish to say anything disrespectful of the Naturalization Laws of this country, but if the design was to facilitate and encourage the naturalization of aliens, they have certainly been failures; but if, on the other hand, the design was to prevent such naturalization, they have been a remarkable success. At every election a great number of the very best citizens in the country—men of the greatest intelligence, worth and enterprise—are turned back from the polls and told that they have nothing to say in the election of their representatives. Many others decline to go to the poll rather than submit themselves to the humiliation of being turned back, and so lose their votes. The object of the Bill is to enable, and to require, deputy returning officers to administer oaths of allegiance and of residence; and so allow these men to vote. There are other provisions in the Bill relating to the sending of certificates to certain officials of the various Provincial courts, and to be followed by the usual proceedings for naturalization. I trust that the Bill will become law.

Bill read the first time.

## LIVERPOOL HARBOR.

Mr. FORBES enquired, Whether it is the intention of the Government to place an automatic buoy, or erect a fog-whistle, at the entrance of Liverpool Harbor during the coming season ?

Mr. McLELAN. The hon. gentleman will see, by reference to page twenty-four of the Report of the Marine Department, that we have two of these automatic buoys in preparation, one of which is to be moored off the harbor of Liverpool, and the other is to be placed in the most favorable spot for marking the north-west ledge of Brier Island.

## WORKS AT PUDDING PAN, N.S.

Mr. FORBES enquired, Whether the Government intend to complete the works commenced at Pudding Pan, Queen's County, N.S., during the coming season ?

Sir HECTOR LANGEVIN. I beg to inform the hon. gentleman that the works undertaken in 1868, which are the only works undertaken there, were 875 feet of wharf, at a cost of \$5,714, and that that work was completed. There is no intention of continuing the work.

## LANDS IN PRINCE ALBERT, N.W.T., AND NEIGHBORING DISTRICTS.

Mr. BLAKE, in moving for copies of all correspondence and memorials relating to the claims of the inhabitants of Prince Albert and the neighboring districts in the North-West Territories, in respect to the lands they occupy, and to other matters affecting their condition, said: I have seen, as I dare say other hon. gentlemen have seen, a petition to this House by the inhabitants of Prince Albert and vicinity, from which it appears that many of these settlers went to the North-West prior to the transfer thereof to the Dominion, and that there has been very great delay and indifference shown with reference to their obtaining titles to their lands. It is represented, in a communication which I have received, that there has been much correspondence with the Government, and that representations have been made as well by personal interview as by letters, with regard to these and some other grievances; but that up to this time, at any rate, no effectual remedy has been applied. The statement is, as to some of the inhabitants, that they went there prior to 1870 and took up lands; that they have ever since resided upon, cultivated and improved them; that their claims have been recognized by the proper department at Ottawa; that they have from time to time been promised that their titles to these lands would be confirmed by the issue of patents, but that nothing has been actually done. It is suggested—I do not express an opinion on the subject, but the position taken by some of the inhabitants is—that their position is similar to the position of those who were residents within Manitoba at the same time; but what is important is, that some just and liberal decision should be reached as to the terms upon which the patents to these lands can be obtained and the titles to them settled. By the regulations of the registry offices of the North-West, no instrument affecting particular lands can be registered until after the patent has been first registered, so that thousands of transfers have taken place in the territory, and not one of them has been properly registered. A registrar was appointed two years ago, but the office is not open yet—I suppose, because patents not having been issued, there has been nothing for him to do. It is also said that many of the settlers settled subsequently to the year 1870 but prior to 1879, on lands which were then unclaimed, with the intention of homesteading, and though they have since complied with the regulations of the Act of 1879, they have been unable to obtain the necessary grants from the Crown. Prior to 1879 all the lands in

Mr. WELLS,

the district, whether odd or even numbered sections, were open for purchase or homestead, and many of the settlers took up lands, cultivated and improved them, with the intention of purchasing; but by an Order in Council which has since been passed, they are prohibited from purchasing these lands. As the local land office was only opened last year, many of the settlers were prevented from making their entries at the proper time, and many of them are thus debarred from having their titles recognized by the Department, and will be compelled to remain three years before a recognized entry can be made. It appears that the agent was appointed as long ago as 1878, and has been there ever since, but the office was not open for homestead entries until August, 1881; and by the land regulations which intervened, settlers were prevented from exercising that freedom with regard to purchase and settlement which had existed prior to that date. Another complaint is made in the communication which I have received, and that is, that parties who have improved odd or even sections since an early period, intending to purchase them, have not been allowed to buy them at the one dollar rate; and as they were refused the right of homesteading, many persons having residences and large improvements on these lands, have been informed by persons at the land office, that their lands were bought by others, and there has thus been encouraged, by the action of the Government, a great deal of the worst sort of land grabbing, or land robbery. Then the great distance of these settlers from the railways and from the general current of settlement, has, of course, imposed special disabilities and expense upon these settlers, which, they contend, and rightly, I think, should entitle them to a prompt and liberal decision with reference to their rights to their lands. It is complained also that the Government has insisted that the settlement duties must be proved to have begun before October 9th, 1879, and that the Government have since instructed the agent to decline to recommend for patents any claims in which entry had been obtained, unless it was obtained within three months after the land office opened. There are about 3,000 farmers in this settlement, and there is said—although the district contains a good deal of good land—to be considerable poor land; and there being only a small amount of land surveyed, and properly certified at the Department, it was found impossible to locate upon lands with any certain knowledge of whether they were within odd or even numbered sections. It is also suggested that colonization companies surround the district, and the agents of these companies have taken care to forbid all immigrants from going on their lands; and the result has been that many intending settlers have departed and gone across the line. There are certain other complaints made which are not so directly connected with the land, but which have reference to very material impediments to the progress of the settlement. It is said that it takes less than a week for the mail to go from the Canadian Pacific Railway to Prince Albert, but six weeks to get an answer from Winnipeg, and that sixteen mails in the year are the whole amount of mail accommodation obtained up to this time. Several other complaints are made, but I will trouble the House with reference to only two of them—a complaint as to the slowness exhibited in improving the Saskatchewan River, although a vote of the House was taken for \$20,000 for that purpose, that river being, it is said, the principal means of transporting freight to and from that region; and a complaint of the slowness in surveying the wood land lying on the north branch of the Saskatchewan opposite Prince Albert. The delay being said to involve considerable inconvenience to the settlers, and the depletion of a large portion of this wood land by unauthorized persons. These complaints having been made to me, I thought it my duty to move for this order and to make these statements, in order that the claims of these individuals might receive

more attention in the future than they appear to have received up to this time.

Sir JOHN A. MACDONALD. I have no objection to the granting of this motion; but my hon. friend must not take it for granted that all these complaints are well founded.

Mr. BLAKE. Oh, no; I do not.

Sir JOHN A. MACDONALD. I know the hon. gentleman does not. Similar complaints are made in every new settlement by persons who are anxious to have the country opened to them and surveyed, and patents granted. No matter whether it is in an outlying district or in the vicinity of more settled parts, they are anxious to have all the advantages of an old, well organized, well settled, country. One reason of the delays at Prince Albert has been alluded to by my hon. friend, that is the nature of the surveys. The settlers are scattered along the North Saskatchewan for a great distance. Some of them have complained that they should have long narrow strips of land running back three or four miles into the country, such as we were obliged to grant to the settlers along the Red River and Assiniboine River for the purpose of settling all the disputes that existed in that country. It is not proposed in any way to carry out the same system in Prince Albert. The general system of survey in the North-West has been applied to the Prince Albert district, and, of course, the lines as run will not in every instance form the boundaries of the different sections or quarter-sections which the settlers have taken up without reference to any survey whatever. But no persons have been removed or ousted. There must be a system of give and take. The survey there has been going on, and the proper officer has been sent there for the purpose of confirming settlers who have *bonâ fide* claims according to law. Many cases must arise of settlers going in and taking up fancy spots, and some system must be arranged by which the system of survey shall be adhered to and the settlers substantially protected at the same time. We cannot help it if people act under the impression that colonization companies can keep them off their tracts. Land jobbers and land speculators may tell the people: "These lands belong to us," and some persons are frightened enough to buy off their claim, whether it is good or not. We cannot help that. All I can say with reference to these colonization companies is, that there is not anything to prevent any settler going in and settling on an even-numbered lot under the general regulations, making his entry and getting his patent at the end of three years. It has certainly been an inconvenience to those parties who wish to sell that they have not got their patents. The pressure in that direction is very great; but the system which has always existed in Canada, which we got from the Mother Country, with the various sanctions required before affixing the great seal and the signature of the sovereign or her representative, is followed in all these cases, and that has caused considerable delay. In the measure I have laid before the House, there is a provision by which that circumlocutory process will be very much abbreviated, and patents will be issued more speedily. The Department cannot pretend to survey at once, at the call of a body of settlers who go and settle wherever they please in the outlying districts of that vast country, whenever called upon, or where people want their farms marked out. The returns laid before Parliament during the past three years show how very active the Surveyor General's branch of the Department of the Interior has been in laying out townships. Some three or four hundred townships have been laid out during the past year. Every Dominion surveyor who has passed the examination and can be got, we are only to glad to employ and send up to the North-West. Of course, the first surveys were made in the vicinity of the Red River, and

extended westward, and the main force of the surveyors has been employed on the line of the Pacific Railway westward. But surveys have been going on at the same time in other portions of the country—at Prince Albert, at Edmonton, and at other points, and along the boundary south of the Canadian Pacific Railway. The Government intend to ask Parliament to give them a large grant for surveying next season. With the increasing number of applications from surveyors, and increasing experience, we hope that the present year will show a very much larger reach of country surveyed than has been covered in any previous year. I hope that perhaps five or six hundred townships will be under survey during the year 1883. If we have a favorable season for the purpose, we expect to be able to cover that quantity of ground. Last year and the year before, the weather in the spring of the year was adverse, and in some portions of the country to be surveyed it was found impossible for the surveyors to get in until well on in the summer. We hope those were abnormal conditions. We have a large staff, and with a long summer we ought to be able this year to cover a great quantity of ground. There will be no objection to the granting of this motion. As regards the slowness of improving the Saskatchewan, I think my hon. friend the hon. Minister of Public Works can dispose of that complaint. The different obstructions will be removed as soon as it is ascertained by survey where the money will be best applied. It is understood there are boulders in particular portions of the Saskatchewan, the removal of which will greatly improve the navigation. Every exertion will be made to apply the money Parliament has voted for the removal of these obstructions in the manner best calculated to accomplish that purpose.

Mr. ROYAL. I suppose you are aware that delegates have been sent here by a certain portion of the population of the North-West Territory respecting the subject which is just now engaging the attention of this House, and is more especially under the notice of the Government. Those delegates have laid their grievances—if grievances they are—before some of the hon. Ministers. Their object is to have the title to the lands occupied, owned and improved by some of these people for over twenty years, recognized and confirmed by the Government. Their claims are nothing but just. These lands belong mostly to half-breed people and pioneers from Ontario, who went west from the Province of Manitoba some five, ten or fifteen years ago. These pioneers of Canadian civilization have formed groups throughout the territories, which will no doubt be the nucleus of a large population. There is a very important group at Duck Lake, at Prince Albert, another at Edmonton, another at St. Albert, and so on. Last year surveyors were sent out to carry on the surveys of the Dominion in that part of the country. These surveyors had no instructions to stop wherever they would meet any of the old settlements, and their continuing the lines aroused, of course, the suspicion of the old settlers who held a meeting and represented to the Government the justice of respecting their property in farms and improvements. Their claims have been fully recognized and orders have been sent to the surveyors to respect those settlements. The object of this delegation is to have the Government cause the lines of the Dominion surveys to front on the limits of their settlements. The delegates have already had an interview with some hon. members of the Government, and were assured that in every case the rights of ownership of those old settlers would be fully recognized. These settlers are not to be classed with squatters. The squatter is, generally speaking, a man who goes off the survey and squats on the piece of land he thinks best suited for farming. In some cases, unfortunately, he is sent there by somebody else, or goes on his own impulse, to select the best spot on which he will make a slight improvement in

order that he may be able to sell it to some company or individual. The settlers to whom I refer went as far as St. Albert, some few miles west of Edmonton, and lived there on their farms for over thirty years. Of course it was quite natural they should suspect something was wrong when they saw the surveyors continuing their lines of survey, but there is no more reason for fear on that ground. The delegates have also another object in view, namely, to have the Government recognize and confirm the titles of these settlers. No doubt, to a certain extent, they have been squatters, but their rights are clear, and of course they are anxious the Government should confirm them and issue Crown patents to them, in order that their property should be classed the same as any other in the Dominion. In that respect also I am happy to state their wants have been fully met with and they have been assured the Government will fully recognize their titles, and issue in due time the letters patent. They have also demanded from the Government that a land agent should be appointed in their own district. The nearest land agent is about 300 or 400 miles distant from Prince Albert, and the hon. Minister has assured them that as soon as the plans of survey would be recognized and confirmed by the Government, a Dominion lands office would be opened there, and everything made ready for the interests of the new settlers. It is well known, I believe in Manitoba and in the rest of the Dominion, that that part of the North-West Territories which lies on the North Saskatchewan and extends from Prince Albert to Edmonton, will, certainly, before many years, contain a very large population. That district is composed of the most fertile lands in that part of the country where running waters, forests, and vast arable lands are to be found in large quantities. Already the pioneers have gone in in advance of the surveys and formed groups of population which are now among the most important groups of the North-West. On behalf of these delegates I must recognize the fact that the Government have dealt with them in a most open and liberal manner. We must remember that in 1870 nearly all the troubles which arose in the Red River settlement were due to the instructions or want of instructions given to surveyors who were sent out to survey the country, without taking into consideration that that country had been settled some five or six years before. Of course, the population then became naturally suspicious as to what was taking place, and about the transfer of their lands as well as the whole territory to the Dominion Government without their being consulted. They naturally became excited over this bargain and stopped the surveyors. It is but natural that those half-breeds of the same stock and sometimes of the same parentage in the North-West, may have been a little suspicious about what was taking place during last summer in the Dominion surveys. But history is always of great assistance to Governments, and in this case I am happy to say that the rights of those pioneers who have kept that country to Canada are being fully recognized by the Dominion Government.

Mr. BLAKE. I congratulate my hon. friend upon being able to give the House much more information as to the present condition of this question than the hon. First Minister, who was supposed to discharge the duties of Minister of Interior, was able to do. I regret, however, that my hon. friend's information, besides being fuller, should also materially differ from that which was conveyed to us by the hon. First Minister. He has quoted a line from Shakespeare, who speaks of somebody or other being King and having a Viceroy over him, and it appears from the statement of the hon. member for Provencher that while the hon. First Minister declares that the Government first declined altogether to recognize the applicability of the exceptional circumstances as to the river lots in Manitoba being fit for settlement, insists upon the adoption of a general system of

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survey and such adjustments between the settlers as will produce as little inconvenience as possible. The hon. member for Provencher declares that some other authority—I suppose the Viceroy over the hon. gentleman—has agreed emphatically and decidedly that whenever the surveys touch these ancient settlers they shall stop there, and that the ancient bounds shall be recognized. Well, I hope that this other Minister, who is the Viceroy over the hon. gentleman, is not the President of the Senate, for if he has set upon him no doubt he will be squeezed pretty flat. But it seems there is a discrepancy between the statements of the leader of the Government and the Minister, and the communication that the hon. member for Provencher gives as to the state of the matter. I was also glad to hear him say that the patents would be issued. From all I can see, and from all that has passed, I was not surprised to hear him declare that the country of which we are now speaking is the most fertile part of the North-West. I was satisfied as soon as I saw the papers brought down the other day, in which I found a block of some 39,000,000 of acres in the region have been, so far as the odd-numbered sections were concerned, reserved to the Canadian Pacific Railway Company; so I was at once prepared to acquiesce in the view of the hon. gentleman, that it must be the pick of the country since they have got hold of it. I am glad that my hon. friend is so easily satisfied, and that he has nothing but compliments to pay to the Government for the generosity, liberality, earliness and promptness with which they have settled the claims of the settlers of Prince Albert.

Motion agreed to.

#### DRILL SHED AT ST. THOMAS.

Mr. WILSON, in moving for copy of advertisement asking for tenders for the removal and rebuilding of the drill shed in the City of St. Thomas, Ontario; also, of tenders received, marking the one accepted, with statement of total cost of work done, said: In moving this resolution I desire to state to the House my object in doing so. It will be remembered that in 1881 a vote was taken by this House for the purpose of improving the drill shed in St. Thomas. That vote was a necessary one as the drill shed had been in a bad condition for a number of years, and the volunteers thought themselves entitled to a better place for drill services than had been provided for them. But at the same time a majority of the people of St. Thomas felt that not only should the drill shed be improved but that a more suitable place should be selected for it. They were not satisfied, therefore, when the vote for \$400 was taken up for that purpose. The drill shed is located directly in the heart of the city, and certainly, in the condition in which it was, it was no very great ornament to the people of that locality. During the following summer the Government took no action, but in 1882 we found that greater energy was displayed on the part of the military authorities there, and we were told that the Government were about making some alterations. We found also that during the winter communication took place with various citizens of St. Thomas and with the member then representing that city here. It appears that a proposition had been made to one individual, not only for the removal and repair of the drill shed, but also that he should get as compensation therefor a portion of land that was not required, or if it was required was not required for drill shed purposes; but nothing was done. It went on until after the House adjourned; about the time that the writs were issued for the elections, and then it was found that this individual who had made the offer and was lead to understand his offer would be accepted, and that he would get the contract, unfortunately for him, being a Grit perhaps, was disappointed. It appears that at this time he belonged to those who were in opposition to the Administration of the day. He had made preparations expecting to

get the contract, and had provided the greater portion of the material for making the improvements, when suddenly we saw it announced in an item in the local Conservative paper, that this individual was not to get the contract and that it was to go to another individual called Major Allison. It may be that the hon. Minister of Militia thought it was better to have this work done by one belonging to the staff, and therefore, he got the contract. Major Allison was a good Conservative and had always been so; he got the contract and went on to fill it. But what I was going to complain of was this, that although I believe it is customary to issue advertisements calling for tenders, and although we watched carefully from day to day to see whether there was any notice of the contract being let by tender, we found none appearing in our local papers. We have a daily Reform paper there, and a semi-weekly paper in the Conservative interest, and yet no appearance of any advertisement announcing that a contract would be let has ever been seen in either of those papers up to the present time. We are in total ignorance as to the amount of that contract, whether it was greater or whether it was less than the offer made by this individual in the first instance. Without detaining the House further, I, therefore, beg to move the resolution; and I hope I will be placed in possession of all the information, so that I may satisfy, not only our Reform friends in the city of St. Thomas, but also our Conservative friends. Not only the architect, but the late member for the constituency seemed to take a great interest in the work, and rumor said he was also an officer under the architect.

Sir HECTOR LANGEVIN. I would have been ready to answer the hon. gentleman except for the fact that I was misled by the notice, thinking that the matter came within the Department of Militia. The papers will be brought down, and I will have another opportunity of making a statement.

Motion agreed to.

#### CONVEYANCE OF PRISONERS FROM COUNTY JAILS TO PENITENTIARIES.

Mr. CASEY, in moving for copies of all correspondence with, and petitions from municipalities referring to the appointment of Dominion bailiffs to convey prisoners from the county jails to the penitentiaries, said: I am aware that the council of the county of Elgin, and I think other county councils also, have petitioned this House, and I believe have also petitioned the Governor in Council, asking that Dominion bailiffs be appointed to collect those prisoners from the county jails who have been sentenced to terms to the penitentiary, and transfer them to penitentiaries. The House is probably aware that a similar course has been pursued in the Province of Ontario for some years, in regard to prisoners destined for the Central Prison at Toronto. Provincial bailiffs have been appointed who take several county jails on their route, and convey a considerable number of prisoners at one time to the Central Prison. It is not necessary to argue that by collecting a large number of prisoners at a time from different jails, the work can be done more cheaply than by a system under which the sheriffs of the respective counties come down with one or two prisoners at a time, as the sheriffs have to make equal journeys and pay as much for assistance in bringing one or two as Provincial bailiffs have to do when bringing half a dozen or a dozen prisoners to the penitentiary. But this is not the only reason which has prompted the forwarding of these petitions. In Elgin, and I believe in other counties, there has been almost constant difficulty between counties and the sheriffs, in regard to the charges made. There appears to be great opportunity for overcharging the county in respect to those matters, and it has been alleged, though I do not go into that question, that in

several counties overcharges have been made; and in Elgin in particular, where this allegation has been made, it has been said on the other side that the charges complained of as overcharges were made by all sheriffs. If this be the case, and I do not enquire into it at present, it only goes to show that increased expenses have been incurred, either legally or illegally, by the practice of sending the sheriff and an assistant with one or two prisoners at a time to the penitentiary. I think, therefore, these counties are justified in calling the attention of the House and of the Government to this matter, and I hope it will receive the particular attention of the Ministry. They could, by adopting this plan, save the different municipalities a very considerable amount of the expense involved in transferring prisoners, for I take it for granted that the cost of the transference, by means of one bailiff, would be paid by the same parties who pay the largest cost of transfer now, and by saving this amount to the municipalities they would undoubtedly earn and receive the gratitude of those bodies. I do not know how the system would work in other Provinces than Ontario, or what the present system is elsewhere; that is a matter for the Government to consider. I only ask and urge that they should give special attention to this matter which has been brought before them by several municipalities in the Province of Ontario at least.

Motion agreed to.

#### DRILL SHED AT IONA.

Mr. CASEY, in moving for a copy of contract of the building of the drill shed at Iona, Ontario, with report of inspection of the same, and of all correspondence or reports in regard to the payment of the contractor, and statement of all sums paid to him on account of such contract, said: I have only to say in regard to this motion, that the drill shed was built a number of years ago; that the contractor has informed me that through some irregularity or blunder on the part, I think, of the local military officers at the time, he has never been paid; and that this arose from lack of information on the part of the Government, as to the actual facts of the case, the completion of the shed, &c. I make the motion simply to ascertain the facts, and enable the Government to consider the contractor's claim.

Mr. CARON. We have some correspondence in the Department relating to this matter. There has, however, never been any contract entered into between the Government and a contractor for the building of a drill shed at Iona. The correspondence in the Department will be laid on the Table.

Mr. CASEY. I think, in some cases, the contract was made by the municipal authorities, the Government contributing a certain amount towards the cost. This drill shed was built about 1866 or 1867, when a different system prevailed to that which now exists.

Mr. CARON. The whole correspondence will be brought down, and the hon. gentleman will find that no contract has been entered into between the Government or any municipality or contractor for the building of a drill shed at that place.

Motion agreed to.

#### COST OF CONVEYING PRISONERS TO PENITENTIARIES.

Mr. WILSON, in moving for a statement showing the cost, *per capita*, of conveying prisoners from the county jails to the penitentiaries in the years 1880-81 and 1881-82, said: In Ontario, where they have adopted a system of local or Provincial bailiffs, the cost, *per capita*, is much less than what it formerly was when prisoners were removed by the sheriffs or their officers. A reference to the Sessional

Papers of the Ontario Legislature will establish that the present cost is much less than what it was under the former system. The cost of removing fifty-nine boys to the Penetanguishene Reformatory in 1876 was \$3,012.84. In 1879 the cost of removing forty-six boys was \$2,118.46. In 1880, 169 of these lunatics were removed, and this cost the country only \$1,297.36; this included 60 per cent. of the cost incurred for the bailiffs, who performed the work. I might also say, that in 1878, 196 lunatics were removed, costing the Province \$5,111.24, and in 1879, 236 lunatics, costing \$6,008.56. In 1880, under the Provincial system of having Provincial bailiffs employed in this work, the removal of 214 patients only cost \$3,290.53, showing that if we adopt the system, which prevails in the Province of Ontario, the cost, *per capita*, will be much less than it was under the old system, when it cost \$54.06 per head in 1878, \$21.16 in 1879, and only \$11.76 in 1880; the expense of conveying the lunatics cost per head \$26 in 1878, \$25.46 in 1879, and only \$15.37 in 1880. So you will see, Mr. Speaker, that if the Government can see their way clear to the adoption of the Ontario system of using Provincial bailiffs, the cost to the municipalities, and the cost to the country, will be far less than it is at the present time. Very considerable feeling is now expressed on the subject, and I think that this feeling in many of the counties is perfectly justified, in view of the fact that the system followed is not in the best interests of these municipalities, which feel very keenly in the matter. I, therefore, move this resolution.

Motion agreed to.

#### INTERCOLONIAL RAILWAY CLAIMS.

Mr. ROSS (Middlesex). Mr. Speaker, I beg to move for a return showing the claims settled by the Commissioners appointed to settle disputed claims on the Intercolonial Railway since last report, with such other information as would show the progress made towards a final settlement with all contractors whose claims have been submitted for adjudication. I have simply to remark, with regard to this motion, Mr. Speaker, that the return called for might be very conveniently combined with the return moved for some days ago by the hon. member for West Durham.

Sir CHARLES TUPPER. Mr. Speaker, I see some difficulty in complying with the latter part of the hon. gentleman's motion. To show all the progress made would simply be to detail all the evidence and proceedings of the Commission, which is now sitting. So far as I am aware no claims have been settled since the last report was presented to the House. The matter has been referred to this Commission for a report; and the correspondence in this relation will be brought down at an early day, in response to an order of the House; but the hon. gentleman can see that the latter part of the motion would involve the taking up and bringing here of all the evidence and of all the proceedings of the Commission that is in progress, before a final result has been reached.

Mr. ROSS (Middlesex). Mr. Speaker, the hon. gentleman has almost stated now what I wanted to get in the return, namely, the fact that no claims have been settled since the last report. I was not aware that such was the fact. I thought it probable that some were already settled.

Sir CHARLES TUPPER. I am speaking from memory, and this is my impression.

Mr. ROSS. Just so.

Sir CHARLES TUPPER. If any claims are settled, the information will be brought down; and if the hon. gentleman will allow the motion to drop, I will bring down information as to whether any claims have been settled—although

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I do not think any have—with the other report; and the hon. gentleman can then take such action as he may find necessary.

Mr. MACKENZIE. I think the hon. gentleman did not bring down full information, when the former return was asked for. A few trifling cases were presented as settled by Mr. Shanly; but a number were under consideration by Mr. Shanly, of which the House has had no intelligence whatever.

Sir CHARLES TUPPER. That is true.

Mr. MACKENZIE. I think that this information ought to be brought down. The previous return ought to be completed.

Sir CHARLES TUPPER. Will the hon. gentleman allow me to explain. Any action taken, I think, should be brought down, but all the reports of Mr. Shanly who was appointed, not for the purpose of settling cases, not for the purpose of being empowered with any authority to settle any cases, for all the authority he had, and all the power he had, was to investigate and report to the Government—have been sent to the Railway Commission now sitting; and so far as my memory serves me, no action has been taken by the Government, upon any report of Mr. Shanly, or by the Commission, except on those which have already been brought before the House, and for which a vote has been asked. If any such cases have occurred, I will bring down as I have stated in connection with the other returns, a statement of them here; but my hon. friend will see, that if no action has been taken—and anything which Mr. Shanly has done, and any progress which he made, has been committed to this Commission—it would be very inconvenient to bring his reports, which are of a confidential character to the Government, before the House.

Mr. MACKENZIE. But, on the other hand the hon. gentleman may take and settle cases on Mr. Shanly's reports immediately after the House rises. My hon. friend (Mr. Blake) tells me that a pledge that this would not be done was given.

Mr. BLAKE. A pledge was given last Session by the hon. the First Minister, that no money would be paid except votes for them were placed in the Estimates, and asked for.

Sir CHARLES TUPPER. I am quite certain that this pledge was kept; and on that ground I state that no action has been taken, and no case has been settled. That being the case, I think it well to allow this motion to stand until the return moved for is brought down and laid on the Table, giving full information as to the constitution of the Commission and the expenses connected with it.

Mr. ROSS. What I really wanted to get, Mr. Speaker, was information as to whether any cases had been settled since the report of last year was placed before the House.

Sir CHARLES TUPPER. I think not.

Motion withdrawn.

#### SEMAPHORES AT RIVER DU LOUP AND BRANDY POTS.

MR. GRANDBOIS (Translation), in moving for copies of all correspondence in relation to the erection of Semaphores on the wharf at River du Loup, County of Temiscouata, and on the Brandy Pots, said: My object in making this motion is to draw attention to the fact that, although semaphores have been erected on the wharf at River du Loup and on the Brandy Pots nearly two years ago, they have not yet been put into operation. The object of semaphores as is well known, is to establish communication by means of signals, according to the international code, with the ships anchoring in Brandy Pots Harbor, either during stormy

weather or owing to accidents or other causes. These semaphores being connected with the telegraph line on the wharf at River du Loup, ships are thus put in communication with their owners or consignees, enabling the latter to obtain information about the cargo and vessel, and to order tow-boats to bring them into port. Now, I also wish to remark that Brandy Pots is a complete and safe harbor against all winds; it is an eastern as well as a western and northern harbor. There are, of course, along the river, a large number of other harbors; but they are not so safe, in this sense, that they only offer protection against one sort of wind, and very little protection during stormy weather. I desire to call the attention of the hon. Minister who presides over the Department to this point, so that measures may be taken to remedy this state of things, and to put these semaphores in operation. I believe such a step would be of great advantage to the navigation of the St. Lawrence River, which is already so difficult, owing to the ships passing so near the shore.

Sir HECTOR LANGEVIN (Translation). I have to say, in answer to the hon. gentleman, that my colleague, the hon. Minister of Marine, being absent, I am not in a position to state the reason why these semaphores have not been put in operation; but I will not fail to draw his attention to the remarks made by the hon. member, and I am convinced that he will do all in his power to remedy the inconveniences which is complained of.

Motion agreed to.

#### INTER-PROVINCIAL TRADE.

Mr. PAINT moved that Messrs. Mitchell, White (Cardwell), Burpee (St. John), Laurier, McCallum, Desjardins, Gunn, Richy, Garrow, and the mover, do compose the Committee which the House agreed on the 5th instant, to appoint on the subject of inter-provincial trade.

Motion agreed to.

#### THE CHARYBDIS.

Mr. CAMERON (Huron), in moving for copies of all correspondence and reports relating to the *Charybdis*, not already brought down; a detailed statement of all expenditure incurred in connection with said vessel; also, all correspondence relating to the sale by the Government of said vessel, or the transfer and delivery thereof to the Imperial Government, or to any one representing such Government; also, a detailed statement of the employment of said vessel since the acceptance thereof by the Dominion Government, and how now employed or where stationed, said: I find, Mr. Speaker, that on the 3rd of February, 1881, in reply to an address of Parliament, a voluminous correspondence was submitted to the House by the Government on the subject of this motion. That return does not contain, I think, the whole of the correspondence that passed between the Canadian and the Imperial Governments upon the subject of the transfer of this vessel from the Imperial to the Colonial authorities. I think, Sir, that no one can rise from a perusal of this very remarkable and interesting correspondence without feeling somewhat humiliated, without having the conviction firmly impressed upon his mind, that in the whole negotiations from the beginning to the end, the Department of Marine and Fisheries or the Government exhibited an utter want of carefulness and prudence, to use no stronger or more forcible language, in connection with this matter. The first correspondence that passed between the Imperial and Canadian Governments upon this subject, is dated the 4th of October 1880, and is embraced in a telegram from the First Lord of the Admiralty to the Governor General of Canada. The following is such telegram:—

"Your letter of 22nd of August received. *Charybdis* old type, finish deck, steam corvette, daily expected from China, might suit you. She

could either be paid off all standing, and handed over at Devonport in the present condition, free of expense, if Treasury agree to Dominion Government to navigate to Halifax at their expense, or it would cost about three thousand pounds to remove the machinery and prepare her for your purpose as a sailing ship. We could do this for you at charge of Dominion Government."

You will observe that in this cablegram the First Lord of the Admiralty refers to a letter of the 22nd of August, 1880. That letter, however, was not brought down with the correspondence; but why it was not brought down I will not venture to say at present. Perhaps hon. gentlemen opposite will tell us why this, I suppose, important document, which initiated the correspondence between the two Governments with respect to the transfer of the vessel from the Imperial to the Colonial Governments, is not submitted to Parliament. It might give us some information as to where the idea originated as to the acquisition of this valuable vessel, and the purposes for which it was intended to be used. You will find that three or four days after this cablegram was received here, the Governor General was instructed to telegraph to the First Lord of the Admiralty, and his telegram is in the following words:—

"OTTAWA, 7th October, 1880.

"Thanks for support. Minister promises definite reply to-morrow.

"LORNE."

Within twenty-four hours after this telegram was sent to the First Lord of the Admiralty, and within four days after the First Lord of the Admiralty communicated to the Governor General that this magnificent vessel was at the disposal of the Canadian Government, the Canadian Government appear to have resolved to acquire her, and on the 8th of October the Governor General telegraphed to the First Lord of the Admiralty:

"*Charybdis* accepted with thanks, all standing. An officer will be sent to take charge."

That dispatch was sent, it should be remembered, on the 8th of October. Now the only thing on earth that hon. gentlemen opposite knew about this vessel on the 8th of October, when His Excellency was directed to telegraph to the First Lord of the Admiralty, was that she was standing—perhaps the hon. Minister of Marine will explain what that means—that she was called the *Charybdis*, and that she was an old corvette. And yet without a moment's hesitation, without any consideration, without the slightest plan as to how this vessel was to be utilized by the Canadian authorities, without any well defined or any scheme at all, the Government of this country undertook to direct the Governor General to telegraph to the First Lord of the Admiralty, that they would accept this vessel "with thanks, all standing." Well, Sir, as if to warn hon. gentlemen opposite of the folly of the course they were entering upon, we find that three days afterwards, the First Lord of the Admiralty communicates to the English Treasury Board, with respect to the condition of this vessel. The whole correspondence forms an interesting chapter in the history of this country, as showing the mode in which the business of the country is carried on. On the 11th of October, three days after our Government had telegraphed to the First Lord of the Admiralty that they would accept this vessel, the First Lord of the Admiralty writes the following letter—and I am going to trouble the House by reading the whole of it, in order that the House and the country may see that we obtained the ownership of this vessel with our eyes open. He says:

"I am commanded by my Lords Commissioners of the Admiralty, to acquaint you for the information of the Lords Commissioners of Her Majesty's Treasury, that the Governor General of Canada has been in communication with the First Lord, relative to the establishment of a training ship at Quebec or Halifax.

"My Lords have intimated that to fit out an old ship would entail considerable expense; but at the present time an opportunity presents itself of meeting the wishes of the Dominion Government without any actual expense being incurred by the navy.

"Her Majesty's ship *Charybdis*, old type of corvette, is daily expected to arrive in England from China, after seven and a-half years' absence. The ship is not of a type worth the heavy expenditure necessary to refit her for another commission. She would, however, be suitable for the purposes of the Dominion Government. Under these circumstances, my Lords request the sanction of their Lordships of the Treasury, to lending her to the Dominion Government, after being paid off at Devonport, exactly in her present condition as she stands complete, with all fittings, fixtures and unconsumable stores, similar to what was done in the case of the *Nelson*, lent to the colony of Victoria, in 1867.

"The ordnance and ordnance stores belonging to the War Department will be landed.

"All extra stores which may be required, as well as any repairs, if necessary, for the voyage, to be at the risk and expense of the Dominion Government.

"The Governor General has telegraphed that he is prepared to accept the ship under these conditions, and to send an officer to take charge of the ship.

"In order to hand over the ship as proposed, it is necessary to take steps, immediately on her arrival, before any expense is incurred in dismantling her. My Lords, therefore, will be glad to be favored with the decision of the Treasury as soon as possible.

"Copies of the Governor General's letter to the First Lord, and the telegrams which have passed, are transmitted in order that the aspect of the case may be clearly understood."

Now, Sir, you will observe that the vessel is spoken of as "an old type of corvette," which is not worth the heavy expense necessary to refit her, but is good enough for Canada; and under these circumstances the Imperial authorities are quite willing to hand her over to the Canadian Government. On the 11th of October, 1880, the vessel was on the high seas. She was known to be twenty years old, to be an old wooden structure, to have spent seven years of her service in the Chinese seas, and not to have been in an English port for nearly ten years. That much was known before this communication was sent to the Treasury from the Admiralty; but there were a great many things about her that were not known. One would have imagined that that was sufficient, however, to have warned hon. gentlemen opposite against the acquisition of this vessel. There was enough, at all events, to induce them to have a proper examination made of the vessel before they saddled the country with the expense of maintaining her. Did they act upon the warning? Not at all; they acted as if no such warning had been given. We find that on the 28th of October, as if to more fully warn the Canadian authorities, the Lords of the Admiralty communicated with the Colonial Department, knowing that a communication would be made known to the Canadian authorities. In that communication the Lords of the Admiralty gave a full description of the vessel so far as it was known to them; although it turned out that their description fell far short of the reality. That communication reads thus:

"With reference to your letter of the 26th inst., enclosing a copy of a despatch from the Governor General of Canada, on the subject of the loan of Her Majesty's ship *Charybdis*, to the Dominion Government, which His Excellency speaks of the vessel as a 'gift,' I am commanded by my Lords Commissioners of the Admiralty to request that you will state to the Earl of Kimberley that, in order that there may be no room for misunderstanding as to the terms on which the vessel can be lent, my Lords think it may be desirable to recapitulate them as follows:—

"The ship is lent in the precise condition in which she now is, after seven and one half years' absence from England, with all fittings, fixtures and unconsumable stores on board.

"All extra stores which may be required are to be paid for by the Canadian Government.

"Any repairs that may be necessary for the voyage, as well as the cost of docking (if necessary), are to be at the risk and expense of the Canadian Government.

"The ship is lent to be used as a training vessel, and will remain the property of the Imperial Government, to be returned when no longer required; any machinery or principal fittings which may not be of use to the Dominion Government are to be returned into store at Halifax Dock Yard.

"As regards the guns and other ordnance stores on board, my Lords suggest that communication be made to the War Office.

"I am to request that Captain Scott, who is to take charge of the vessel, may be desired, by telegraph, to come to England at once, and that the Agent General of the Dominion Government may be requested to prepare engineers and others to take charge of the vessel at Devonport, directly after she is paid off, which will be about the 9th proximo."

Now, Sir, you will observe that that letter also points out the condition the vessel was in. Now there is a second

Mr. CAMERON (Huron).

warning from the Imperial to the Canadian authorities as to the condition of this vessel. You will think, surely, a second warning would be enough to arouse the anxiety of hon. gentlemen opposite as to the kind of vessel they were getting as a loan or a gift. It is said you should never look a gift horse in the mouth, but when the gift is accompanied by so many warnings it is only right we should examine it for our own protection. But the hon. gentlemen appear to have paid no attention even to this second warning. On the contrary, what did they do? They sent for Captain Scott. As the hon. Minister of Marine, who has charge of this important Department with which, I suppose, this branch of the public service is connected, says:

"Captain Scott, of the British service, is employed. He will cross the ocean and take charge of this vessel."

And on the 2nd of November, 1880, Captain Scott is written to by the hon. the Minister of Marine, as follows:—

"The Government of the Dominion has become possessed of Her Majesty's corvette *Charybdis*, about 1,500 tons register, now lying at Devonport, England, and it is intended that she shall be brought out forthwith. The Government, having full confidence in your ability and experience, desires that you shall take charge, and bring her to St. John, N.B. You will, therefore, proceed by first steamer to England, and on your arrival in London report to the High Commissioner, to whom you herewith have a letter from the Minister of Militia, Sir Alexander Campbell."

Now you will observe that that communication was sent upon the 2nd day of November, instructing Captain Scott to proceed to England to take charge of this vessel. On the 8th of November, a few days afterward, the following cablegram was sent from Canada to Earl Kimberley:—

"I had the honor to send Your Lordship to-day a telegraphic message in the following words: 'Government accepts *Charybdis* with conditions mentioned in your despatch of 28th October. Captain Scott leaves Halifax by *Nova Scotian* to-day to take vessel over.'

(Signed) LORNE."

Here we have in the plainest possible language the description of this vessel given by the Imperial authorities, and we have our Canadian authorities acting on that very description, by sending Captain Scott over to take charge of her. I do not care to trouble the House by reading all this correspondence, but let me give you in the words of the correspondence, very briefly, what the condition of the vessel was then known to be. It turned out afterwards she was in a much worse condition than represented. I only bring the narrative down to the 8th of November. I wish to draw your attention particularly to this description as shown in this correspondence. It gives one a mass of information as to the condition and character of the vessel that is well worth the trouble of enquiring into. She is described first as "an old type of corvette;" second, as "an old ship that would entail considerable expense to refit her." She is said "to be twenty years old;" "to have served seven and a-half years in the Chinese seas;" "that she was not of a type worth the heavy expense necessary to rebuild her." It is said that all the ordnance and all the ordnance stores were taken out of her; that all the stores which might be required, as well as any repairs, would be at the expense of the Dominion Government; that all the risk of taking her over must be borne by the Dominion Government. Now this was all known to us at this time. This is not my description. It is taken from the very words made use of in the correspondence between the First Lord of the Admiralty and the Treasury Department in England, and the First Lord of the Admiralty and the Dominion Government. Surely with all this before our eyes, to take the vessel off the hands of the English Government was to act the part of madmen, even though she were given as a free gift. At that time, too, the Government had been advised by our Lord High Commissioner in England, or whatever he is called, who represents this country at the Court of St. James, that it would cost £2,000 sterling to put the vessel

in a sufficient state of repair to warrant her making the trip across the Atlantic Ocean. One would imagine that that would have been enough to induce that hon. gentlemen to stay their hands or to cause our First Lord of the Admiralty to make further enquiries before we entered upon an undertaking such as that entered upon in connection with this vessel. Did they do so? Not at all. They went on in what I can only characterize as the mad folly of the Government in connection with the whole matter. That is not all. With all the information they had between the 4th of October and the 22nd of November, as to the condition of this vessel, did they pause? Did they hesitate? Did they stop to enquire? Not at all. These wise men, solemnly assembled in Council, passed the following Minute of Council:—

"The Committee of Council have had before them the telegram received by Your Excellency from the Right Honorable the Secretary of State for the Colonies intimating that Her Majesty's Government had presented to the Canadian Government as a gift the steam corvette *Charybdis*."

The hon. the Minister of Marine and Fisheries, to whom the telegram has been referred, recommends that the thanks of the Government of Canada be conveyed to Her Majesty's Government for this valuable gift, and that they be informed that the Government of Canada have much pleasure in accepting it. The Committee gratefully concur in the foregoing recommendation, and respectfully request Your Excellency will be pleased to communicate the same to Her Majesty's Secretary of State for the Colonies. Upon the following day the Governor General is made to telegraph in the following words:—

"MY LORD,—I have the honor of forwarding a copy of an approved report of the Committee of the Privy Council, formally accepting Her Majesty's steam corvette *Charybdis*, and expressing the thanks of this Government for the valuable gift.

"I have, &c., LORNE."

This was upon the 23rd November, 1880. That was the known condition of the vessel when she was at sea. It turned out that when she landed at Devonport, she was in a much worse condition. The estimated cost for repairs was £2,000 to be borne by the Dominion. The hon. gentlemen had all this information before them when they passed this Minute. For months afterwards they had not—nay, up to this very hour they have not formed any plan to utilize this vessel, nor given us any definite idea as to what purpose she was to serve in connection with our public service. Four months later, on the 15th of March, 1881, while we were discussing in Parliament the Estimates, and had reached the item in connection with this vessel, the hon. First Minister admitted practically that the Government had formed no scheme as to her disposal. When challenged on the subject he said:

"Of course, before we ask for a vote for the maintenance of this training school, we are bound to be prepared with a plan for the ratification of Parliament of the description of the work we expect to perform, and the nature and extent of the tuition."

This clearly shows that the hon. gentleman had then no plan in his mind as to how this vessel was to be utilized. Captain Scott brought her back from the other side. I do not know Captain Scott, but I should judge from his correspondence that he is a cautious, prudent man. Captain Scott had this correspondence before him as to the character of the vessel. He had some respect for his own life and for that of his sailors, and was bound not to risk either in the *Charybdis* before making a further examination of her condition. He was not satisfied. The captain appointed an expert who makes an examination of the condition of this vessel, and let us see what it is. On the 5th of January, Captain Scott secured the services of Mr. Barbour, an engineer capable of forming an opinion on the condition of the vessel, and that gentleman sends the following letter to Captain Scott:—

"Sir,—Having been present while the four boilers of the *Charybdis* were tested, and observing their general weakness,

obliging the pressure to be lessened sixteen to ten pounds upon the safety valves; and noticing while the testing was going on that one stay bolt and seven stay tubes gave way, and having, upon close examination of the furnaces, found numerous cracks, which require to be patched, I am of opinion that they are unfit for winter voyage upon the Atlantic."

Then, Sir, what does Captain Scott do? He communicates at once with the hon. Minister of Marine and Fisheries, telling him the condition of this vessel up to this time, and then, bear in mind, the Government were in no way bound to take it from the Imperial authorities. Captain Scott then writes the following letter which mark and digest, for it is well worthy of consideration:—

"DEAR MR. SMITH,—Mr. Barbour has, as you will see, made a report condemning the boilers; but he thinks they are quite equal to what is required for a spring voyage. He says that in bad weather we might be caught upon a lee shore, and then to have poor boilers might cost us our lives. Such arguments are unanswerable. The ship is a handsome corvette, taut spars, and looks well, but these boilers are fearful. It has caused much disappointment, but we must hope for the best. It is true that we shall effect a saving by taking the northern route in the spring, and this is better in every way. The Atlantic has been in a fearful state for many months—strong westerly gales prevailing all the time. This would have necessitated our following the southern route, and thus it would have been a long voyage."

Now, that is what Captain Scott writes, that the vessel was in a dangerous condition, that her boilers were fearful, and that if caught upon a lee shore she would endanger the lives of the crew. Now, in face of all this hon. gentleman still saw fit to go on and acquire the vessel. But that is not all. With the letters and the correspondence of the Imperial authorities before me, and with the report of those who were entrusted with the management of this vessel, let me summarize, in a few words, the condition in which this vessel was found to be in after a careful examination upon the 5th of January last, and then let me ask you, Sir, or let me ask any hon. gentleman on the other side of the House if the Government, with these facts before them, were justified in acquiring this vessel? 1st, he says it was necessary to dry dock her; 2nd, that the boilers would only last for two years; 3rd, that it was necessary to put on more repairs; 4th, that it was necessary to buy a heavier anchor for safety; 5th, that the boilers would only stand pressure of ten pounds on the safety valves; 6th, that she could only make seven knots an hour; 7th, that it required 180 men to man her; 8th, that the boilers were in a weak state; 9th, that in testing her many of the stay bolts and stay tubes gave way; 10th, that the boilers were fearful; 11th, that she could not stand a winter voyage; 12th that she would take forty days to cross the Atlantic; 13th, that if she were caught on a lee shore it would cost the men their lives. And yet, Sir, with all this before the hon. Minister of Marine and Fisheries, he still goes on for the purpose of acquiring this vessel. Now I have shown you the condition of this vessel up to the 23rd of November; I have shown you her condition upon the 5th of January, 1881, and I have shown you that even up to that time, the Government could have withdrawn from the negotiation, and need not have taken this vessel. I have shown that up to that time the estimated expense, for repairs in England, amounted to the enormous sum of £2,000 sterling; yet with all these facts before the hon. gentlemen they still see fit to go on and acquire this vessel. The conduct of the Government in this respect marks the utmost recklessness, carelessness and indifference to the public interest? Why, as I have said, there was no plan and no scheme until the day that the Canadian authorities handed this vessel back to the Imperial authorities. Sir, I have tried over and over again to get from hon. gentlemen opposite a statement of expenses connected with this vessel. I moved a resolution last Session with a view of eliciting this information, yet that information has not been submitted to Parliament in the form it should have been. Now while we are discussing this very case, which has cost the people \$30,000 or \$40,000—discussing the propriety or impropriety of the Government taking over from the

Imperial Government a vessel that had the dry rot before she left the other side of the water, a vessel that was utterly unfit for the purpose for which she was intended—the hon. First Minister and the hon. Minister of Finance, whose duty it is to look after the financial affairs of the country, are absent from the House, and the hon. Minister of Marine and Fisheries is conveniently out of his place in Parliament, showing an utter disregard by the Government to the public interests. Sir, in February last, I moved a resolution asking a statement in detail, of the expenses connected with this vessel. The Government have not submitted that statement in detail, for some reason best known to themselves, and the whole thing is concealed from the people. A search of the public records does throw light on the subject, and we gather there certain information, not because the Government are willing to give it to us, but because the Government cannot help themselves. Now, Sir, so far as I have been able to gather from these public records, they show that on the 25th of November, 1880, an Order in Council was passed for the sum of \$5,000, and the High Commissioner, Sir A. T. Galt, recommended a further sum of \$5,000, and that sum was transmitted before the vessel left England. I find in the Estimates of 1881 a further sum of \$5,000 in connection with this vessel. In the Supplementary Estimates of 1881, I find a sum of \$12,000 in connection with this vessel, and I find in the Public Accounts up to the 30th June, 1881, the sum of \$9,040.77, and I do not know how much money besides these enormous sums has been paid out on account of this vessel. And what have we got for it? We have got a rotten old tub, utterly useless for any purpose, an old tub that when she arrived on this side of the water at St. John, she was an object of danger and annoyance to the ship owners in that harbor. We have got a miserable old vessel that has cost the people enormous sums of money, and what has the Government made by it? Why, Sir, they are a by-word among sensible people, and a laughing stock to the people of this country. Sir, I have the satisfaction of knowing that I advised the Government, last Session, to hand the vessel back to the Imperial authorities as soon as possible. I am told that that advice has been taken, and that now she has been handed back. I do not know whether that is true or not, but if it is true it is the only wise thing the Government have done in connection with this vessel; and I advise the Government, when they are handing this vessel back to the Imperial authorities, to send over with her a statement of the amount she has cost us, and ask them to recoup it to the people of this country.

Motion agreed to.

#### MOTION FOR RETURN.

Motion for the following Return was agreed to:—

Copies of all reports, plans, correspondence and other documents in relation to the construction of a wharf or pier at Ste. Anne, on the River Saguenay, in the County of Chicoutimi.—(Mr. Gagné.)

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 38) to incorporate the Rainy River Improvement Company.—(Mr. Dawson.)

Bill (No. 40) to grant certain powers to the Acadia Powder Company.—(Mr. Tupper.)

Bill (No. 43) to amend an Act to incorporate the Missionary Society of the Wesleyan Methodist Church in Canada.—(Mr. McCarthy.)

Bill (No. 44) to incorporate The Grange Trust, Limited.—(Mr. White, Cardwell.)

Mr. CAMERON (Huron).

Bill (No. 47) to revive and amend certain Acts respecting the Union Assurance Company of Canada, and to change the name of the Company to The Crown Assurance Company of Canada.—(Mr. Beatty.)

Bill (No. 48) to incorporate the Wood Mountain, Qu'Appelle and Prince Albert Railway Company.—(Mr. Beatty.)

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and (at 5:35 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 8th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### PETITIONS FOR PRIVATE BILLS.

Mr. HALL moved that the petition of Charles P. Mattock's, and others, of the city of Portland, presented yesterday, praying for an Act of incorporation under the laws of the Dominion, under the name of the Winslow Packing Company, be now read and received.

Mr. BLAKE. I suppose this motion is made because the time has elapsed within which such petitions may be regularly received; and as we have decided not to make any general extension of time, I think it is absolutely essential that when a proposition of this kind is made the mover should explain to the House why the particular petition should be read and received, and the rule thereby evaded. I think, too, that the petition seems to be open to another objection, which indicates the importance of paying some attention to these rules. There was a rule laid down by one of your predecessors, Mr. Speaker, as to petitions from foreigners or aliens.

Mr. SPEAKER. I remember that Mr. Speaker Anglin, in ruling out a petition from American citizens, referred to the fact that it had been decided in England that a petition which came from some residents of France, at Boulogne-sur-mer, could not be received; but, subsequently, it has been the practice here—and Mr. Anglin suggested it as advisable—that petitions from foreigners, relating to matters affected by the legislation of the Parliament to which the petition is presented, may be received. Mr. Speaker Brand has decided that such petitions may be received, on the ground that their subject matter comes within the jurisdiction of the House. This being a petition apparently applying for incorporation under the laws of the Dominion, it would appear to come within that rule, and may, therefore, be received.

Mr. BLAKE. But apart from that question, can it be received without the consent of the House?

Mr. SPEAKER. No; unless with the consent of the House that the rule shall be waived, it must lie on the Table two days before it can be received.

Mr. BLAKE. But the time having expired for the reception of these petitions, the hon. gentleman proposes that it should be read and received to day. The suggestion I have ventured to make is, that the hon. gentleman should state some reason for the course which he proposes should be taken. The hon. gentleman, however, has not told us why the petition came to be so late.

Mr. HALL. I do not think there are any special reasons for asking the House to grant what appears to be an unusual indulgence, beyond the fact that the parties are

not residents of the country, and therefore not perhaps very familiar with our rules. They seek incorporation by an Act of the Dominion; they supposed that their petition would not be looked upon with disfavor, and no doubt their unfamiliarity with our rules led to the delay.

Sir JOHN A. MACDONALD. Perhaps the hon. gentleman will accept the statement just made by the hon. member as sufficient reason for passing the motion, viz.: that being non-residents the petitioners were not so conversant with our rules as they would be expected to be if they had resided on this side of the line. I think we ought to try and induce as many of these gentlemen to settle among us as possible, and especially those desirable settlers who are possessed of funds.

Mr. BLAKE. The name of the proposed company is not quite unfamiliar to us, and I think it probable that the parties who seek the incorporation know as much about our rules as any one. I understood the general policy of the hon. gentleman to be based on protection to Canadians, and upon giving them at least as much favor as others; but now he is proposing something different. He proposes to give greater indulgence to foreigners—to open the doors wider to other people than to our own. I am quite content to let the matter drop with this exhibition of the hon. gentleman's consistency.

Sir JOHN A. MACDONALD. I really had not the slightest idea who the petitioners were, or what they petitioned for. I merely heard when I came into the House that here was a petition which it was desired to receive one day in advance; and I think, under the circumstances, that our rules will not suffer very much if we pass the motion.

Mr. IVES. As seconder of the motion, I beg leave to say that the right hon. leader of the House is quite right—quite in accord with his own policy. One effect which it was promised the National Policy would produce, was that it would bring foreigners into this country to manufacture. Here is a proof that that promise is being fulfilled, for these men propose to come into the country to manufacture. I think they are specially entitled to our indulgence, coming, as they do, in consequence of our own policy.

Motion agreed to.

Mr. ABBOTT, in moving that the petition of William Vandusen Lawrence and others, praying to be incorporated under the laws of the Dominion, under the name of the Davis and Lawrence Company, be now read and received, said: I may state that the reason for the delay in this case was partly on the account of the lamented absence of Mr. Gault, the hon. member for Montreal, to whom it was originally intended to be intrusted, and partly in consequence of the delay of obtaining signatures in New York. The object of the Bill is practically the same as the one for which a petition was presented by the hon. member for Sherbrooke (Mr. Hall), and I think it should be received for the same reason.

Mr. BLAKE. Are these persons inhabitants of the country?

Mr. ABBOTT. Some of them are.

Mr. BLAKE. Well, I do not see that the precedent applies.

Motion agreed to.

Mr. ROBERTSON (Hamilton), in moving that the petition of the Great Western and Lake Ontario Shore Junction Railway Company, presented yesterday, be now read and received, said: My reason for asking for this indulgence is that the petition, though received at the post office on the 9th of February, was unfortunately misdirected to the hon. member for West Hastings, owing to a

mistake of the clerk to whom the letter was handed for the purpose of addressing it. That hon. member, I regret to say, has not been able to be in his place in the House, and yesterday I was asked by the solicitor of the company if I had received the petition. A search at the post office revealed the error, and as soon as I obtained the petition I presented it. I hope the House will consider this a sufficient reason why this indulgence should be granted in this case.

Motion agreed to.

#### COMMITTEE ON INTER-PROVINCIAL TRADE.

Mr. PAINT moved that the Select Committee appointed by the House to consider the subject of Inter-Provincial trade, have power to send for persons, papers and records, and to report from time to time.

Mr. BLAKE. We have, I think, of late years observed the rule that some statement should be made as to the reason why persons, papers and things should be sent for by Committees—at least persons. Very large expenditures may be incurred by a Committee under this authority, and I think the general tenor of the evidence which the hon. gentleman proposes to summon should be stated before the House is asked to assent to this proposal.

Sir JOHN A. MACDONALD. I was just about to say, when the hon. gentleman rose, that we ought to have such an explanation. One great objection to Committees of this kind is the expense sometimes incurred without necessity, by the summoning of witnesses who come from great distances, do very little, and cost a great deal. If the hon. gentleman in his place can state that there are special witnesses whose evidence on this subject would be of very great importance, then it is for the House to grant permission to summon persons. In England, in cases in which it is feared that the expense in summoning persons will be large, the power of the Committee is limited to sending for papers and records, leaving the Committee to take the evidence of such persons as voluntarily present themselves, or can be induced to attend and give evidence without expense. Then, I am not at all sure that it is right to grant, without some explanation, the power to report from time to time. It appears to me, from the nature of the reference, that the final report must of necessity be the result of an enquiry. I do not see how, on a subject of this kind, there can be a series of reports from the same Committee. I would like my hon. friend to state whether he expects to bring here from a distance a number of witnesses, and what number, so that the House may judge as to the expense that may be incurred by the granting of this motion.

Mr. PAINT. The Committee intend to be very judicious in their expenditure, and the witnesses will not exceed three or four in number—from Nova Scotia and the Upper Provinces. I think we shall only require to make one report.

Mr. BLAKE. The hon. gentleman says he proposes to call three or four witnesses from the Maritime Provinces and the Upper Provinces. May I ask whether it would not do to obtain from these persons their views by correspondence, without incurring the expense of bringing them here. It occurs to me that if the Committee begins by calling three or four witnesses, they will not stop there; and while some persons may think a trip to Ottawa, while the House is in Session, may be a very agreeable amusement, I think some good reason should be given why their expenses should be charged to the country.

Mr. PAINT. This matter will be in the hands of the Committee. I shall not take any special liberties.

Motion agreed to.

## CRIMINAL LAW AMENDMENTS.

Mr. CAMERON (Huron), from the Select Committee to whom were referred Bill (No. 6) to provide that persons charged with misdemeanor, shall be competent as witnesses; Bill (No. 2) to amend an Act respecting procedure in Criminal Cases, and other matters relating to Criminal Law; Bill (No. 4) to amend the Law of Evidence in Criminal Cases; and Bill (No. 30) to amend the Criminal Law, and to declare it a misdemeanor to leave unguarded and exposed holes cut in the ice on any navigable or frequented water, reported that they had consolidated the four Bills into one, with several amendments.

## BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 61) to incorporate the Niagara and Railway Bridge Company.—(Mr. Ferguson, Welland.)

Bill (No. 63) to amalgamate the Presbyterian Ministers' Widows' and Orphans' Fund in connection with the Presbyterian Church of the Lower Provinces, and the Widows' and Orphans' Fund of the Presbyterian Church of the Maritime Provinces in connection with the Church of Scotland, and to create a trust to administer the said funds.—(Mr. Richey.)

Bill (No. 64) to incorporate the Pacific and Peace River Railway Company.—(Mr. Cameron, Victoria.)

Bill (No. 65) to amend the Act incorporating the Ontario and Pacific Railway Company.—(Mr. Bergin.)

Bill (No. 66) to incorporate the Quinze Pier Boom and Improvement Company.—(Mr. Tassé.)

Bill (No. 67) respecting the Citizens Insurance Company of Canada.—(Mr. Curran.)

Bill (No. 68) to incorporate the St. Lawrence Bridge and Manufacturing Company.—(Mr. Curran.)

Mr. CAMERON (Victoria, Ont.) moved for leave to introduce Bill (No. 62) to incorporate the Atlantic, Pacific and Peace River Telegraph Company.

Mr. BLAKE. Would not my hon. friend be contented with embracing the Atlantic and Pacific Oceans without taking in the Peace River?

Mr. CAMERON (Victoria). To make a telegraphic company effective, it should be very extensive in its operations.

Bill read the first time.

## RAILWAY ACT (1879) AMENDMENT.

Mr. WHITE (Renfrew), in moving the first reading of Bill (No. 69) to amend the Consolidated Railway Act, 1879, said: The object of this Bill is to amend the 16th section of the Act providing for the erection of fences by railway companies. It has been held in one case, under my notice, by a Judge of the County Court, that where a notice was not given by proprietors to erect fences, the company were not liable to any damages caused to cattle or horses. As many farmers do not know that it is necessary to give the railway companies notice to erect fences, the object of this Bill is to declare that railway companies shall be liable to damages to horses or cattle whether notice was given them to erect fences or not.

Bill read the first time.

## POST OFFICE AND CUSTOM HOUSE BUILDING IN SUMMERSIDE, P.E.I.

Mr. YEO enquired, Whether the Government have yet obtained a site for the contemplated Post Office and Custom House building in Summerside, Prince Edward Island; and  
Mr. PAINT.

if so, where situated, from whom purchased, and at what price?

Sir HECTOR LANGEVIN. I have to inform the hon. gentleman that the lot in question is situated on the corner of Fitzroyal and Somerset streets, that it belonged to Mr. Richard Hunt, that the dimensions are 140 feet by 70 feet; but inasmuch as nine feet on each street belonged really to the street and we could not get a title for it, the quantity was reduced to 139 feet by 61 feet; that the price was to be \$850, but the quantity being reduced, the price was reduced accordingly to \$693.

## KINGS COUNTY (P.E.I.) ELECTION.

Mr. CAMERON (Huron.) Before the Orders of the Day are called I would like to enquire of the Government whether they propose going on with the discussion on this subject to-day. The matter has been allowed to stand for some time, and I suppose it ought to be disposed of in some way.

Sir JOHN A. MACDONALD. If the hon. gentleman will fix to-morrow positively, I will be very glad to go on with it. It shall be the first Order of the Day.

## COURT OF RAILWAY COMMISSIONERS BILL.

Mr. McCARTHY, in moving the second reading of Bill (No. 3) for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879, said: The Bill of which I have the honor to move the second reading has been already introduced on more than one occasion into this House, but not to the present Parliament. It is a Bill for the purpose of constituting a court for dealing with all matters relating to railways. It is now introduced in almost the same form in which it was reported by the Special Committee to whom it was referred last Session; and, therefore, I trust that the House will be prepared to deal with it, at all events so far as the principle of the Bill is concerned, on its second reading, and that an expression of opinion will be had as to whether this Bill is one that meets with the approval of the House. The Bill proposes, in part, first to constitute a court, that court is to consist of three Commissioners, so called, who will, however, under the Bill as amended, be Judges, and will hold their office by the same tenure that the Judges of the land hold theirs, subject only to removal upon an address from both Houses of Parliament. These Judges are to be appointed, two of them, at all events, from special classes. One is to be a lawyer, one is to be a railway expert, and the other it is hoped will be, so to speak, a man of common sense, although the Bill does not make that a necessary qualification.

An hon. MEMBER. Then the Bill is not workable.

Mr. McCARTHY. I am told the Bill is not workable. I hope, on the contrary, that the leaven this third commissioner will introduce will be sufficient for the whole mass, and that his common sense will be sufficient to enable the other two gentlemen to deal with matters in a reasonable and common sense way. So far for the constitution of the court. There are to be such officers appointed as may be necessary for the proper and effectual working of the court. Then as to their powers, they will be found detailed in the Bill. They are generally to have powers of enabling and compelling railway companies to do that which—by their charters and by the Consolidated Railway Act of 1879, and by the Railway Laws of the several Provinces—railway companies have agreed to do—that is, to afford equal facilities to all, and to carry on their business in such a way as, while not being disadvantageous to the companies themselves, will be more beneficial in a public point of view than is the case, I believe, in the way railways are now

worked. I will not occupy the time of the House in detailing what those powers are. They are taken very largely from the law of England, where an Act of this kind has been in force since 1874. In that year a Railway Commission was appointed, temporarily at first, namely, for a period of five years; and the working of that Commission has been found so beneficial that it has been extended from time to time; and the last report I find upon the subject recommends to the House of Commons that the court should be made permanent. Now, the first question is very naturally, is such a court necessary? Is there any necessity for adding to the courts already in existence in this country another special tribunal to deal with matters of this kind? Because if I am not able to satisfy the House, or rather if this House is not already satisfied, as I believe most of the hon. members are, that such a tribunal is necessary, the Bill ought not to be read the second time. Now, I believe such a court is absolutely necessary. Although there are laws which enact that railway companies shall deal fairly by the public, fairly by localities, and fairly by other companies, I think I am stating what is known to almost every hon. member in the House, that these laws are practically a dead letter. There is no way of compelling railway companies to do that which by their charters they have agreed to do; there is no reason by which an individual is in a position, and no court constituted, to enforce the laws of the land with regard to these large corporations. Now, many instances might be cited—I suppose we all, from our several localities, could bring instances of that kind. I have received letters and seen letters from different persons who complain very much of the grievances under which they labor, as to the manner in which they are dealt with by railway companies. I do not need to give instances in detail; though in the debate which took place on the second reading of this measure last year, the hon. member for Huron gave many instances of the kind, in addition to those I mentioned in the observations I had the honor to make to the House. One instance occurs to me at this moment, where a large corporation carries a certain kind of goods from the city of Chicago to the interior of the Province of Ontario, at a less rate than it does from one part of Ontario to another—oil cake, I think it is; that this company charges more to carry by the car load from Baden to Belleville than to carry it all the way from Chicago. Instances of that kind are numerous. Before the Committee to which the question was referred last year, several statements were made from different localities, in which it was shown that it was the practice of railway companies to carry a longer distance at a less rate, simply because, either there was some feeling or animosity against particular localities, or there was some desire to cut rates as against some rival railway company; but whatever the reason or motive may have been, the injury was done all the same, and in many instances trade was very largely destroyed. In the same way it was with individuals. I do not think there is a shadow of doubt that large dealers with railway companies obtain terms much more favorable than small dealers; that men in a position to give the railway companies some additional compensation as it were, or additional consideration beyond the charge made, have their goods carried at less rates than those who are not in that position; and in many ways the railway companies deal as if they were, as they are practically, above the law. To trace the history of this subject in England is perhaps curious; and it is more curious still, that notwithstanding the enormous number of miles of railway we have now, and the enormous amount of money the people of this country have contributed to the building of these roads—I think not very far from 33 per cent. of the whole cost—the companies have been able to exercise such an influence upon the Legislature that, practically, they remain uncontrolled and untrammelled. In England it

has been otherwise. Since 1844, they have been endeavoring to deal with this subject, and in that year Mr. Gladstone introduced a Bill which, although much mutilated through the influence of the railway companies, as it is said, finally became law. It was found, however, to be wholly ineffectual for the purpose intended. In 1846, a Railway Commission was appointed, not similar to the body appointed afterwards in 1874, but a Commission with power to deal with certain matters, special cases referred to them, and with power to consider private bills on railway matters intended to be brought into the House. That, however, proved inefficient. In 1853, upon the report of a Joint Committee of the House of Lords and House of Commons, of which Mr. Cardwell was chairman, it was recommended that the Courts should have special power to deal with railway matters; and ultimately, owing to an objection made by the Court of Queen's Bench and the Court of Chancery to undertaking the duty, it was cast on the Court of Common Pleas which had authority to employ a referee who should be an expert; but after several years experience, it was found that this court, even with the additional power conferred by the Act of 1853 or 1854, I forget which, was wholly incompetent to deal with this complex question. The result was that, in 1874, the Railway Commission, which is still in existence, was appointed. I will trouble the House with an extract from a final report to the House of Commons, submitted at the last Session of that House in England, with respect to this subject. I remember when I first had the honor to present this subject to Parliament, it was claimed that the law in England had proved to be a failure; it was triumphantly proclaimed by the railway companies that in several instances they had, by writs of prohibition, prevented the Railway Commission from so dealing with certain matters. And that is perfectly true. It is perfectly correct that in some instances the Railway Commission had over-stepped, in the opinion of these courts, the line of their duty, and the power conferred on them by the Act of 1873. But, nevertheless, here is the unanimous report of this great Committee on the subject; the recommendations will be found on page 16 of the report, and they are summarized as follows:—

"That the Railway Commission be made permanent and a court of record. That the powers and jurisdiction of the Railway Commission be extended to cover: (A) All questions arising under the special acts of the public statutes for regulating railway or canal traffic affecting passengers or goods. (B) The making of orders which may necessitate the co-operation of two or more railway or canal companies within the statutory obligations of the companies. (C) Power to order through rates on the application of traders, but no such order to impose on a railway company a rate lower than the lowest rate of such railway company for similar articles under similar circumstances. (D) The revision of traffic agreements, both of railways and canals, in as large a measure as the powers formerly exercised by the Board of Trade. (E) The granting of damages and redress for illegal charges and undue preferences. (F) The commissioners to have power, on the joint application of parties, to act as referees in rating appeals."

So that we find the Committee of the House sitting during two Sessions—because this Committee was reappointed last Session, having made an interim report—unanimously declaring that the power of the Commission should be extended, the court made permanent, and made a court of record. They do offer suggestions, and I dare say the suggestions are an improvement, that there should be an appeal, and they point out where the appeal is to lie; and that the right of interfering with the Court of Railway Commission should be taken away. These are suggestions in the proper direction, and might be embodied in the Bill, if the House approves of its principle, of which I have the honor to move the second reading. For these reasons there can be no doubt that a court of this kind is necessary in this country. The only argument, if argument it can be called, that I have heard urged against the constitution of this court is this: It is said we are differently situated here, our railways have to compete with railways in the

United States, and if they are fettered in the management of their traffic by a court of this kind, they will consequently be dealing under disadvantageous circumstances with rival through roads on the other side of the line. Well, the answer that I think it is only necessary to give is, that it is assumed the Commissioners will deal reasonably. It is not my object, and certainly it is not the object of Parliament, to injure or destroy railway companies; it is our object to make the companies fulfil their obligations to the public, and make them carry out their franchises on the terms on which their franchises were granted. So it is enough to say that Railway Commissioners can easily deal with the question of through freight so as not to injure any road carrying that through freight; but so careful were some members of the Committee last year, that there was embodied in the Bill a provision preventing the Railway Commission from dealing with matters of through freight to the prejudice of the company where there was competition. I have heard it said, and indeed it has been stated in this House, that it would be impossible to obtain efficient and impartial men to discharge the duty of Commissioners. I utterly repudiate that assertion. It is a slander on this country to suppose that not three men could be found in Canada above the suspicion of being tampered with by railway companies, no matter how rich or powerful they might be. No person ever insinuated that the Judges throughout the different Provinces were ever open to an imputation of that kind, and where Commissioners were appointed to office under the same tenure as the Judges of the land, there would be no difficulty in securing men, although they were not members of the profession to which I have the honor to belong, whose honor would not be suspected, and who would discharge their duty honestly and faithfully, although dealing with corporations of vast wealth, and determining matters perhaps prejudicially in the eyes of the managers of those companies. There may be other objections, but I do not know what they are—except the one of expense. Some hon. members may say: We have courts enough, and the people of this country do not desire the constitution of another court.

Some hon. MEMBERS. Hear, hear.

Mr. McCARTHY. Well, I now hear that sentiment echoed by all gentlemen from all parts of this House. All I have to say to that is this: If the grievances that the people of this country labor under with regard to the management of railways, are not greater than the cost of a special tribunal of this kind, then certainly this Bill is wholly unnecessary. If \$30,000 or \$40,000—which would be the outside limit of the cost of such a court—would not be a very cheap thing for the traders and the people of this country, then, Sir, I will withdraw this Bill without a moment's hesitation. I believe that instead of that, hundreds of thousands of dollars are lost by the traders and the people of this country, who have to send their goods by these railways, owing to the way in which these roads are managed, and, therefore, it is a trifle to speak of the cost attending upon the constitution of such a court. But, Sir, if the cost in the view of those who take an economical view of the matter is one which ought to be considered, why perhaps it would not be unfair to make the railway companies, whose misconduct has caused the necessity of a tribunal of this kind, bear the cost and to place a mileage tax upon them, a small tax on all the companies would be quite sufficient, thus placing the burden on the proper shoulders in the constitution of this court. For these reasons, Sir, I venture to submit this measure to the House; and I think that there will be no more sending of it to Special Committees with the ordinary fate that attends a Bill going to a Special Committee; that no time will be left to deal with it if the Bill be in the hands

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of a private member. I trust that the House is now prepared to deal with this important question. Numerous petitions have been presented from a great number of the counties in the Province of Ontario asking for the constitution of this court, and I believe that the members at all events from that Province have their minds made up in one way or the other as to the propriety or the impropriety of the measure I now submit to their consideration. I would like, therefore, that the matter be at once dealt with, not that I mean to say that the Bill is perfect as it stands at present, but the principle of the Bill should either be assented to or the Bill should be rejected. The matter should be brought in point of fact to the test of a vote of the House, so that we may know exactly what the opinion of Parliament is on the Bill. With these observations, Mr. Speaker, I beg to move the second reading of the Bill, seconded by Mr. Haggart

Sir CHARLES TUPPER. Mr. Speaker, I do not rise for the purpose of opposing the Bill, which my hon. friend who has just sat down, has moved with so much force; but simply to state that there are certain considerations, which, I think, are not unworthy of the attention of the House. The importance of such a question as this, only requires to be mentioned to at once show how great the interest is with which the Bill of my hon. friend proposes to deal. The hon. gentleman says that the country has contributed of all the amount—the vast amount, the millions which have been expended in the construction of railways in this country, in one shape or in another—something like one third.

Mr. McCARTHY. About 33½ per cent; yes.

Sir CHARLES TUPPER. I am not disposed, Sir, to dispute the statement of the hon. gentleman; and the very fact the country has contributed no less than one-third of the cost of these great enterprises is evidence of the immense importance that the people of this country and the Legislatures of the country have attached to the expenditure of capital in the prosecution of such works. Now, Sir, my hon. friend has rightly said that this measure when it was first proposed in England, when first submitted to the consideration of its Parliament, when introduced by so great an authority and so eminent a man as the present Prime Minister of England, was found fraught with such difficulty and attended with such inconvenience in its operation, that it practically failed in its purpose, and that it was only by slow degrees and by long and careful consideration, and the investigation of Parliament and the public, that the measure was ultimately devised, which has been attended with any satisfactory result. My hon. friend will at once see that if in England such difficulties have been encountered in dealing with a measure of this kind, how immeasurably greater these difficulties will be in a country like our own. England is an Island, and her railway is connected with no other such system. They are in competition with no other system. It is for the purpose of carrying on business confined to the British Islands alone that the railways there are under the operation of a Commission to deal with their interests. My hon. friend has just touched the marginal point, which would place the entire railway system of this country in an entirely different position from that with which the English Parliament had to deal, when it was forming a similar measure. He has correctly said that all our great lines of railway are in close and keen competition for through traffic with lines of railway capable, with more or less conveniences alongside of us across the border of another country, of competing for the same traffic. He has himself said that he rests upon the good sense, not of the lawyer, not of the railway expert, but of the one man of common sense to be on this Commission, for the protection which the railway companies and the interests of the country shall have; but by the interference, by the

ill-judged though well meant interference of such a Commission we may find ourselves limited to doing the business of our own country without reference to that great volume of through traffic that this Parliament and this country have done so much to endeavor to attract to our country. There is no doubt, Sir, that it is of great importance to do the business of the country itself, to connect the various parts of our own country one with another, and to afford railway facilities; but, Sir, it may be found that all that would be gained by the adoption of such a policy as would give an undue advantage to the great railway corporations on the other side of the border, would be not to do the business of our own people at a cheaper rate or in a more efficient manner, but to reduce the business of our lines to the local business of the country, and to impair the power of these great corporations and of these great railway companies to do the business of this country as efficiently and as cheaply as they now do it. The hon. gentleman has drawn attention to the fact and he rests his entire case on that fact of the apparent injustice of carrying goods a long distance at a cheaper rate than they are carried for a shorter distance. Well, Sir, the hon. gentleman will find that all railway tariffs are based upon the principle of making great reductions for carrying goods longer distances. The terminal charges are the same in the one case as in the other, while the amount received in the one case is entirely different from that received in the other. There is another very important fact, I think, Sir, which ought to be taken into consideration in this matter; and that is this: the hon. gentleman has drawn your attention to the fact of the enormous amount of capital brought into this country, and so invited by the various Legislatures of Canada and this Parliament, and put into operation for the purpose of carrying on the business of the people. Now, Sir, no person will venture to underrate the value it has been to the people of Canada to have this capital brought into this country and so expended. The very fact, Sir, to which the hon. gentleman has drawn attention, that the one-third of this entire capital has been contributed by the Legislatures of the country, is sufficient to attest the enormous, the great importance which the Parliament and the people believe is to be attached to the attraction of capital into our country for the purpose of these railway enterprises. Now, Sir, what has been the result to capitalists? The hon. gentleman says that the railway companies have been guilty of injustice to the people of this country in the mode in which they have carried on their business; but I want to ask the hon. gentleman to point to me any institution in this country in which so much money has been invested, and in which so much capital due to the private enterprise of other countries, and so much foreign capital has been expended in a way more beneficial to our people than the capital which has been invested in our railway enterprises. I have no hesitation in saying, Sir, that let a severe snow storm paralyze the operations of our railways for twenty-four hours, and the greatest inconvenience and loss will be occasioned to our people. If that be the case, it is only a measure, and a small measure of the immense importance to the country, and the immense advantage to the country, of having foreign capital brought into Canada and expended in these railway enterprises. And with what result to the people? Have these railway corporations—which the hon. gentleman charges with injustice to the public, with having fattened at the public expense, grown rich? The hon. gentleman knows the history of all these great railway corporations from their inception down to the present hour, and he knows that the business of the people of Canada was being done at the expense of foreign capitalists whose money was contributed to the construction of these railways, and who derived little or no return—in many cases no return—

from the capital which they invested. I do not rise for the purpose of opposing the hon. gentleman's measure, but of drawing the attention of Parliament to the fact that it is fraught with far reaching, wide, and important consequences to the people of this country, and that we should hesitate before adopting an ill-advised, or incautious measure which may be attended with results far different from those which the hon. gentlemen desires to attain by the Bill. But there is one difficulty to which the hon. gentleman has not alluded. There is a most important consideration which I waited to hear the hon. gentleman explain to the House, but so far as I observed he did not refer to it, and that was the fact that this Parliament does not control all the railways of Canada. We control only a certain number, and a Commission appointed by the Government under the authority of Parliament would not be able to reach many of the corporations. The hon. gentleman knows that while the power rests in the hands of the Local Legislatures to give incorporation to local companies he might have a through line controlled by this Parliament hampered, embarrassed, and obstructed, by the ill-advised and ill-judged, however well meant, action of a Commission which, according to the hon. gentleman's own statement, is only to have one man of common sense upon it. I say that by the ill-advised action of such a Commission he may have a through line of railway under our control embarrassed, and the railway operated in competition with a road altogether beyond the power of this House. I think, Sir, the fact of the great difference in the position of the British Commission, dealing as it does with insular railways, and a Commission such as it is proposed to create by this Bill, is one which is entitled to the very greatest attention and consideration. But, Sir, speaking of the enormous amount of capital which has been brought into this country by people outside, the hon. gentleman need not be told that the credit of Canada has suffered, that the material progress and prosperity of this country have suffered greatly from the disappointment which these capitalists met with who invested money in building works for the purpose of promoting the progress of trade and commerce through Canada. The hon. gentleman knows the effects produced by the inability of the Grand Trunk Company to realize any of the expectations held out to the British public, who furnished many millions for the purpose of constructing that great line of railway—their inability to realize these expectations with all the returns they could possibly obtain by the ablest and most vigorous management they could procure for the road. The hon. gentleman knows that the unfortunate stockholders, the people whose money had furnished us with the means of carrying on the trade and business of the country, told year after year that there was nothing for were them; that the money was gone, and that while it benefitted Canada, it was a total loss to those who had contributed the money under the expectation that they were to receive a fair and adequate return for the capital invested. Now, Sir, I say, if these railway companies have done so much good for the country, if the capitalists abroad who have invested their money in this country have done so much for its advancement and progress, we should scan with great caution, we should weigh with great deliberation, any project which is likely to be held to be a breach of faith as between the capitalists who constructed the railways and the Parliament of this country. They have entered into these engagements with Canada on the faith of Acts of incorporation, under an obligation that their rates were not to be restricted further than they are restricted by the law upon our Statute-book—unless, indeed, they were able to realize 15 per cent. on the capital invested—and I think most of them would wait a long time before their rates would be interfered with by the operation of such a provision as that. I ask whether these

parties who have expended their money, in constructing the great public works of this country, are not in a position to question how far it would be a breach of faith with them to change the basis of the terms upon which these railways carry on their business. I do not wish to be understood for a moment as decrying the importance of the Bill. I know its importance, and I know how deep an interest the hon. gentleman takes in the subject, and the single eye he has to the advancement of the public good. But fraught as this question is with consequences so important to the country, it requires the utmost care and the gravest deliberation and examination, before it forms the subject of legislation by the House. I trust the proposal I made a year ago, when the hon. gentleman introduced this measure, will be accepted now, and that the Bill will be remitted, not to a Select Committee by which nothing practical could come of it this Session, but remitted to the examination of the Committee of Railways and Canals; where the parties interested, the great interests involved in dealing with such a question as this, will have an opportunity, before a very large Committee of this House, of presenting fully and fairly the objections that, in their judgment, may lie against the adoption of any particular feature of the Bill, and where, after careful consideration, this House will feel that any decision arrived at by the Committee would be worthy of confidence and support.

Mr. ORTON. Though I do not desire to advocate this Bill in any spirit of opposition to our railway enterprises, I cannot allow the discussion upon this important question to pass by without making some remarks. The hon. Minister of Railways has advanced arguments that are very strong in favor of leaving matters in the position in which they are to-day. But there are such great grievances felt by the people of this country that I am convinced that the day is not far distant when the public will demand, in no unmistakable way, that legislation upon this question must not be postponed from Session to Session. I would like to see this question discussed in this House from every point of view. The hon. Minister of Railways took the position, that Canada occupies so singular a position, that it is impossible for us to have a Railway Commission the same as that which exists in Great Britain. I do not see, however, that these difficulties are insurmountable. I do not see why the regulation of rates and other matters affecting our railways cannot be adjudicated upon by some such Commission as is proposed in the Bill. I maintain that we have in Canada men of sufficient ability and honesty to compose such a Commission. There is another reason why such a Commission would advance the public interests, and it is this: if the Commission were appointed in the spirit which I understand is contemplated by the hon. gentleman, we all know that it would be subject yearly to the review of the representatives of the people in Parliament assembled. If it is found to be an evil instead of good it will soon be remedied, and I regret very much that the hon. the Minister of Railways should throw cold water upon this measure. Year after year I have had the honor of presenting petitions from my part of the country in favor of a Railway Commission, and I feel that I would not be doing my duty to my constituents if I did not rise in my place in this House and advocate the cause of this Bill. Now, Sir, there are great and grievous wrongs committed by railway companies in Canada. I can point to instances in which not only towns and villages have been ruined, but that some of the most enterprising men in this country have been ruined by the discrimination given by railway companies, in favor of the wealthy men in the large cities and towns over the small dealers in the towns and villages throughout the rural districts; and I maintain that such a state of affairs should not be allowed to exist. We know that railway companies prefer through freight to

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local freight; we know that there has been in the past frequent agitation in favor of the Local Legislatures making large grants to local railways; and yet these lines are all absorbed by the large railway companies, without any protest by the Local Legislatures or by this House; and the people of Canada are to-day virtually in subjection to two great railway corporations. It is of the highest importance to the people of this country that the Legislature of Canada should do everything it can to protect the public against such a growing tyranny. Sir, why did we hear that great cry in Manitoba and the North-West during the past summer about disallowance? It is very true that the people of Manitoba have shown themselves to be Conservative to the back bone. I have travelled through that country, and I know that three-fourths of the people there are Conservatives. I know also that, in consequence of the mismanagement—I do not say wanton or wilful—of the Canadian Pacific Railway, the people of the North-West were justly indignant at the treatment they were subjected to. There was not a merchant in the city of Winnipeg, or in any of the towns or villages of the North-West, but had the same complaint to make. It turned out, however, that these complaints were due to some of the officials of the line, and not to the manager; and I have great pleasure in stating that in the latter part of the year great improvements were manifest in the management of that road. I, myself, while travelling through that country, as well as many men whom I met, received gross wrongs at the hands of that corporation; and if it once goes abroad that the Government of this country are putting their foot upon the efforts of the people to obtain justice against great railway corporations, we do not know what will be the end. While I can compliment the Canadian Pacific Railway Company upon the wonderful enterprise they have shown in the construction of that road, and while I am proud as a Canadian of the Pacific Railway contract, and believe that it was the best thing that was ever done for the North-West and the older Provinces, yet I do believe that there is some necessity for some such body as that proposed to adjudicate upon disputes between railway companies and the public. I hope that this matter will be further discussed, and the opinions of the House more fully elicited upon so important a subject.

Mr. SPROULE. I am glad the hon. member for Simcoe has seen fit to press his Bill so far, because the opinion seems to be obtaining throughout the country that this measure is only brought forward to be shoved off from year to year. I think the argument that we have enough courts in the country is not a valid one, because there are grievances among the people that cannot be reached by the ordinary courts; it is time for Parliament to step in and provide some remedy for them. It is well known, that it is found to be impossible for individuals to fight railway companies. The power of these companies is so great, and their resources so numerous, that it is almost impossible for individuals to get justice in any dispute with them. It is true as the hon. Minister of Railways says, that the circumstances of this country may be such as to be detrimental to the efficient working of this Commission; but the Commission will take into consideration these exceptional circumstances in the decisions they may arrive at. I think the fact that a large amount of money has been given by municipalities in aid of railways in the hope of securing competition, and that as soon as this is obtained a large corporation steps in and absorbs them, is a strong argument why some redress should be granted; because, if the people appeal to the courts, they cannot prevent this operation. The Local Legislatures appear to be unable to stop it; and if the subject is brought before the Dominion Parliament, the power brought against it by these great railway corporations is so great that it is almost impossible to obtain any redress. The people in my part of the coun-

try have granted a great deal of aid to local railways. The Toronto, Grey and Bruce received \$300,000 of municipal aid; the Credit Valley was almost entirely built with money voted by municipalities, and the same can be said of other roads. Most of these roads have been built in the hope of obtaining competing lines, but almost as soon as they have begun to run, they have been absorbed by the very companies they were intended to compete with; and that competition for which the people paid so dearly, has been lost to them to this day. They have remonstrated and protested in vain. It is true, the people usually elect a trustee, or have one member on the Boards of these corporations, but one member is able to do nothing for them, and they are in the same position to-day as they were years ago, before they paid for the advantages which are now denied them. The United States has dealt with this question. There are great railway corporations in that country, and an extensive border as well as here; but the matter has been dealt with successfully, in a way, I believe, that the people are able to obtain justice. In the United States, when a dispute arises between an individual and a railway corporation, the courts appear to lean towards the weaker party; but in this country, the reverse appears to be the case. For that reason, I believe, it is the more important that some means should be taken to remedy this grievance. True, many hold we have courts enough. I believe that perhaps for purposes in other lines we have. Still, if there are grievances that cannot be reached by these courts, it is time we should establish another or devise some means of remedy. The general voice of the people is in favor of a remedy. When we find railway companies enter into arrangements with private individuals, with particular merchants in towns, to carry their goods at 25 or 50 cents a ton less than the rates charged other competing and hardworking merchants in the same place, and when we find some railways charging double the mileage that other roads charge, it is high time a remedy should be devised. With reference to the operation of the Canadian Pacific Railway I travelled through Manitoba and the North-West during last year, and found that the Manitoba and South-Western Railway—the only other railway doing business in that country—was really doing much greater injustice than the Canadian Pacific Railway. The South-Western charged 6 cents per mile, whether for five miles or fifty, while the Canadian Pacific Railway only charged 3 cents, the usual rate of traffic in this country. When we find these discrepancies it is time we should do something to remove them. The evil does not exist alone in that country where the railway corporation has great power. We find it also in Ontario. There we have railways running along parallel lines, perhaps ten, twenty, or forty miles alongside of each other, and we have private railway companies which have been largely subsidized by municipalities for the purpose of securing competition. Where these roads come in contact the rates are reduced to such an extent that it does not pay to carry produce from those points. The consequence is they pay scarcely any dividends on the money invested. This is due partly to the unfair war sometimes waged to compel the smaller corporations to become subordinate to, or be amalgamated with, or be bought up by, the larger corporations. I have no doubt if this court be established, as I believe it will, the overwhelming voice of the people being in its favor, these wrongs will be rectified without unduly affecting the interests of the great corporations or preventing money coming into the country for the purpose of building those lines.

Mr. CASGRAIN. I see that the operation of this Bill will not affect Government railways. The hon. the Minister of Railways has said it does not affect those railways nor the Provincial railways. I do not think the Bill can be put into operation. There is another point to which I desire also to call the attention of the House. We have

already in this Dominion a number of courts. I pointed out on one occasion in this House that I could count in the Province of Quebec, from the Commissioners' Court up to the Privy Council, no less than eighteen different courts of jurisdiction. Now we are going to be saddled with another jurisdiction. I do not speak from the point of view of expense. That would be a very feeble argument; but I say the administration of justice in general must be in the hands of law courts that have the respect of the people. If you appoint three or four men—however able men of business they may be—to form a court, that court will not be vested with the dignity to carry weight in its decisions. These men may be suspected of being tempted like all other men, because the influence of these vast corporations, which to-day command the United States, is difficult to resist. Take, for instance, Vanderbilt and others who do what they like with railways, who water the stock or speculate upon it as they choose. Will these three Commissioners be always above suspicion? Granted that they be good and honest men, still public opinion will be on the watch and in some cases they will be suspected. Of what? Of rendering sometimes partial judgments. Therefore, I say, it is not a sound principle to change the jurisdiction of a minor court and put it into other jurisdiction. Leave our courts as they stand. We have confidence in the administration of justice, and they are respected. There are some dangers, of course, but, generally speaking, their administration is satisfactory. We would not have the same confidence in a court composed of three Commissioners appointed by the Government, who are not, by their Commission, bound to be legal men. I am sorry the Government does not take this Bill, to use the expression, by the horns at once, instead of dealing so tenderly with my hon. friend opposite. I am sure if the Bill were proposed by an hon. member on this side it would be taken by the horns at once and thrown into the basket.

Mr. CAMERON (Huron). I hope the hon. gentleman who introduced this Bill will not assent to the proposition of the hon. Minister of Railways to refer it to the Railway Committee. This is the fourth time my hon. friend has introduced this Bill. On two occasions he got as far as the first reading and no further. On one occasion it received a second reading and referred to a Select Committee. If it is to be referred to a Committee at all, I hope my hon. friend will take the course which was taken last year and refer it to a Select Committee, on which there will be some wise men who may be able to dispose of any amendments that may be suggested. To refer it to the Railway Committee is practically to put an end to my hon. friend's Bill for this year. That Committee is composed of half the members of Parliament. It will take a very long time to consider the provisions of the Bill, some of which are complicated and the majority requiring very careful consideration. My hon. friend should refer it to a Select Committee. I do not propose to enter now upon any discussion of the principles of the Bill or of its different sections. The Government, I understand, do not intend to oppose the second reading. The hon. Minister of Railways sounded the warning note in saying that it was dangerous for the Legislature to pass a Bill of this kind. The hon. gentleman referred to the experience of England on that subject, and stated that for a long series of years the experiments that were made there proved practically failures; but the hon. gentleman knows that we have now the advantage of the experience of England for a quarter of a century. There almost every experiment was entered upon for the purpose of controlling in some way these corporations. It was, I think, referred first, as the hon. member for Simcoe has said, to a Committee of the Board of Trade. That was found to be a failure. It was then referred to the Court of Common Pleas, and that was found to be a failure. As a last resort, in order that justice might be done between the public and these corporations, it was

deemed desirable in the public interest that a Court of Railway Commissioners should be established. Now, the hon. gentleman will find, upon reference to that report, what the Committee appointed to report upon the best mode of dealing with this complicated question said upon the subject. They said the Board of Trade was not sufficiently judicial for the purpose of investigating cases of the kind that came before that tribunal. They said the Court of Common Pleas was not sufficiently informed with respect to railway questions, and that a Parliamentary Committee was not sufficiently permanent, and that the experiments of a quarter of a century showed that the only tribunal that could properly deal with questions of this kind, would be found to be one created especially for the purpose. Now, that is what the hon. gentleman proposes to do by this Bill, and I think that is a sufficient answer to the objections made against it. The hon. gentleman then stated that my hon. friend from Simcoe bases his Bill upon the wrong committed by the railways in carrying for a longer distance at the same rate they carry for a shorter distance. Now, the hon. gentleman knows, from the line of argument pursued last Session, when this question was before the House, that that is but one of the least grounds upon which we, who are in favor of this Court of Railway Commissioners, base our proposition in favor of this Bill. Why, Sir, if that were the only objection we have to the mode in which these railways deal with the public, I, for one, would not be disposed to pass this Bill: but there are scores of other grounds, all of which I think any person conversant with the trade of the country will at once admit to be correct, and upon which we think it would be proper for the Government to consent to establish this court. The hon. gentleman says nothing about carrying for a longer distance at a less rate than they carry for a shorter distance. It is true the terminal charges are the same, it is true the handling is the same, but when you find a railway company charging for 648 charge miles a less sum for the same item of freight than they for carrying it 158 miles, we naturally conclude that there must be something wrong that requires a remedy. There are scores of other grounds upon which these railway companies have it in their power either to ruin individuals or to destroy localities, by a system of rebates, by a system of preferences, by a system of drawbacks, and all that kind of thing, so well known to these railway corporations. Why, Sir, the hon. gentleman knows—he must have seen in the press a year ago—the charges that were made against the Grand Trunk Railway, that they carried freight from one of our western towns to the city of Montreal at a less rate for one corporation, or for one company, than they did for another company. Now, if that is so—and I am not aware that it has ever been denied—it is a gross wrong to the person whose freight has been carried at a higher figure. No doubt the hon. gentleman recollects the case in the United States of the Standard Oil Company; he knows perfectly well of the report submitted by the Committee appointed by the New York Legislative Assembly, that that company, by a system of drawbacks, got from four of the principal railway companies in the United States, the sum of \$10,000,000 in one year. The same thing that exists in the United States may exist in Canada, and we know does exist in Canada, but perhaps not to the same extent. Another objection which the hon. Minister of Railways makes to this Bill is that it undertakes to deal with railways that this Parliament has no jurisdiction over. Now, no one denies, I suppose, that the Local Legislatures have the power to incorporate railway companies to do business within the limits of their Province. But I contended last Session, and I think I ought to have convinced, and did convince, every man who carefully examined the matter, that although the Local Legislatures have the power of incorporating railway companies, this Parliament alone has the power of control over the trade of these railway companies,

Mr. CAMERON (Huron).

over the freight, and especially the freight going from one Province into another, coming from the United States, or going from the Province of Ontario down through the Province of Quebec to the sea board—I say that this Parliament alone has control over every pound of that freight. I referred to a case where that subject had been decided, and where the law on the subject passed beyond the region of discussion in the United States. I referred last Session to the case of the Pennsylvania State Tax, where the State of Pennsylvania undertook to impose a tax upon freight of so much per ton passing over the railways of that State. The railways that were incorporated by that State and whose termini were within the State were subjected to this tax, and yet upon appeal to the Supreme Court of the United States it was held that, although the State of Pennsylvania had the power of incorporating a railway company, the Federal Government alone had the power of dealing with the freight that passes over the lines of railway from one State to another—the inter-state traffic. The same principle applies here exactly. Although a Local Legislature may give a corporate existence to a railway company doing inter-provincial trade, this Parliament alone has the power to deal with freight passing from one Province into another over their roads. I submit that this objection of the hon. Minister is sufficiently answered. As to the Bill itself, I think there is a great necessity for it. These corporations are becoming powerful, they are becoming gigantic, and we know from every day experience and what we see in the public press, that wrongs are committed which ought to be redressed, and we know perfectly well that so far these wrongs have not been rectified. It may be said there are tribunals now in existence where questions of rebates, drawbacks, unjust preferences, and unequal rates may be disposed of. We know, however, that in the whole history of Canada there has not been a single case before the courts where these questions have been disposed of. We know there is what is called the Railway Committee of the Privy Council who deal with questions in connection with railways, but nobody wants to go before that Committee. If this Bill is open to objection upon the ground that these Commissioners might be influenced by railway corporations, surely the Railway Committee of the Privy Council is open to the same objection. With all the faith one might have in that Committee, in the honesty and integrity of its members, still, I cannot say that where large railway corporations are concerned I would select, as a matter of mere choice, the Railway Committee of the Privy Council as the best tribunal before which I would go to have my wrongs righted and my grievances redressed. I think, on the whole, that the Bill of the hon. member for North Simcoe ought to receive the favorable consideration of the House, as I am quite sure it receives the favorable consideration of the people. I think that the Government ought to sanction its reference to a Select Committee, who would deal with the whole question, and make such amendments as the experience of the last year has shown to be necessary for the purpose of perfecting this Bill, and I shall give it my cordial support.

Mr. TUPPER. I quite agree with some of the remarks that have been made, that this is not an opportune time to go fully into the discussion of a measure which seems to present many interesting points, and many points which invite, perhaps, a lengthy and prolonged discussion. But in listening to the very interesting arguments that have been offered on both sides of the question, there was one thing which particularly struck me. The hon. member who introduced this measure, attached great importance to the fact that a precedent had been established in a country, the precedents of which are always quoted in this Legislature with great respect, and the legislation of which country, to a great extent, influences the legislation of our own. The mover of the second reading of the Bill has laid great stress upon the fact that in 1874 the Parliament of Great Britain

passed a measure similar to the one now before us. It strikes me that the history of that Bill in England affords an argument that has not evidently occurred to the hon. member, an argument against the principle of this Bill. Believing, as I do at this stage of the discussion, that we in this country need to encourage in every possible way the development of our railway system, believing, as I do, that the interest of this country lies in the direction of that encouragement to a very great degree, I consider this Bill eminently fraught with the danger of discouraging that description of enterprise; and I take this lesson from the history of that legislation, that the fact that the people of England for over twenty-three years agitated this question, and that, too, in a country which, during that time, was enjoying a network of railways, shows there was a disposition not to lay a strong hand upon such works or enterprises until the railway system had been fully established. Then, I think, will be the proper time in the history of this country to discuss the question; but coming, as I do, from a Province which does not possess too many railways, and from a county which desires, from the nature of its resources, the building of as many railways as possible, I believe we are not in a position as they are in England to adopt a measure of this kind at this period in the history of the Dominion.

Mr. BLAKE. I have just one suggestion to make, and it is this: I think it is clear this measure will not make substantial progress until the Committee, whatever the Committee may be to which it is referred, deals with it after a fashion different from that in which the former Select Committee dealt with it; and I do not blame their action, because they dealt with it in the ordinary way. If the House is disposed to deal seriously with the question, it ought to summon before it representatives of the great corporations, whose interest the hon. Minister of Railways has indicated may be so seriously affected, and call on them for their statement of objections and difficulties, and of the special circumstances which he says—and in some respects, no doubt, he truly says—create difficulties in the way of this legislation; and at the same time afford an opportunity to towns and individuals who have been aggrieved, as it is said, to state what their special grievances are; that it shall be understood we are opening a Parliamentary Court, so that we may get at the bottom of the matter, so as not to be confined to declarations as to the grievances of individuals and towns, and to vague statements as to the impossibility of legislating without causing ruin to the railway corporations; but to get down to the facts, so that we can ascertain precisely what the difficulties to be removed are, and so make some practical progress towards a conclusion. The Province from which I come is now, to a very large extent, under the control of one or two great railway corporations. We have had bonus after bonus, legislation after legislation, municipal bonus and Government bonus, with the view of creating competition. Competition has gone on very largely, and there remains three or four railway companies which it is now said are very soon to follow the fate of minor corporations. That may not be the condition of affairs in other Provinces. As the hon. member for Pictou (Mr. Tupper) has said, there may be some Provinces and localities desirous of having railway accommodation, and which may be afraid of frightening away railway enterprises; but just legislation, legislation which can be justified as proper in the interests of the public, will not frighten away any railway enterprise. I cannot understand how it could be otherwise if we are able to show by evidence to be taken that there exists a grievance, and that we are ready to call on the corporations publicly to make their statements, and, having heard both sides of the question, are prepared to frame a measure not to do injustice to the railway companies, but to do justice to the public. I am sorry to learn from the

hon. member for Pictou, that he requires so many railways, as I thought he came here direct by the Oxford and New Glasgow line.

Mr. MACKENZIE. I think no measure can be satisfactory which does not embrace the entire railway system of the country; and unless the Government are prepared to place the Government railways in charge of such Commissioners, they ought not to assent to the placing of other railways in that position. That is tolerably clear. I regret that the hon. Minister of Railways did not state distinctly what the Government proposes to do. For my own part I look upon it as altogether impracticable, and as ruinous to the railway interests that they should be controlled by a Commission which could not possibly know much of railway business; and my own experience with respect to the management of the Intercolonial Railway satisfies me that it is quite impossible to carry out in its integrity the so-called *pro rata* system of rates, and that is the great grievance. I know cases in which a company, in order to secure traffic, encouraged the building of a manufactory at a particular spot by providing special rates for a certain term of years for the products. That, no doubt, has an appearance of injustice. Freight was carried, under that agreement, for little over half what other people were charged, but other parties were not charged exorbitant rates notwithstanding. Such interests as these are certain to arise, and cannot possibly be removed by the scheme proposed. I entertain a different opinion to the hon. member for West Durham (Mr. Blake) as to the danger of frightening away capital. There is nothing so sensitive as the money market, and we know that the efforts of one gigantic corporation, namely, the Grand Trunk, almost prevented the construction of the North Shore Railroad by the influence they possessed on the London money market; and if once we frighten capitalists, while we have a large railway system yet to develop, I am afraid we will find ourselves greatly mistaken as to the influence such have in the money market of England, and to which we have to look for all our loans. Under all these circumstances, while I admit there are grievances to be remedied, while I think, probably, some additional power might be given to the Railroad Committee of the Privy Council, while I am ready to support any scheme to remove actual grievances, I feel bound to come to the conclusion that the present Bill does not afford a satisfactory remedy, and that it would be unjust to the great railway system of the country, unless the Government is prepared to place the Government railways under the same management.

Mr. HAGGART. The system which is proposed by the hon. member for North Simcoe (Mr. McCarthy) is one which has received general consideration throughout nearly the whole of America. It is the system which is in force in Illinois and Massachusetts, and one of the most interesting works I ever read on this subject was by a member of the Railway Commission of Massachusetts, Mr. Adams. So far from stockholders or parties interested in railways through such Commissions being opposed, they are favorable to them in the United States. The publicity given by Commissions to the proceedings of the companies acts as a check on railway managers, and stockholders are largely interested in having that check. It is, moreover, the system which prevails in England. A general measure was introduced into the Congress of the United States similar to this, and there is an agitation over the whole Union in favor of such a measure. There can be no possible objection taken by railway companies to the present Bill. Its object is not to interfere with rates, but only to provide for a fair adjustment of rates between different points; and the objections which I have heard stated to the Bill, should not carry much weight, as the system seems to be very favorably viewed throughout the United States, and in every other country where it has been adopted.

Mr. MITCHELL. Mr. Speaker, I have listened with a good deal of attention to the discussion which has taken place on this measure. I certainly think that the public are very much indebted to the mover of this Bill for bringing a question of so much importance under the consideration of Parliament. Whether his Bill is one which would remedy the difficulties which are met with, and remove the obstacles the public suffer under, or not, is, however, a question I am in very grave doubt about; and I am not so clear, that if the Bill passed as it stands, it would meet even the views of the hon. gentleman himself, who is the mover of the Bill; but this I will say, that the public requires some measure to be taken to stop the wholesale slaughter now going on on the railways of this country, and the inefficient management under which they are running. Sir, we cannot take up a newspaper, no matter from what part of the country it may come, but we find cases of collision, cases of railways running off the track, and of people being killed. Why, in the last eight and forty hours a gentleman arrived in Ottawa who told me that the Pullman in which he rode was upset and thrown head over heels off the track of the Grand Trunk. Sir, this thing is occurring too frequently. I hold that the Government of the day are responsible, in some measure, for not looking after this matter; and if they do not look after it, then I think that the measure of the hon. gentleman who has submitted this Bill is one that may, by reference to a Special Committee to consider it, relieve the difficulties under which we are laboring. I was a little surprised that the hon. member for West Durham—who is so ready to make puns in this House, and to utter witticisms at other people's expense—did not state whether he was in favor of this Bill or not. He comes from a country constituency, but he only spoke of one grand railway system, which was swallowing up every other railway, and was likely to swallow up some others besides those already known; but he did not give an expression of opinion as to whether or not this swallowing up should be allowed. I took up the *Canada Gazette* to-day, and I find in it a notice of a meeting to be held in London, by the Grand Trunk Railway Company of Canada, asking authority for what? To pay off the £3,111,500 sterling, twenty years interest which they owe to this country? No, Sir; but to ask to be empowered by the stockholders to purchase the bonds of the Toronto, Grey and Bruce Railway Company, to purchase the stock of the Hamilton and North-Western Railway Company, to purchase the stock of the Northern Railway Company, and to purchase the stock of the Atlantic and Ottawa, and St. Lawrence and Ottawa Railway Companies—entering into these four speculative enterprises with the public money of Canada owed for twenty years, and which they ought to pay. These are subjects which should be dealt with; and though I may not be directly in order in so speaking with relation to this Bill, I think that the very necessity which calls for the submission by the hon. gentleman of this Bill to the House, also calls for the taking up of the whole question of the railway system of this country, and I for one am prepared to support any motion for the appointment of a Special Committee to do so; and if nobody else moves in the matter, I pledge my word that I will move in it, though I do not get a single seconder to the motion, to have the whole subject of the railway system of this country taken up and considered by a Special Committee of this House. The duty we owe to the country calls for it; the lives which have been sacrificed, the property which has been destroyed, and the public confidence which has been disturbed, all demand, that if the Government do not do it, at least the members of this House should do it, that they should take up, and have this whole subject dealt with by a Special Committee, which should be appointed with power to send for papers, persons and records, and

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also for the managers of these railways, who should be brought up and examined before the House under oath, as to whether any means can be adopted to stop the wholesale slaughter which is going on. Sir, I am not prepared to say that I will support this Bill; but I would support its reference to a Committee. Hon. gentlemen may laugh if they like.

Some hon. MEMBERS. Hear, hear.

Mr. MITCHELL. I say again, I am not prepared to say that I will support this Bill; but I will support the reference of it to a Committee, and I will approach that Committee with the view of endeavoring to make a Bill that will endeavor to afford security to the lives and the property of the travelling public, and the restoration of that confidence which is not now felt by those who enter the cars of the railways of this country.

Mr. CHARLTON. I do not rise for the purpose of discussing this Bill. I merely rise to answer the allusions made by the hon. member who has just taken his seat. The hon. member for Northumberland makes a wholesale charge respecting the management of the railways of this country—a charge made here in this House and going to the country, which indicates that these railways are badly managed and ought to be made the subject of a Parliamentary investigation. I think, Sir, that so far from this being the case, we have great reason to be thankful that these roads are kept and managed as well as they have been during the great inclemency of this winter. I believe Sir, that the management of the great Canadian railway lines is as good as the management of any line on this continent; and I think that it is quite unworthy of the hon. gentleman to make the imputation with regard to their management, which he has here uttered. It is an imputation which requires an answer on the floor of the House, and I, for one, disclaim any belief in the correctness of the assertion made by the hon. gentleman, and believe that our railways are well managed; and that it is greatly to the credit of the management of these roads that they have been run with the degree of regularity with which they have been running during the past winter. I merely rose for the purpose, Sir, of calling attention to this unjust attack, in my opinion, on the management of Canadian railways.

Mr. MITCHELL. Let me ask the permission of the House to read a notice of another smash-up on the Grand Trunk Railway, an account of which has just come into my hands. If the House permits I will read it, as follows:—

"RAILWAY SMASH-UP.—The Grand Trunk knocks a Toronto, Grey & Bruce train into smithereens—"

Some hon. MEMBERS. Order, order.

Mr. MITCHELL. Well, if you do not want to hear it, all right.

Sir JOHN A. MACDONALD. Mr. Speaker, I think that the general feeling of the House is that this Bill should be read the second time. It is, as has been already stated, a measure of the very greatest importance, affecting great interests and vested rights—affecting the rights of corporations, and also the whole trade and commerce of the country. This question has been before Parliament for a great many years. It was introduced year after year by an hon. member of the old Parliament, now no more, who pressed it on the consideration of the House. It may be that my hon. friend from Lambton, then at the head of the Government, then expressed the same sentiments as he has to-day: that such a system was unworkable. I am not at all sure, however, Sir, that it is unworkable. We have now a Railway Committee—a Committee of the Privy Council. We have a Commission working in England, and we have the same machinery working in the United States. At the same time,

everybody must feel the great weight to be given to the warning note which has been uttered by my hon. friend the Minister of Railways, who has given this subject full consideration. The Bill will be read a second time, and I hope—indeed, I believe, and I am sure, that this is the general opinion of the House. I would recommend my hon. friend, who has charge of the Bill, and who has pressed it with so much ability and perseverance on the consideration of Parliament, that after it is read the second time it should go to the Standing Committee on Railways, and I think that it is only by doing so that he has a reasonable prospect of getting the Bill through Parliament this year, in some shape or another. We in the Canadian Parliament have been for many years in advance of the Parliament of England. The British Legislature last year, however, adopted the system of Grand Committees and returned to the old Parliamentary system which has existed for years with us. England has found out the system of Grand Committees to be necessary; and I must say that if there is any steadiness in our railway legislation, it has been in consequence of the calm and deliberate discussion, which railway measures have met with at the hands of our Grand Committee—the General Committee on Railways. I quite agree with the hon. member, the leader of the Opposition, that all these great interests, who are apprehensive, perhaps needlessly apprehensive, that such a measure as this would injure their vested interests, should have every opportunity for placing their views respecting this legislation before that Committee. If this measure goes before the General Committee on Railways parties can be heard, their counsel can be heard, or their agents and evidence can be heard. In this Committee, composed of a large number of hon. gentlemen acquainted with railway matters and especially with railway legislation, the evidence can be heard and the statements and arguments against the Bill, and then hon. gentlemen will be able to approach it with a full understanding of all the arguments pro and con. This is the advantage which I think will be gained by sending the Bill to that Committee, that members of the Committee will have an opportunity of hearing this evidence, and if any hon. gentleman, who does not happen to be a member of the Committee, but is interested in the subject, he will no doubt be present to hear the evidence. To my mind it is infinitely more advantageous for the purpose of arriving at a clear understanding of the subject, to hear the evidence delivered, than to hear it as it may be reported from a Special Committee. It may be that after the general principles of the Bill are admitted, the Railway Committee, as is commonly the case, may decide that a sub-Committee should be appointed for the purpose of going into the measure clause by clause. If that course be adopted, so far as my influence goes, I can assure my hon. friend that he will have every opportunity, even on Government days, of laying the results of the report of the Committee before the House. One cannot disguise from one's self that there is a growing feeling in the country in favor of legislation on this subject. At first, when Mr. Oliver, the hon. member for North Oxford, pressed this matter upon the attention of Parliament, there was little response to his appeal, but by slow degrees, and through various agencies, public attention has been called to it, especially, I know, in the Province of Ontario. And there is a feeling that some legislation of some kind is required. Whether the system which is embodied in this Bill, is the best, I, not being an expert in railway matters, will not be presumptuous enough to say; but I have a perfect assurance in my own mind that there is an earnest desire on the part of the people of this country, or of certain large sections of this country, for some legislation on the subject. I shall certainly vote for the second reading; and I hope the hon. gentleman will accept my suggestion to refer the Bill to the Railway Committee.

Mr. McCARTHY. I yield with very great reluctance to the suggestion of the hon. First Minister that the Bill should be referred to this large Committee—to the Railroad Committee. I believe it would be quite possible so to obstruct the business of that Committee by the Private Bill legislation which properly appertains to the Railway Committee, that if this Bill is referred to it, we will not be able to make any advance. It will not be at all impossible to talk out the Bill in the Committee, because there is in this House and outside the House, beyond all question, a strong opposition in railway interests to this measure; and I repeat that it will not be at all impossible to talk out morning after morning and waste the time of the Committee so that it will be impossible to consider this Bill. The principle of the Bill is admitted; I have heard no argument against it; have heard no person say that there are no grievances; I have heard no hon. gentleman say that grievances such as the country labors under with regard to railway matters, are properly adjustable in the courts of the land. If that be so the Bill should be accepted as it is and sent to a Select Committee, and the suggestion of the hon. member for West Durham might be acted upon, that the Committee should have power to send for persons papers and records, and so be able to hear the amendments for and against the details of the measure. However, if the hon. First Minister thinks the course he has suggested, notwithstanding what I say, is the best one, I desire to tell the hon. gentleman that the responsibility should be his and not mine. The suggestion is made by the hon. member for North Grey that the country believes I am playing with this measure, that I am bringing it in in the interests of the railways rather than in the interests of the public; that I am taking this course rather for the purpose of obstructing legislation on the subject than anything else, and I admit if I were to agree to what is proposed to be done with the Bill some color would be given to that suggestion. I do not desire to lie under that imputation. I believe firmly and honestly in this measure, and I desire to press it so that it may become law. Great difficulties are always found by private members in carrying through measures of this kind. We know, but the public do not know, that in the latter part of the Session the days which belong to private members in the early part of the Session are taken by the Government, so that there is no possibility of carrying through a measure of this kind without the assistance of the Government. I leave the matter, however, to the leader of the House and to his responsibility. In answer to the Minister of Railways, and in corroboration of the views of the hon. member for Huron, I may say that I entertain no doubt that this House, and this House alone, has the power to deal with all matters with respect to railways—I mean matters of trade and commerce, the regulation of rates and so on—and that local railways are subject to the jurisdiction of the House in that regard, just as the insurance companies incorporated by this House are subject to laws passed by the Local Legislatures, so our local railways, or railways incorporated by Local Acts, are subject to the laws of this House dealing with rates, traffic arrangements, and so on. With regard to the suggestion that Government railways should be subject to the Commission, it is to be remembered that railways governed by the Railway Department are subject directly to the control of this House. I would prefer such railways being subject to the control of the Commission—and it is curious to notice how the fact of a man having been a railway manager even for a time affects him; even the hon. member for East York holds the view that these railways should not be controlled—I say I would prefer that Government railways should be under the control of the Commission, but there is this to be said, that if anything improper is done in the public interest, the Department of Railways, through the Minister of Railways,

is responsible to the people's representatives in this House, so that there is a check upon him which does not exist with regard to ordinary corporations. Having said this, I leave the matter just as the hon. First Minister prefers to deal with it, and if he adheres to the notion that the Bill should be referred to the Railway Committee, I will endeavor to do all I can to help it through; but I expect, as I have said already, that it will only be with the greatest difficulty that the Bill will be dealt with by that Committee.

Mr. BLAKE. I think my hon. friend's observations as to the result of this reference will be found to be perfectly correct, unless a particular line is taken with the Bill. I believe the general principle of the Bill might be made the subject of one discussion in the Committee, and immediately after there might be a reference made to a sub-Committee, to take the evidence. I do not agree that evidence should be taken before the whole Committee, but at a place and under circumstances which will enable all members to attend who choose. We have an enormous number of railway Bills already before that Committee, and it is a very difficult thing to examine witnesses before a Committee with so many members. If, therefore, you are going to make practical progress with the measure in the way to which I have referred, namely, getting down to the evidence, I think there should be an early reference to the sub-Committee for that purpose.

Sir JOHN A. MACDONALD. That, however, is for the Committee to settle.

Bill read the second time.

Sir JOHN A. MACDONALD, moved the adjournment of the House.

Motion agreed to; and (at 5.50 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 9th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 70) to amend the Acts relating to the Great Western and Lake Ontario Shore Junction Railway Company.—(Mr. Robertson, Hamilton.)

Bill (No. 71) to incorporate the Cumberland Coal and Railway Company.—(Mr. Colby.)

Bill (No. 72) to incorporate the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 73) respecting the Montreal, Ottawa and Western Railway Company, and to change the name thereof to the "Montreal and Western Railway Company."—(Mr. Abbott.)

Bill (No. 74) to incorporate the Great North-Western Railway Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 75) to incorporate the Board of Management of the Church and Manse Building Fund, of the Presbyterian Church in Canada, for Manitoba and the North-West.—(Mr. Ross, Lisgar.)

Bill (No. 76) to amend the Act intituled: "An Act to incorporate the Northern, North-Western and Sault St. Marie Railway Company," and to change the name of the

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said Company to the "Northern and Pacific Junction Railway Company."—(Mr. McCarthy.)

Bill (No. 77) to fix the rate of interest in Canada.—(Mr. Catudal.)

### STAMPS ON PROMISSORY NOTES AND BILLS OF EXCHANGE.

Mr. WELDON, in introducing Bill (No. 78) to amend the Act passed in the forty-fifth year of the reign of Her Majesty, intituled: An Act to repeal the duty on promissory notes, drafts and bills of exchange, and to declare the law relating to stamps on promissory notes and bills of exchange, said: The object of the first section of this Bill is to allow a court or Judge to admit a promissory note as a valid instrument, even though it is not double-stamped, provided it can be shown that the circumstances were such that the note would be valid on the payment of the double charge. By the thirteenth section of the Stamp Act, the maker of an unstamped or insufficiently stamped note can make it valid by the payment of a double duty. There is a question whether this provision is in force. I understand that a decision has been given in an Ontario County Court that the double-stamping of a note has no effect. In addition, there is now a difficulty of obtaining stamps, and that difficulty is increasing every year. The second section is merely to remove a doubt that has been raised as to whether that provision of the Stamp Act relating to the exemption of cheques on chartered banks, post office orders, and municipal debentures with the coupons attached thereto, applies also to debentures issued by a company. I do not think it was the intention that they should be stamped, but considering the large number of such debentures which are issued that doubt should be removed. These are the two objects of the Bill.

Bill read the first time.

### KING'S COUNTY (P.E.I.) ELECTION.

On the Orders of the Day being called, the adjourned debate on the motion of Mr. Cameron (Huron) relating to the King's County (P.E.I.) Election, was resumed.

Sir JOHN A. MACDONALD. Mr. Speaker, I listened to the speech of my hon. friend who moved this resolution, with a great deal of interest. He argued the case very well, and I am not prepared to gainsay altogether, or perhaps at all, the doctrine that, as a general rule, a returning officer is bound to return the person having the majority of votes; but I would simply state that it is a question involving a matter of law, which the majority of this House cannot be expected to enter into without considering that such questions require to be studied before there can be an intelligent action taken upon them. For the purpose of informing the House on important subjects of this kind, we have for many years appointed a Standing Committee on Privileges and Elections, which Committee has always, in my experience, been selected from men of experience in parliamentary practice and constitutional law. I think that the Committee on Privileges and Elections which has been appointed this Session is a very good Committee. It is formed without reference to political proclivities, and embraces those hon. members who are most cognizant with the subject. This is not a political question at all. I think we can fairly agree on that. Under the circumstances in which the House is placed, it is not a political question at all, and it is desirable it should be considered fully by this Committee, and that on their report this House should lay down some rule. Whether the rule should be, as suggested by hon. gentlemen opposite, that there can be no cases in which the returning officer has any discretionary power at all, is a question of very great importance, whether there can be supposed to be any case in which he has a right to exercise

his judgment, or whether he must, in all cases, return the person who has a majority of votes, ought to be settled. The general rule is clear that the person having the majority of votes ought to be returned, but there may be exceptions to that rule. For instance, if a woman had the majority of votes, would the returning officer be obliged to return her as being the representative to sit in this House? In the present case the sheriff of the county was the returning officer. Supposing that in his custody at the time of the election there was a felon disqualified, and known by the returning officer to be disqualified, is he obliged to return that felon? So we can suppose the case of an alien who says to the returning officer: "I am an alien; I know I am disqualified, but I am going to test the question. I am going to show how popular I am and will be elected,"—is the returning officer obliged to return such a person? These are questions that arise in one's mind and I think ought to be settled, because, even of late days, the doctrine has been laid down in England, during the passage of the Ballot Act, that the returning officer has not forfeited altogether the judicial character he used to have. I have not compared the English Act with ours in regard to the duties of returning officers, and those who have studied the subject know that by degrees the judicial discretion which formerly was supposed to belong to the returning officer has been diminished, and he has become more and more an executive officer. Whether he shall be altogether an executive officer, under no circumstances to exercise his discretion or judgment, has not yet been finally settled. No wrong can happen by this matter being sent to our own Committee, selected especially for that purpose. I shall move that this be referred to the Standing Committee on Privileges and Elections. I find it laid down in the English books on this subject, and will quote "Cunningham on Elections," who uses this language:

"Again, when a disqualified candidate obtains a majority of votes, it is thought to be the better and safer course to return such candidate, together with the candidate or candidates according to the number of vacancies who come next to him in the number of votes. And there is no question that where there is any doubt as to the fact of the disqualification, it would be much safer to follow this course, than either to return the candidate alleged to be disqualified to the exclusion of another, or, on the other hand, to return another candidate to the exclusion of him alleged to be disqualified; for though returning officers do not seem to have ever been censured where they returned a person subsequently unseated as being disqualified, still, as the 31 and 32 Vict., c. 125, s. 48, enacts that any sheriff or returning officer who shall wilfully delay, neglect or refuse duty to return any person who ought to be returned, shall be liable to double damages with full costs, at the suit of any person whose return has been wilfully delayed, &c., provided it is determined on the trial of a petition that such person was entitled to have been returned; a single return really exposes a returning officer to serious liability in case it should be held that the omitted candidate should have been returned. \* \* \* On the other hand, however, when the disqualification is clear, as where the candidate is, beyond all doubt, a rumor, or is known to have been found guilty of a disqualifying offence within the time during which the disqualifying offence continues, and where, to the knowledge of the returning officer, the fact of such disqualification has been duly and sufficiently brought to the notice of the electors, and in time to cause a number of votes to be thrown away sufficient to give the qualified candidate a majority—in such a case there appears to be no doubt that the returning officer would be justified in returning the qualified candidate only; for in such circumstances the return would scarcely be complained of, and, if it were, would be supported by a Judge or by the House. But where there is a doubt either as to the sufficiency of the notice, the returning officer may either return the candidate who appears to him to have the majority of legal votes, or, for the reasons above stated, may make a double return of the candidate alleged to be disqualified, and of the candidate or candidates, as the case may be, who stand next at the poll."

This is the doctrine laid down by the latest writer on the subject in England. I do not at all mean to say, in any comparison with the English Act and our Act, that the cases are identical as to the duty of returning officers. But I say that, under the circumstances, we should refer this to the Committee officially selected by the House for the purpose of deciding such questions. No delay will be caused, for it is a simple question as to whether the returning

officer has any discretion; and if he has, whether the question ought to be dealt with by the House summarily in this way or select some other mode. I beg to move in amendment:

That all the words after the word "That" be left out, and the following inserted instead thereof:—"the Return transmitted by Michael McCormack, Returning Officer for the Electoral District of King's County in the Island of Prince Edward, at the last Election for the said Electoral District, together with all papers attached thereto, be referred to the Select Standing Committee on Privileges and Elections; with power to send for persons, papers and records, and to report thereon with all convenient speed."

Mr. DAVIES. I am sorry that the hon. leader of her Government has made up his mind to move to refer this matter to a Committee, because I think it is establishing a precedent which will be found to be in direct antagonism to those precedents which were cited by the hon. member for West Huron (Mr. Cameron). In eight or nine precedents which he quoted I think he showed that the practice of Parliament in this matter had been consistent almost from the beginning, and that with the exception of one case—the West Peterborough case which he distinguished from the others—that practice had always been for Parliament at the earliest opportunity to insist that the returning officer should discharge just simply the duty which Parliament had imposed upon him; that he should not arrogate to himself any duty which the Act did not give him, and not attempt in any way to alter or change the vote which the majority of people in the district had polled. Now, if the House had, in the first instance, yielded to the motion made by the hon. member for West Huron, and had corrected the return made by the returning officer of King's County, establishing that the returns should be consistent with the majority of votes polled by the people, and that the man who received such majority should take his place in this House; and then if that motion had been followed up by a supplementary one similar to the one made by the hon. leader of the Government, I do not know that there would have been much cause of complaint. But the great objection to the motion is this: that instead of proclaiming clearly and distinctly that which Parliament has already proclaimed in the Statute law, that the duty of the returning officer simply is to return to this House the candidate who has received the majority of votes, the motion of the right hon. gentleman would amount to a declaration that the House is not sure whether that is the duty of the returning officer or not; that we are not satisfied whether he is acting within the scope of his powers when, instead of returning the man with the majority of votes, he sends in a special return, or a return that the minority man was elected. Now, I ask what would be the effect of that resolution if carried? In the first place, it will be to induce returning officers to believe that they may deviate from the mandatory language of the Statute that they may act as political partisans, and may return from time to time, not the majority man but the minority man. The consequence would be that at any new Parliament we might find here, not the people's representatives as chosen by them, but perhaps ten or twenty instances of minority men who had taken their seats by virtue of the will of the returning officer. What would be the effect supposing the Government of the day and the Opposition were very evenly balanced? The effect would be simply this: that the Government might have a majority obtained, mark you, not by those who were elected by the people to represent them, but by those whom the people returned to stay at home, and they might hold on to the Government, not for a week or a month, but while the cases of these twenty gentlemen who were illegally sitting in the House were pending before an Election Committee. I am glad to hear the right hon. gentleman say that this matter is to be discussed entirely apart from political feeling because in the present condition of parties in this House it really amounts to very little whether Dr.

Robertson takes his seat or Mr. McDonald takes his seat, compared with the importance of the principle involved. This question affects not merely the rights of the electors of King's County, but it affects the seat of every hon. gentleman here, no matter on what side of the House he sits. What is Dr. Robertson's case to-day may be the case of another hon. gentleman to-morrow, and a partizan returning officer may return, as I stated before, the candidate he sees fit to return, irrespective of the vote which may have been cast by the electors of the district. Now, I submit that if there was a fair, honest and reasonable doubt as to the powers and duties of a returning officer, then this House might be justified in referring it to a Special Committee to report upon. But if, on examination of the Act, we find that it admits of but one construction, if on examination of the precedents we find that they all run one way, and that practice and authority both combine to point out what our course should be, and if that course is consistent with that natural justice which must be apparent to the mind of every reasonable man, then I say we ought not to hesitate. Now, what is that natural justice? It is that the man who has received a majority of the votes should be returned. What does the Act say? What do the precedents say? They all say that the House, at the earliest moment after an election, shall amend any illegal returns that may have been made by returning officers. But we have gone further than that. The House has not merely affirmed that they were to follow the Statute, but it has passed resolutions severely censuring returning officers who made a return other than that which the Act prescribed. The House has censured his conduct as illegal, censured it as being in defiance of law, censured it as being subversive of the rights of the people, and censured it as being in antagonism to the privileges of this House. In the South Oxford case to which my hon. friend referred, we find that, after the House had remedied the wrong committed by the returning officer and had placed in his seat the gentleman who had received the highest number of votes the House went further, and determined that the returning officer who had acted improperly should have put on record the opinion of the House against him, and that record reads as follows:—

*Resolved*, That the House having heard the evidence addressed on the part of John George Vansittart, Esq., in defence of his conduct as returning officer for the County of Oxford at the last General Election, adheres to its resolution of the 21st March last. That the said John George Vansittart, Esq., having taken upon himself to return Peter Carroll, as member for the said County, to serve in the present Parliament, contrary to the majority of votes received by him on the poll books in favor of the Hon. Francis Hincks, who ought therefore to have been returned, acted illegally, in defiance of law, in manifest violation of the rights of the freeholders of the said county, and in breach of the privileges of this House."

But they went further than that, as if to establish a precedent which should be a guide to all returning officers in future:

*Resolved*, That an humble Address be presented to His Excellency the Governor General, praying that His Excellency may be pleased to prevent the said John George Vansittart, Esq., from being Inspector of Licenses for the District of Brock, as a warning to others who shall hereafter fill the very responsible office of returning officer."

Not only was he censured for his illegal conduct, but a resolution was put upon the Journals as a warning to returning officers in the future; and it seems this particular officer has not seen fit to take warning by the censure formerly passed upon the returning officer in the South Oxford case. Now, if all the precedents point in that direction, and if, when we turn to the Statute, we find there can be no reasonable doubt as to what the Statute says, I would ask upon what principle should we refuse to allow Dr. Robertson to take his place? He has received a large majority of the votes, and we have nothing before this House, no evidence of any kind, to justify the House in believing that Dr. Robertson was disqualified. The returning officer had no power to take any evidence;

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he did not attempt to take any. He did not state to the House that he knew, of his own knowledge, that Dr. Robertson was disqualified; he merely reported to the House—and I call attention to the exact words of this return—"that it had been represented to him by seven electors of the county that Dr. Robertson was disqualified." I put it to any hon. member if he would think it fair or just, if, after he had been elected by a majority of sixty-two for his riding, the returning officer, acting on the simple assertion of seven electors, should refuse to return him to the House. It is a monstrous proposition, and I maintain that the conduct of the returning officer was illegal, and an infringement of the rights of the people who were commanded to choose a representative to send to this House, and was fraught with very evil consequences, and should be condemned, not by one political party, but by the unanimous voice of the House, at the first opportunity. Perhaps the right hon. leader of the Government may not have been able to give attention to the return, and to the facts laid before the House, which are to be found in Votes and Proceedings, (No. 12), but if he will refer to them he will find that not a scintilla of evidence of any kind has been given by the returning officer, as within his own knowledge, pointing to the disqualification of Dr. Robertson. Supposing twenty or thirty of these cases had occurred—and it is not impossible to suppose such an event, unless the returning officer's conduct be now condemned—let us see what the result would be. The Dominion Elections Act of 1874 gives a discretion to returning officers in the matter of receiving nomination papers, and it provides distinctly that, in certain cases, the nomination papers shall be illegal and may not be received by the returning officer; and it goes further, and provides that, if he rejects any nomination paper, he shall return the reasons why he rejected it to the Clerk of the Crown in Chancery, so that the party aggrieved may have an opportunity of bringing the case before the proper Election Court. But when the Act comes to deal with the returning officer's duty, after the nominations have been received, after the people have been given an opportunity of voting for the candidates, then the Act is particularly careful to deprive him of any power whatever. He has not even the powers of a deputy returning officer. The latter has certain judicial functions, for he can reject a ballot paper as illegal; but the returning officer does not count the ballots, has nothing to say as to whether they are legal or illegal, but has simply to add together the number of votes given to each candidate, according to the statements contained in the ballot boxes returned by the deputies. He dare not, as every member knows, open any of the envelopes contained in the ballot boxes sealed by the deputies, but he has simply to add up the returns and declare the candidate, who has the highest number of votes, elected. No language can be plainer than that contained in the Act; still the House is asked, in the face of this plain, distinct language, to assume there is a grave doubt as to whether the returning officer should not exercise a judicial discretion. What are disqualifications? If the hon. First Minister's reasoning be acceded to, it comes to this: that every returning officer can say to a candidate: "It has been represented to me that you have entered into a contract with the Government." That is a disqualification. The returning officer may have no means of knowing the fact, he is not authorized to take evidence; in this case he did not; he cannot take an oath, and cannot constitute himself a court. He, however, simply says: "It has been represented to me that you have a contract, or are surety for a contractor, and therefore I will not return you." Is there any hon. gentleman who will accede that such a proposition is reasonable? It is in direct defiance of the express language of the Statute, which says that the returning officer, having added up the votes shall then

declare the candidate having the highest number of votes, duly elected. The sixtieth section of the Act which was amended by the Act of 1878 goes on to declare that the candidate having the largest number of votes shall be duly elected; but it goes further, as if to provide that the returning officer shall return nothing further than the fact that the law directs him to return, namely, that a certain candidate has the largest number of votes, and prescribes a form, and says he shall return it in form "S" of the Act. This returning officer has thrown the Act, the form, and everything else at defiance, and declared in so many words that he would not return the candidate who had a majority, because he imagined, or at least he did not imagine, but seven other people told him they imagined, that Dr. Robertson might be disqualified, and he will not therefore return him to his place in Parliament. I submit there should not be, that there cannot be any reasonable doubt whatever as to the construction of the Statute, and if no reasonable doubt exists, the course of the House is clear; that in conformity with all precedents, we should adopt the resolution of the hon. member for West Huron (Mr. Cameron). He quoted the case of West Peterborough—the hon. leader of the Government did not refer to any precedents—but in that case, if the facts be examined, it will be seen there was some show of reason for referring it, because the argument of the right hon. gentleman, and I looked at his speech, was this: that there was at that time elected by ballot from amongst the members of the House a sworn Committee which could judge more fairly and impartially of the facts than the House itself could do. In this case there are no facts to refer to a Committee. What does the right hon. gentleman wish to refer? There is no contradictory evidence, such as there has been in some cases. There is no fact to go to the Committee, except the fact that Dr. Robertson had the higher number of votes of the two candidates in question; and if there is no contradictory evidence, and no fact in dispute, what did the right hon. gentleman want to refer? It is only on the assumption that great doubt exists as to the meaning of the Statute, that the return should be referred to a Committee, and I submit, under that Statute, there is no doubt whatever. The hon. gentleman has argued that there must be discretion vested in the returning officer in cases of an alien, woman or felon; but I repudiate that the returning officer has a discretion as to determining whether a candidate is a felon or not. How is he going to determine the point? No machinery is provided for his taking evidence; he cannot accept the statement as a fact. If he ever attempts to exercise judicial power it must be when the nomination paper is placed in his hands. If he does exercise it then, he has to return the papers with his reasons, but after he has received the papers and the candidates are before the people and the votes have been taken, then he has simply to return the candidate having the highest number of votes to Parliament. I desire to call attention to the fact that the extract read by the right hon. leader of the Government refers to the case of a double return; but that cannot have any application to Canada, because I submit that, under our Dominion Election Act, no such thing as a double return can be made. I repeat that no double return can be made, for our Act distinctly provides that if two candidates have an equal number of votes, the returning officer, not "may" but "must" give the casting vote in favor of one of the candidates, and must return him as elected. We need not, however, discuss theories, there is no double return here; there is simply a special return from which it appears that Dr. Robertson had the majority of votes, and therefore must be returned. I will just call your attention, Mr. Speaker, to the law as it has been laid down by a very eminent authority in England, respecting cases of this kind. The Prime Minister of England, in a discussion on the Tipperary Election, laid down that it is not consistent with the

dignity of Parliament to refer these matters to a Committee, in cases where the matter is free from fair and reasonable doubt; and I submit that if the hon. members of this House have come to the conclusion that the Statute does not admit of reasonable doubt, they must support the motion of my hon. friend from Huron. Mr. Gladstone on this matter said:

"If this were a case in which, after the best investigation we can make, we thought that any good, fair, or reasonable doubt attached to the facts or the arguments of the case, or as to the course which the House ought to pursue, then I admit it might be the subject of a reference to a Committee, especially if the question were one which involved the examination of a long and complicated series of precedents, such as it would be difficult to bring under the view of the House in debate. But, Sir, in our view, it is neither the one nor the other. The facts of the case are the fewest as possible, and the principles applicable as clear as can be brought to bear on any question of Parliamentary discussion, and I would submit that if that be the case, a proposal to enquire, instead of a proposal to act, would not be becoming the dignity of this House."

Mr. Speaker, I submit that this language is directly applicable to the case before us. We have the right to protect our own privileges; we have the right to say that the voice of the people, when proclaimed as it has been in this case distinctly and clearly, shall be given effect to. We have the right to protest against the illegal action of this returning officer, and to condemn him, not only for his illegal act, but also in order that it may serve as a warning to other returning officers in the future; and we have the right to declare—and I submit that it is our duty; and after consideration, I hope the House will find it to be its duty—to declare that Dr. Robertson having received the highest number of votes, is entitled to take his seat; and having taken his seat, it will then rest with the House to determine whether it should afterwards refer to the Committee the consideration of the fact, whether he is qualified or disqualified.

Mr. BRECKEN. Mr. Speaker, I admit, with my hon. colleague, that the sound constitutional rule is that the duties of the returning officer are ministerial, and not judicial. I further admit that it would be desirable for all tribunals, parliamentary or legal, as far as possible, to give decisions that would be the reflex of the voice of the people, but I cannot agree with all the remarks which have fallen from my hon. colleague; and indeed, I would say, that the situation he has just now made in quoting the opinion of one of the most eminent Parliamentarians—Mr. Gladstone—is rather in favor of the contention of the right hon. gentleman, than of the position which my hon. friend has taken. If I heard him read that quotation correctly, it was to the effect that if any doubt existed—any *bond fide* doubt—as to the merits of a case, it would become Parliament to refer that case to the Committee on Privileges and Elections; but if it was clear, if they were called upon to act and not to think, not to reflect on the matter, then it was the duty of Parliament to instruct the returning officer to amend the return, and return the man who had the majority of votes. Now, Mr. Speaker, what is the case before you to-day? It does not become me to go into the merits of the case, because I may look upon it as a case *sub judice*, and if it is to go before the Committee on Privileges, it will come before hon. members who will discharge their duties as judges of constitutional law, and not as partisans or supporters of a particular party, and, therefore, I will refer very shortly to the facts—for I am not going to express any opinion on the case. I will only state the bare facts, and I think my hon. colleague will agree that I state them correctly. Dr. Robertson was a candidate in the Local Election in May last. The Provincial Elections were held in May. On the 27th of May he was returned, as member for one of the Electoral Districts of King's County. We have a provision in our Local Law, which provides that a candidate returned to the Local Legislature, cannot within twenty-one days after his return, resign his position or

divest himself of the character of a member of the Local Legislature. We have a similar clause in the Dominion Law. You know, Mr. Speaker, why this is—to allow any opposing candidate, or any of the electors, if they think proper, to petition against that member's seat. The fact is, that on nomination day for the Dominion Elections, which fell on June 13th, Dr. Robertson sent in his resignation. But there was then no Speaker, no Session of the Provincial Parliament having been held; and the Provincial Act provides, that if a member resigns, he must send in his resignation under such circumstances to two members, who shall report to the Lieutenant-Governor of the Province. On nomination day—and my hon. colleague in this will agree with me—the candidate must be qualified if he is qualified at all. On the 13th of June, Dr. Robertson had then, or a short time previously, sent in his resignation to two members. Now comes the question: Was Dr. Robertson eligible or otherwise? Well, I will admit perhaps that the returning officer would have discharged his duty more correctly had he returned Dr. Robertson, and not enquired into his eligibility, or otherwise, of his candidature. He might have done that. There is no doubt about it. Then my hon. colleague quoted the case of a returning officer, who had been censured by Parliament, and enlarged on an assumed case—the injustice that might follow, if returning officers were allowed to use judicial functions, using their discretion, they might return minority members, and if the contending parties were evenly balanced the policy of the Government might then be shaped by a majority composed of minority members. That would be a crying injustice, I admit, but my hon. friend has drawn on his imagination in this case. There is no such case here. What is the return? The sheriff, the returning officer, returns what? Dr. McIntyre who led the poll, Dr. Robertson, and Mr. McDonald next, who was some sixty-two votes behind; and he also states that it had been represented to him that Dr. Robertson had been elected to the Local Legislature, and was therefore disqualified. My hon. friend says that there is no evidence of this. Well, Mr. Speaker, these are the facts; and my hon. friend knows it as well as I do. McLeod McCormack has been Sheriff of King's County for many years; and I may say that for the last eight or ten years he has acted as returning officer for that county. He had returned Dr. Robertson as member to the Local Legislature, and, therefore, of this he had judicial knowledge. He knew it, and he might have made his return without deriving his information on this point from half a dozen of the electors, who came to him on the subject. No man knew better than he, and my hon. colleague is aware of this. Sheriff McCormack is an active man, and has discharged all the duties and functions of his office to the utmost. He issues all the necessary proclamations, and performs all the various requirements under the Election Law; and, therefore, no man had better evidence—not even Dr. Robertson himself—of his election to the Local House. My hon. friend says, there are no facts before the House. I agree with the remark of the right hon. gentleman that this is a very distinct case, and that there are many facts to consider: the right of Dr. Robertson to resign; whether his resignation was sent in; and whether his resignation was *bonâ fide*. There are a variety of facts: whether Dr. Robertson was a candidate for the Local Legislature; and whether he was returned or not. The proper documents will have to be produced before the Committee, and all this evidence. It is not my intention to say much on this matter, because I feel that one ought to be guarded and not go into the merits of the case, expressing an opinion, or encroaching on the judicial functions of the Select Committee. But, Mr. Speaker, I would say this: If I have stated this case correctly, if there is any reasonable and strong doubt existing in the minds of members as to

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whether Dr. Robertson was eligible or not, then why return him to this House to be unseated afterwards, when the case was fully heard. Now I admit frankly that if the returning officer had returned him in the first instance he would have acted more in accordance with his duty, but now we have the fact before us, and a fact with which we have to deal. My hon. colleague says there is no evidence; but we have the return which was brought down. There is documentary evidence that a very grave and serious doubt exists—I will express nothing more than a doubt now, because I shall have to give a vote, and, before doing so, would like to hear all the arguments—but there is a strong doubt whether Dr. Robertson is eligible or not. I deny that the reference of this case to the Committee would form a dangerous precedent. My hon. friend says, suppose a man accepted a contract, but here is a case referred to by the hon. leader of the Government which is perfectly analogous. Suppose a woman were to stand up on the hustings in our country where we have no women's rights; or suppose a felon had escaped who had been taken into custody by the sheriff of the county who was also the returning officer; suppose he received notice one or two days before the election that this felon had broken prison and was at large; suppose that on nomination day the escaped felon were to make his appearance on the hustings in, say, Georgetown as a candidate for the suffrages of the people—would you say that the returning officer had acted illegally or in a partisan spirit because he had refused to return the felon, though a majority had voted in his favor?

Mr. MACKENZIE. Certainly.

Mr. BRECKEN. You might say that the sheriff had notice of it, but the sheriff had the same notice of the part that Dr. Robertson was returned as a member of the Local House on a certain day, and he knew that seven days had yet to elapse before it was competent for Dr. Robertson to divest himself of his character as a member of the Local Legislature and offer himself for the suffrages of the people as a member of this House. My hon. friend is wrong; there is nothing for which this returning officer should be censured. If he committed an error it was an error of the head and not of the heart. But here is a grave doubt as to the eligibility of Dr. Robertson, and can there be anything wrong—would it be a pernicious precedent if the case were referred to a competent tribunal, to leave it to the most competent men among the members of this House, men belonging to the legal profession, to say whether or not Dr. Robertson was in a position to receive the suffrages of the people? Every such case must be decided upon its merits. I read over with some care the able arguments of the hon. member for Huron; I looked at the precedents to which he referred, but they were not analogous cases; the analogy at all events is not complete. In some cases the ballots were destroyed; in others, where under the existing law a qualification was necessary, the candidate failed to file his qualification until three days after he was elected, and in another case a mistake about the ballots was rectified, and the candidate having a majority of votes was returned. But this case is not an error of that kind. If the contention of Mr. McDonald is correct, Dr. Robertson cannot take his seat under that election, and, therefore, if the matter is referred to the Committee, I cannot see that Parliament will be laying down a pernicious or dangerous precedent, or that it will be any encouragement to returning officers to forget the serious duties they have to perform, or to act in any spirit of unfairness or partisanship.

Mr. BLAKE. If anything were wanting—and I do not think after the speech of the hon. leader of the Government much was wanting—to convince this House of the inexpediency of the amendment, we have heard it in the speech

which has just been delivered. The hon. gentleman who informs us that the Privileges and Elections Committee is a judicial tribunal, of which he is a component part—

Mr. BRECKEN. No.

Mr. BLAKE. No? The hon. gentleman came in too late. He was fortunate enough to have to appeal to a real judicial tribunal, else, perhaps he would not be here at all. The hon. gentleman who informed us that this Committee is a judicial tribunal, of which he is not a member, who says that as he will have to vote upon the question, he will not express an opinion—but I think some of us were able, during the course of his speech, to receive through some of the slips and starts he made, some slight idea of the opinion he entertains upon the question—tells us frankly that it would have been right and better to return the man who had the majority of votes. I was glad to hear that, and the hon. leader of the Government said almost as much; but the hon. gentleman says the returning officer has not done much—he has gone wrong a bit—he has not done what he ought to have done, and, as he has done wrong, there will be no harm in our doing wrong too. As he has gone wrong let us, says the hon. gentleman, refer to the Committee the question of whether he was right or not. No; not at all, says the hon. gentleman, but there are a number of facts to elicit; and he mentioned some of them. He says Dr. Robertson was elected to the Local Legislature upon such a day, that he wished to resign, that under the Local Law it was impossible for him to resign before nomination day, and that, as a matter of fact, he did send in his resignation—which we have not heard of in the papers. He says there is the question to try whether or not he could resign, whether he did resign, whether he resigned *bonâ fide* or not, and what happened upon his resignation. We have been told, if we are to go into hearsay, that the Local Government advised the Governor to accept the resignation, that they issued the writ upon it, that a new election was held, that they returned a supporter under that writ, that they held power in the Island by virtue of that vacancy in King's which the hon. gentleman says does not exist. If there was no legal resignation then there could be no new election, no writ, and the seat is still vacant. That shows you the inconvenience of connecting two wholly distinct questions; the first, what upon the papers before this House was the duty of the returning officer, and the second and supplementary question, after we have determined what his duty was, whether any hon. member of this House will propose a reference to any tribunal to ascertain whether an hon. gentleman who ought to have been returned, and whose name ought to be inserted as a member of this House, is or is not qualified to sit here. Upon such a reference as that, and upon that alone, would arise the question to which the hon. gentleman has referred—that is, the question of whether Dr. Robertson has resigned, or whether he had effectually resigned. All these questions would arise then, but not now, because the question now before us is that which was stated by the hon. First Minister. I did not understand him to say that these questions were to go before the Privileges and Elections Committee. He did not say the Committee should consider whether Dr. Robertson was qualified or not, but they should consider what the functions, duties, responsibilities, and powers of returning officers were in general cases. The hon. member for the County of Queen's has said, would it be possible that a sheriff, who is also a returning officer, who knows that a felon has escaped from jail, and has presented himself as a candidate for the county, to affix his hand and seal to the return of that man to Parliament. I say, yes; it is possible. Was O'Donovan Rossa a felon? Was John Mitchel a felon? Were they returned to the Imperial Parliament by the returning officers? Were the returning officers censured? No. They were returned in the one case on election

petition, and in the other the House dealt with them; but the returning officers returned them. But that is not this case, and that affords some reason why we should consider what we are doing. What does the hon. Minister of the Interior propose to us? He says: "This is a question deserving of great consideration; I put to you the case of a woman who should be returned at the head of the poll; I put the case of an alien; I put the case of a felon; let us consider all these things; let us have a full and exhaustive report from the Privileges and Elections Committee as to what the state of the law is upon all possible and impossible contingencies, and decide by what process of enquiry the sex of the candidate is to be ascertained, and so forth;—let us, I say, enter upon this interesting, minute and delicate investigation"—and I suppose the hon. gentleman will lay a green bag on the table presently—"but in the meantime let us keep the choice of the electors of Queen's County out of the seat to which he is entitled." Sir, I am ready to enter with the hon. gentleman into an enquiry into all these questions; I am ready, as he says there is a difficulty and a doubt and proposes so many nice points of law, to agree that they should be considered; but I am not ready to agree that this plain, simple question of obvious justice should be complicated by all these questions with which the hon. gentleman has surrounded it, in order, if possible, to obscure it. The other day, when the motion was made, the hon. gentleman complained that my hon. friend had treated the House very unfairly, because he had not given notice of the motion and given him an opportunity of considering the question, and that my hon. friend had cited a lot of precedents which he had not the opportunity of looking into. He, therefore, proposed the adjournment of the debate, in order that he might consider the line of argument he would adopt and how he would support that argument. And now he comes down, after having had a full opportunity to examine these precedents, and we do not hear a word about them. He does not dispute them; he does not comment upon them; he does not give us a suggestion on those very points with regard to which he said he wanted time for research, for enquiry, for the formation of a proper opinion. Well, he says the question is whether the returning officer should have a judicial power. Is that the question raised in this return? Does this returning officer assume to exercise a judicial power? Has he adjudged? He has adjudged nothing. The law says that he shall simply state the number of votes obtained by both sides according to the law, and shall declare the candidate having the largest number to be the member. He has made a return, but he has not assumed to adjudge. Therefore the hon. gentleman has not got to refer to the Committee a judgment of the returning officer at all. It is not a question whether he had power to adjudge, because he has not exercised any such power, if any such power he had. He has simply abstained from doing that which the law says he shall and must do, namely, return as the member the man who has the majority of votes. But the hon. gentleman says: "I admit that, from time to time, from year to year, there has been a tendency to limit the old judicial powers of returning officers, and to make them more and more ministerial or executive officers; I will not trust the case to go to an ordinary Election Court; I will not aver that if it went before an Election Court, the returning officer would have a good case; but is it true that the returning officer can in no case adjudge?" I ask you how is the returning officer to exercise judicial functions? In the first place, who is he? He is the nominee of one party; how can he judge between both? The hon. gentleman has deliberately altered the law, in order that he might appoint the judge from one party; in order that in Lennox and Carleton, as well as in every other constituency in this Dominion, he might have the power of choosing his own friends; and having

chosen them, no doubt often at the instance of the respective candidates in these constituencies, to hold office during his good pleasure and to perform his pleasure, he now proposes that we should seriously consider how far these officers should have judicial power. Beautiful judges, truly! Wonderful proposal!—first of all, that the Government shall take this absolute power of nominating returning officers, and second, that we should consider how far it is wise and prudent to set back the current, and to declare, in the face and teeth of the Statute which prescribes their duty as to the summing up of votes, how far they are to have power to adjudge. Well, is the returning officer to have a court, then? Is he to sit in solemn state between these two parties, call witnesses, and perhaps have counsel to argue the case before him and then decide which of the two shall prevail? No, Sir, he has not attempted that. If he had a judicial power, he has not exercised that power, and it would be a gross thing to suggest that he ought to have such a power as the law now stands. But he has not exercised a judicial power; if, having the power to judge, he abstains from judging, how is he defensible for not having performed the functions of the Statute? What could he do except do what the Statute prescribes: count the votes and return the man with the majority? My hon. friend has referred to the time at which the judgment took place. If there be any hour at which the returning officer may exercise a discretionary power, it is at the time the nomination papers are handed in. I do not now suggest what the limit of his discretionary power at that time is; but it would be subject to the grossest and most palpable abuses, if the returning officer, having received a nomination paper, as being a valid nomination paper of a qualified candidate, should allow him to go to the polls with that assumption; and after the votes have all been cast, should take out of his pocket—or, as the hon. member for Queen's suggested, out of his recording brain—the knowledge that this man was a member of a Local Legislature, and his election, therefore, a sham; that his nomination paper ought to have been discarded; and that, therefore, he should return somebody else, or make no return at all. Now, the returning officer not assuming to adjudge, as he did not in this case, the question is, what return ought he to make? Ought he to make the statutory return, or throw the whole thing at the head of the House as he has done? It is perfectly clear that the statutory return is what ought to have been made. The hon. gentleman said that the Committee on Privileges and Elections was struck entirely without regard to the political proclivities of hon. members. Well, that was news to me. I was on the striking Committee. I did not hear any such observations made when we were striking that Special Committee, and I suppose, after the statement of the hon. gentleman, it happens by chance or by coincidence—but still it will be found, by a curious accident and coincidence, that the political proclivities of the members of this Committee correspond to the political proclivities of the members of this House. The Committee was struck, the hon. gentleman says, entirely without regard to political proclivities, but the hon. gentleman took good care to have two votes to one on the Committee. The House is political and the Committee is political, and as both are political in the same number and proportion, my own impression is that we shall argue this question out and decide it in the face of day here altogether, rather than submit it to a small body of members, constituted politically in the same proportions and for no other purpose, I can conceive, after the speech of the hon. member for Queen's, than to complicate the two distinct questions—the question whether Dr. Robertson is or is not eligible for the seat, and the question as to what, upon these papers, it was the duty of the returning officer to do. I say the motion which the hon. member for Huron (Mr. Cameron) has put before us is that latter question. It does concern the seat,

Mr. BLAKE,

the expectations of every candidate in the future, and concerns every constituency in this Dominion. It is a question involving the rights of all the electors or the country, and of every candidate in this country for all time, and that question, as upon the papers which appear before us annexed to this return, is: What, under the law and the practice of Parliament, was it the duty of the returning officer to do? If that were a doubtful question, one which required great research and upon which the authorities were seriously conflicting, when applied to the distinct language of our Statute, it might of course be a subject of enquiry and of reference. But being a plain question, a question which it is easy to answer from the Statute itself and upon which the current of authority, as my hon. friend has proved, is, with hardly an exception, the one way—I say being a question of this nature it concerns our dignity, it concerns the rights of the people that we should here at once dispose of it; that we should unequivocally declare that the returning officer's duty was to have returned the man who had the majority of votes. If any hon. member then chooses to raise the question as to the right to a seat here of the man who, the hon. member from Queen's admits, ought to have been returned, let us deal with that question when it arises entirely unprejudiced and uncomplicated by this discussion—a question, as the hon. member for Queen's has said, depending on facts not now before us which require to be elucidated, on papers not now before us, on the customs and laws of a Local Legislature which are not now before us, and a question, therefore, which will require probably some time for its consideration and determination, and which may require for that consideration and determination evidence to be brought from Prince Edward Island. But in the meantime what presses upon us now is to vindicate the electors of King's and their rights to the man of their choice—rights which have been violated by the action of the returning officer, whose violation of justice and right this House ought, at the earliest moment and in an unequivocal manner, to redress.

Sir JOHN A. MACDONALD. I do not think the hon. gentleman acted quite fairly toward me in introducing a personal matter in his speech, when he said that I, or the Government of which I was a member, had taken care to make the returning officers servants of the Government, and quoted Lennox and Carleton as instances in point. The hon. gentleman ought to know before making that remark, that the returning officer for Lennox, has been the returning officer there for a quarter of a century, that the returning officer for Carleton is a Reformer, who was appointed sheriff and returning officer by hon. gentlemen opposite. It is very unfair, very unlike the hon. gentleman—no, not very unlike him, but I thought he had improved a little. It was very improper in him, to make that allusion to me. In both cases they were gentlemen, he would have desired should be returning officers. He rather misrepresented me. When I said the Committee on Privileges and Elections were appointed without regard to political proclivities, I did not in any way wish it to be understood they were chosen equally from both sides, nor, do I think the House understood that. These Committees are reflexes of the positions of parties and opinions in this House. They would be unfair Committees if they were not so. If the hon. gentleman's political friends are not more numerous in any one of these Committees, that is the fault of the people. Let him bring an indictment against the people of the Dominion who held that he and those who acted with him were in the wrong. But, I do say this, that the Committee was fairly chosen, and I will venture to say, although I was not here, that he did not object to that Committee. He, as an able Parliamentarian, was one of them. I have no doubt he saw on that Committee a fair proportion, according to the proportion of this House, of his followers and the best men

among them. I do not see why the hon. gentleman is afraid of this Committee. I have seen him before afraid, when the case of Mr. Anglin was before the Committee on Privileges and Elections, when he was away for a long, long time. It was said he was ill and could not come, but when he did come, he showed a great deal of vigor and strength. His friends said he did not show up there because Timothy was concerned; they said that because Timothy was concerned he had the hay fever. I have the right to talk in this way when the hon. gentleman chooses to bring in a personal remark altogether uncalled for with respect to myself.

Mr. BLAKE. It is the first time, for some years, in this House an hon. member has ventured to repeat what, up to this time, has found, to some extent, currency, I believe, in Tory newspapers, and perhaps may have been spoken in my absence. The hon. gentleman has ventured to assert that during the last Committee on Privileges and Elections in a former Parliament I was away, not because I was really ill, but because I did not want to come. That is a statement utterly and absolutely without any particle of foundation. I was confined to my bed by serious illness. I am amazed the hon. gentleman should have dared to make this statement at such a time of day. If there are any words I can use which will announce in a more positive and emphatic manner my denial of the hon. gentleman's statement I want to use them now. The hon. gentleman has said I was unfair in stating that he had chosen the Sheriffs of Lennox and Carleton as returning officers, who were servants of the Government. Does the hon. gentleman suppose that my complaint of his law is confined to the cases in which he chose other men than the sheriffs and registrars? No, Sir. What I complain of is that he should make a law by which he becomes the nominator and appointer of returning officers. If they happen to be sheriffs and registrars they are appointed not because they hold office permanently from which they can be withdrawn only for dereliction of duty or malfeasance, for they hold it at his bid and pleasure, but they hold it at his pleasure to do his bidding. That is the complaint, and the evil runs much deeper and goes much farther than the hon. gentleman has put it. It is not confined to an occasion in which he has departed from what would have been the law, and nominated others than sheriffs and registrars; but every sheriff and every registrar whom he appoints, he appoints not by virtue of their office, but by virtue of his pleasure and to do his will.

Sir JOHN A. MACDONALD. The hon. gentleman says he never heard this before. I think I have heard it in the House before.

Mr. BLAKE. No.

Sir JOHN A. MACDONALD. I have heard it in the House before.

Mr. BLAKE. Never.

Sir JOHN A. MACDONALD. And the statement I made was made on the authority of his own friend—I can tell him that—of his own political friends, who were disgusted at his absence from the Committee, and who did not hesitate in saying so. But, Mr. Speaker, I say this further. The hon. gentleman objects very much to the appointment of returning officers under the nomination of the leader of the Dominion Government. No, Sir, he would like to have every returning officer in the Province of Ontario under the thumb, and all the officers of Ontario under the thumb, of the present leader of the Ontario Government.

Mr. McCARTHY. I propose to call the attention of the House to the facts of this case which the personal assault made by the leader of the Opposition on my right hon. friend the First Minister, has somewhat diverted us from. Now, Sir, the question is not whether we are to refuse to seat Dr. Robertson and to alter this return, as moved for by the hon. member for West Huron, by declaring that Dr.

Robertson's name should be inserted and that he should take the seat—the question is whether that is the proper course to take, or whether it is proper under all the circumstances of the case, to send this matter to the Committee on Privileges and Elections. A great deal, therefore, of the thunder from the other side is altogether wide of the mark. If we were here refusing to acknowledge the right of the electors, refusing to obey their choice, I could well understand this indignation which, to my mind, has been altogether uncalled for and is altogether out of place upon the simple proposition in amendment which is now before the Chair. We are asked to say whether under all the circumstances of this matter—not the hearsay statements, but the papers brought down by the Clerk of the Crown in Chancery and presented to the House—whether under these circumstances we ought now to carry out the motion made by the hon. member for West Huron, or whether we ought to send the papers to the Committee appointed for that purpose who are charged with the privileges of this House, and whose duty it is to guard and protect those privileges. Now, Sir, what are the facts, I am not speaking of hearsay—but what are the facts? The facts which appear before us are these: That Dr. Robertson was elected—I am reading now from a return presented to the House:

“That Dr. Robertson was elected a member of the Local Legislature of the Province of Prince Edward Island, and was returned by Sheriff McCormack upon the 8th of May, 1882; that on the 13th of June the same gentleman was nominated as a candidate for the same district, or for a district including the same, for this House; that upon the 26th of June the Lieutenant-Governor of Prince Edward Island certified that he has not received from James E. Robertson, returned a member of the House of Assembly of Prince Edward Island for the fourth electoral district of King's County, nor from any other person on his behalf, any resignation of the seat of the said James E. Robertson as a member of the House of Assembly; nor have I received any notice of said resignation from the said James E. Robertson, nor from any member or members of the said House of Assembly, nor from any other person whatsoever, on behalf of the said James E. Robertson.”

We have it perfectly clear that Dr. Robertson was elected to the Local House. We have it equally clear—not merely, as the hon. member for Queen's County stated, on the *ipse dixit* of seven electors—but we have the solemn certificate of the Assistant Provincial Secretary that Dr. Robertson was returned. We have the solemn statement made by the Lieutenant-Governor of the Province that Dr. Robertson had not resigned. I think it is plain, therefore, that at that time Dr. Robertson was a member of the Local Legislature of the Province of Prince Edward Island. Now, what does the law, passed in 1873, say about cases like this:

“After the dissolution of the present Parliament of Canada, no person who is a member of any Legislative Council of any Legislative Assembly of any Province now included, or which may hereafter be included, within the Dominion of Canada, shall be eligible as a member of the House of Commons, or shall be capable of sitting or voting in the same; and if any one so declared ineligible is, nevertheless, elected and returned as a member of the House of Commons, his election shall be null and void.”

The third section of the same Act says:

“If any person is made by this Act ineligible as a member of the House of Commons, or incapable of sitting and voting therein, does, nevertheless, so sit or vote, he shall forfeit the sum of two thousand dollars for every day he sits or votes.”

Therefore it is not simply a question whether Dr. Robertson, who appears to have had the majority of the votes, ought to have been returned by the returning officer. Rightly or wrongly we are now seized of the facts of the case, facts which are indisputable.

Some hon. MEMBERS. No.

Mr. McCARTHY. Can it be doubted that Dr. Robertson is a member of the Local House? Why, even the hon. members who have spoken on the other side do not pretend that he is not so.

Mr. CASGRAIN. He has resigned.

Mr. McCARTHY. Resigned! But when? He resigned since his nomination for this House.

Mr. CASGRAIN. How do you know that.

Mr. McCARTHY. I say, upon the evidence here, that I have the right to assume that. I have a statement from the Lieutenant-Governor that on the 26th June he had not resigned. I will read it again:

"I hereby certify that I have not received Mr. James E. Robertson's resignation."

An hon. MEMBER. He had not resigned.

Mr. McCARTHY. He left his resignation in such a position that if he was elected to this House it was to stand good; but if he was not elected to this House the resignation was to be null. I have no doubt from what I hear—not from what I know—that the intention of Dr. Robertson was to put his resignation in such a position that he was to continue to be a member of the Local House if he failed in the present election, but if he succeeded in this contest then he would claim the right to sit in this House; and the law says he shall not do so. Now what are we to do with this motion? We are asked to declare that he has a right to take his seat in this House as a member. Who has a right to take his seat in the House?

Mr. MACKENZIE. The man who had the most votes.

Mr. McCARTHY. The man who, according to the law passed at the instance of the hon. gentleman opposite, who did not like dual representation and who desired to deprive the people of a free choice as to who they should send to both Houses, the man who, according to that law, has no right to sit and vote here, and whose election was declared by the Statute to be null and void. If he were sitting in the House to-day we would have to rise in our places to draw attention to it, and the matter would have to be sent to the Committee on Privileges and Elections, just as in the days of the good Reform party—the Party of purity—when the House was full of contractors, and when we occupied a considerable portion of our time in dealing with their business: I therefore, say, that no matter what may have been the duty of the returning officer, we are now in this position that we have these facts before us that the person who was returned is disqualified and could not take his seat. But we are asked to day to say that he shall take his seat, though the very next moment any hon. member could rise in his place and draw attention to the fact that he was disqualified, and the matter would have to be sent to the Committee on Privileges and Elections. Surely the course suggested by the amendment is the proper one, that the matter should now be dealt with before we stultify ourselves by declaring that this gentleman is entitled to take his seat, when the law says he shall not sit in this House. A great deal has been said regarding the duty of the returning officer, and I desire to speak with caution upon that subject. I do not pretend to be as wise as the hon. gentleman opposite who *ex cathedra* can at once tell what the law is and what it should be. I mean to say that since the Statute of 1874 was passed, so far as I know, there has been no decision given with respect to the changes made by that Statute; and I hold that before the Act of 1874 was enacted it was perfectly plain that the returning officer was not merely a ministerial but a judicial officer; that he had certain ministerial duties to perform and certain judicial duties to perform. It may be—and I hesitate to express any opinion upon it—that the effect of the legislation of 1874 is to have made him simply an executive or ministerial officer. I am not prepared to say it may not be so; but what I am asking the House now to do, now when censure is talked of with respect to the returning officer, is to remember the position in which he is placed as the law stands and as the law appears to be

Mr. McCARTHY.

according to the best authorities. As the hon. the First Minister has shown, there is in our Statute a declaration that if a returning officer refuses to return a man who afterwards is declared by the Election Court to be entitled to his seat, he shall be subject to a penalty of \$500. Now, the returning officer is placed in this dilemma: it is brought to his notice, he knows himself as returning officer, and at all events it is ascertained by him by the highest possible species of evidence, that this gentleman is disqualified. Then the penal enactment of the Statute is pointed out to him. What is he to do? If he took on himself to decide, judicially, that Dr. Robertson ought not to be returned, he might, perhaps, be open to censure, but under the difficult circumstances he decides: "I will report the matter to the House. I will make a double return, and not say that a man whom the law says is disqualified is entitled to the seat: and at the same time I will not say that a man who has merely a minority of votes is entitled to the seat. That is a matter beyond me; but these facts, brought to my knowledge, I will report to the House, and the House will be prepared to deal with the case as the law of Parliament requires." That has been done. We have the double return; both gentlemen have taken the oath.

Mr. MACKENZIE. There is no double return.

Mr. McCARTHY. Pardon me. Although I have great respect for the hon. gentleman's law, I must have a little respect for my own notions, and I venture to say it is a double return. The proof of it is that both gentlemen have signed the roll and both have taken the oath, and both can come into the House and sit. A special return is quite apart from that, and is that the returning officer could not say that one or the other candidate was entitled to the seat; the distinction is very plain between that case and this, which, according to my view of the law, is a double return. That being so, let us see what the best writers say. We have not all the superior wisdom of hon. gentlemen opposite but we may perhaps look ourselves and see what, according to the authorities, the duty of the returning officer was. Referring to the penalty clause—Mr. Rodgers' work on Elections, a very late edition, says this, at page 338:

"It would seem from the above cases, that the returning officer is not subject to any liability, as far as Parliament is concerned, if he returned a disqualified person; nor, on the other hand, could he well be censured for exercising his judgment as to the eligibility of a candidate, and returning the person whom the judges ultimately decides to be entitled to the seat; for in most of the cases in which a disqualified person has been returned, the form of the resolution of an Election Committee has been that the petitioner ought to be returned. Indeed the sole consideration with committees has been, whether the returning officer has shown any improper *animus*. (Ipswich, K. and O., 379.) And accordingly, if it were not for a Statute to be presently noticed, the conclusion would be that the returning officer is safe, so far as the House of Commons is concerned, whether he decided or refused to decide on the qualification of a candidate, provided he acted *bonâ fide*; but that it would be safer for him to return the candidate who has the majority of votes, and leave the question of qualification to be disposed of by the Judge."

He says according to the Statute. What does the Statute say? It says:

"If any returning officer wilfully delays, neglects or refuses duly to return any person who ought to be returned to serve in the House of Commons for an electoral district, such person may, in case it has been determined on the hearing of an electoral petition respecting the election for such electoral district, that such person was entitled to have been returned, sue the returning officer having so wilfully delayed, neglected or refused duly to make such return of his election, in any court of record in the Province in which such electoral district is situated, and shall receive a sum of \$500, together with all damages he has sustained by reason thereof, and full costs of writ."

The writer, Mr. Rogers, further says:

"These words are very comprehensive and would seem to include the case of a sheriff returning a disqualified person, provided notice and proof of such disqualification had been previously given to him. And if this be the case, a returning officer would, if the unsuccessful candidate were held by the Judge entitled to have been returned, be subject to a very serious liability. The question, therefore arises, what is the returning officer's best course to pursue in such a case?"

We should look at this question judicially; we should not endeavor to raise popular cries, as is being done by hon. gentlemen opposite. The delay cannot be very great. The hon. member for West Huron (Mr. Cameron) brought the matter to the notice of the House on the 20th of last month, and he went away somewhere—I do not know where—and left this unfortunate county without its second representative in the House, and this great injustice has remained from that day until now. I am aware its consideration was postponed once at the request of the hon. the First Minister.

Mr. CAMERON. Three times.

Mr. McCARTHY. At all events the county would not suffer from a further delay of three or four days. What is the proper course to pursue? The writer from whom I am quoting says:

"In the Leominster case, under similar circumstances, the sheriff returned both the qualified and unqualified candidate, and this conduct does not seem to have been reflected upon; and this it is conceived is, on the whole, the safest course for the returning officer to pursue."

The able writer to whom I have referred lays down that the proper course for the returning officer, under those circumstances, is to return both candidates—to make a double return: I have said already that the effect of the legislation of 1874 may make a difference; but it has never yet been decided that it makes a difference. I heard an hon. member from New Brunswick intimate that it does make a difference. Is that so perfectly plain? The Act of 1874 is based on the law as it stood. That is not the only law we have to look to. We have to read the law of Parliament as amended by that law, and looking at the law of Parliament as altered by that do we find any enactment that the returning officer shall from this time forth cease to be anything more than a ministerial officer? That may be the effect, but there is no distinct enactment; and it is not so perfectly plain that we can assert it as a matter beyond all doubt. I give hon. gentlemen opposite another authority. In *Bushby's Practice on Elections, 1880*, speaking of double returns, the writer says the returning officer's duties are partly ministerial and partly judicial. Such are the opinions of the very latest English authorities, and we have no writer asserting the contrary, that the returning officer's duties are wholly ministerial. The Act, of course, read alone, without reference to the law of Parliament, is very plain; but we have to read the law of 1874 as a part merely of the law which regulates us and guides us in matters of this kind. In the case of a convicted felon would not the returning officer be quite warranted in refusing to return him; or in the case of a minor, a case which appears in the English books, would he not also in that case be authorized in refusing to make a return. But this is a matter which ought to be decided deliberately, and not by the violent harangues that we have heard at least from one hon. gentleman, who has spoken on the opposite side. I, therefore, submit with very great confidence, that this is a matter which cannot be dealt with, if at all dealt with in this House, in the manner suggested by the hon. member who moved the original resolution. Now, let me point to a pertinent incident. From this very same Island, in 1874, Mr. Perry, Mr. Stanislas François Perry, came to this House. He had been elected to the Local Legislature. He had been again elected by a large majority to this House; but, Sir, when he came here, he found this law on the Statute-books, and, of course, according to the notions of hon. gentlemen opposite, he at once should have taken his seat, being the representative of a free people who had sent him here in order to carry out their law and bidding, though in violation of the Statute, and taken his seat. He had done everything he could to resign; but it was a question whether his resignation was proper or not; and what did Mr. Perry do? He presented a petition to the House, and asked the House to consider the matter—whether he was entitled to sit and vote or not.

The House referred the matter to the Committee on Privileges and Elections, and they said it was so doubtful whether he was entitled to sit and vote that an Act of Indemnity should be passed to entitle him to sit; and this was done. This was a case exactly parallel, so far as the right of a man to sit in the House, was concerned.

Mr. BLAKE. Hear, hear.

Mr. McCARTHY. Now, I venture to say, notwithstanding the "hear, hear" of the hon. member for West Durham, that, if we choose to-day to say that Dr. Robertson was elected, he would not dare to take his seat, judging from all we know of the facts. It is not for us to stultify ourselves, and declare by a resolution to-day that Dr. Robertson is entitled to the seat; and by another resolution to-morrow, on the ground that he is disqualified under this Act, to say that he must be expelled. It is not for us to do so; and remember that this is not a simple question of regularity. It is a question of positive disqualification which entitles this House, irrespective of any Election Court or any appeal to any legal tribunal, to say at any time when attention is drawn to a member sitting in the House, whether according to law he is entitled to his seat. I, therefore, ask the House to recall all circumstances; and to say what should be done. We have the facts before us officially certified to by the returning officer; and if any doubt exists, and I venture to say that every hon. member must, if he be not an ultra partisan, must entertain such a doubt as to the duties of a returning officer, then taking the authority which I venture to quote to the House—the only course and the only proper course is to send all the papers before the Committee on Privileges and Elections, and let that Committee deal with it. I observed that the hon. member for West Durham, in the manner of a special pleader, sought to fasten a narrow issue, and say that my hon. friend, the First Minister had not suggested that the Committee would so deal with it; but that the Committee was only to deal with one branch of it. The hon. member for West Durham felt the force of the observations which I am now making. He knew perfectly well that Dr. Robertson was not entitled—assuming the facts to be as represented—to a seat in this House; and knowing that he endeavored to make it appear that the only matter the Committee would deal with was that one question of whether the motion in amendment was so; but the papers are here before us, and this House is seized of the facts. We have the return made by the returning officer, showing that the matter should be sent to the Committee to consider the whole subject, and deal with it according to law and the usages of Parliament.

Mr. WELDON. Mr. Speaker, my hon. friend from Simcoe, who has just spoken, has referred to my hon. friend from West Durham as being a special pleader; but I think, that my hon. friend has endeavored to draw away the attention of the House from this subject and the real question, which is fairly embodied in the resolution of my hon. friend from West Huron. My hon. friend says that since the law of 1874, there has been no case brought up before this House. I am very glad, Mr. Speaker, that this is the case, and that this is the first instance of gross dereliction of duty brought before Parliament in this relation; and it is for Parliament to deal with it. If the returning officer failed to perform his duty in this case, the House should rectify the omission, and if Dr. Robertson is entitled to the seat he should have it. Before proceeding to the discussion of the question of the Statute, I will for a moment refer to the case of Mr. Perry, in which this simple difference appears: Mr. Perry was returned by the returning officer as elected, while in this case the returning officer has not returned anybody. Then I call my hon. friend's attention to the Statute of 1873, in which it says that the election of a person, who is a member of the Local

Legislature, if elected and returned, shall be null and void. I also call the attention of the House to the Independence of Parliament Act of 1878, which provides with regard to the return of any member of the House of Commons occupying office, &c., the seat of such member shall thereby be vacated and his election declared null and void. Now, I say, Mr. Speaker, that the only question which we have to consider, is exactly what is put forward by the hon. member for West Durham—not the extraneous facts put forward by my hon. friend from Queen's, but has the returning officer done his duty? My hon. friend from South Simcoe referred to various works on elections in England, but has not ventured, Mr. Speaker, to call the attention of the House to the Act under which this Parliament is elected, the Act of 1874. I venture, Mr. Speaker, to say that if pleaded in any court of justice, it would be at once distinctly pointed out how utterly inapplicable English cases would be to the Statute before the courts here. The hon. gentleman spoke of a double return. Probably the last double return in England was made in 1878 for South Northumberland, where Mr. Ridley and Mr. Grey received an equal number of votes. Both were sworn, and Mr. Ridley took his seat. Still a petition was presented, and on Justice Field's return Mr. Grey withdrew his claim to the seat, which was awarded to Mr. Ridley. But in England the duties of returning officers are totally different in this relation, because I think, Mr. Speaker, it is plain; and when the Statute is so plain, that he who runs may read, it does not require the astuteness, acumen, and ability of the hon. member for South Simcoe to expound it. Any man can do so, and no necessity arises for saying that grave doubts exist, where no doubt exists at all. In England, the returning officer may, in case of equality of votes, give the casting vote. In the first place, this is permissive and not mandatory, as in our Act; and in the second place, it is qualified. He can only do it there if he be a registered voter; but under our Statute, in case of equality of votes, the returning officer shall give the casting vote, so as to comply with the Statute by returning the man who has the majority of votes. My hon. friend has referred to papers being before the House. If properly and fairly before the House, it were another matter, perhaps; but I say that these papers are irrelevant, and to use a legal phrase impertinent. They should be expunged and not read, the same as if in a Court of Justice, evidence improperly admitted should be rejected. We have to look and see what the duty of the returning officer was. My hon. friend on my right pointed out that his duty was simply to return the man who received the majority of votes. I quite agree with my hon. friend opposite from Queen's, and my hon. friend from South Simcoe, that the returning officer is a ministerial officer and not a judicial officer. If he has any judicial functions, Mr. Speaker, I say they cease when the nomination papers are accepted, and he notifies the electors who are the candidates at the election. Up to that time, Mr. Speaker, no doubt, to a certain extent, he has judicial functions. It has been so decided, I think, in the courts of Ontario, by Chief Justice Wilson. With regard to nominations, he exercises judicial functions; his attention may be called to the disqualification of a candidate, which, if he then rejects him, he is bound to return to the Clerk of the Crown in Chancery, with the cause of rejection, in compliance with the Act. In that case the party whose nomination is rejected has the right of appeal to a tribunal, to which these cases are referred for redress, if at the nomination he were wrongly rejected. But I say that the instant he received the nomination, that instant his functions ceased; and in only one case does the law provide that a nomination can be withdrawn, and then only at the instance of the candidate himself. But the moment that the candidates are put before

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the electors by the returning officer, his duties cease, and after that moment he does not possess the judicial functions even of the deputy returning officers because he has simply to cast up the number of votes which have been returned by the deputy returning officers. He does not even see the ballots, but he has to take the statements of the deputies, and from them to return the man who has the majority of votes. We find that the Legislature has endeavored, time after time, to carry out that principle. In 1878, when a new mode of recounting the ballots was provided, I find that the recount is to be taken before the County Judge; and the Act, after pointing out the duties of the deputy returning officers, proceeds as follows:—

“The returning officer shall, immediately after the sixth day after such verification, unless before that time he receives notice that he is required to attend before a Judge for the purpose of a recount of the votes given at the election, transmit his return to the Clerk of the Crown in Chancery, that the candidate having the largest number of votes has been duly elected.”

In case a recount is demanded:

“The Judge shall proceed to recount the vote according to the rules set forth in Section 35 of ‘The Dominion Elections Act, 1874,’ as hereby amended, and shall verify or correct the ballot paper account and statement of the number of votes given for each candidate; and upon the completion of such recount, or as soon as he has thus ascertained the result of the poll, he shall seal up all the said ballot papers in separate packets, and shall forthwith certify the result to the returning officer, who shall then declare to be elected the candidate having the highest number of votes: and in case of an equality of votes the returning officer shall give the casting vote.”

He gives that casting vote whether he is entitled to vote or not, his duty being to return a member. That is the policy of our law, and I challenge my hon. friends opposite, or such of them as are lawyers, to take the law of 1874 and the law of 1878. Let the hon. gentlemen take the law of either England or Canada, and I am perfectly willing to leave it to him, able lawyer as he is, to say if any other construction can be put upon the law than that which has been put upon it by this side of the House. The clear duty of the returning officer, under the Act, was to return the man who had a majority of votes, and if he had a right to enter into the other question at all, he knew that Dr. Robertson was a candidate, and why did he not refuse to receive his nomination? But he received his nomination, thereby holding him to be qualified before the electors as a fit and proper candidate, and it did not lie in his mouth to take the *ipse dixit* of seven electors—for he does not say on his own knowledge of the facts that Dr. Robertson was disqualified—he simply gives the statement made to him by seven electors of the County of King's out of a body numbering some 5,000 electors in all. Because seven men come forward and say that the successful candidate is disqualified he chooses to disregard the law and refuses to return him.

Mr. McCARTHY. The hon. gentleman will excuse me, but surely he has not read the return. The returning officer expressly refers to papers E, F, G and H, which are with the return.

Mr. WELDON. Here is what he says:

“It having been represented to me at the summing up of the votes by certain of the electors of the said electoral district having a right to vote at such election, as appears by the several papers returned herewith and marked respectively with the letters E, F, G, and H.”

Some hon. MEMBERS. Hear, hear.

Mr. WELDON. But he puts it forward as upon the representations of these electors. I have a great respect for a person holding the position of returning officer, and for the office itself; but I think this certificate, given under these circumstances, shows that this officer was travelling out of his duty, and when you compare that certificate with the law on the subject, nothing more is needed to show the state of the case. Supposing that the County Court Judge of that county, on a recount being made, had returned Dr.

Robertson, would the returning officer in that case have intervened and say, I will ignore that return because six or seven men represented to me that the candidate was disqualified, and I will therefore disobey the law and refuse to perform my duty. All we have a right to look at, sitting here in the capacity of a judicial tribunal, is what the returning officer is bound to return. We find that by the Act of 1874, as pointed out by the hon. member for Huron, certain returns were to be made by the returning officer when the member was returned; and we find that by the Act of 1878, the returning officer, when he returned the candidate who has the highest number of votes, is to accompany his return, in addition to the papers required to be returned, under the Act of 1874, with a report of his proceedings; in which report he shall make any observation he may think proper, as to the state of the ballot boxes or ballot papers, as received by him. The whole tenor of the law shows that there was no intention to allow double returns to be made. The returning officer was compelled to give the casting vote, whether he had a vote or not, and his whole duties were simply of a Ministerial character, comprised in the act of returning the man who had the highest number of votes. I challenge any hon. member to take up the law and read it carefully, and whether he is a lawyer or not, he will discern that this is the plain duty of a returning officer; and he will come to no other conclusion than that the returning officer failed to perform that duty in the present case. That being the case, surely the House is bound to rectify the error. If other consequences are to ensue, let them follow in a legitimate manner, so that they may not be mixed up and confused with the clear issue which is now before the House. I need not refer at length to the precedents which were cited by the hon. member for Huron, but I may refer to the Essex case. In that case the question was one of fact; it was not a question of return, but of how a man voted, and the Speaker in giving his casting vote, said that the matter of fact was one to be referred to investigation. The present case, however, is one of law, and there is no question of fact involved. Then with regard to the West Peterborough election, it is true that the minority candidate was returned, and there was the return of the sheriff before the House. The hon. the First Minister of that day, the present Premier, in addressing the House in that case, pointed out what has already been pointed out, that the tribunal to which that was referred, was a judicial tribunal. He is reported to have said:

"For the express purpose of avoiding such delay in the public business and for the higher purpose of avoiding party and political votes or questions of this nature, the law had provided another and a special tribunal—a tribunal surrounded with all the authority of judges—a tribunal having all the duties to perform that the Judges of the land imposed on them. This tribunal, upon whom both in England and Canada, the duty of trying controverted elections had been thrown, this tribunal had the same obligation as our courts; they took as solemn oaths as our Judges did, and he hoped and believed they purged themselves as completely of all political or party feelings in the execution of their duty."

Then, when we come to the Muskoka election case, which was analogous to this, we find a similar resolution put forward. The hon. gentleman assented to that resolution, but contended that it was a different case from the West Peterborough case, and said that a law would probably be brought forward which would prevent such a thing in the future; and the law of 1874 was for that purpose. But this House does not altogether resign its privileges by that law; it may expel a felon, as was done in the cases of O'Donovan Rossa and John Mitchel. In all the discussions on these cases which took place in the English House of Commons, no one ventured to contend that, after Mitchel and Rossa had been put forward as candidates for the suffrages of the people, the returning officer had any right to set them aside. The hon. member for North Simcoe says that we have all the papers before the House. I say these

papers are not regularly before the House, and we have no right to look at them. He says the evidence is not hearsay evidence. I say it is hearsay evidence of the worst kind. Is the sheriff to ascertain whether the parties who signed the nomination paper have a right to do so? Is he to see whether the signatures are genuine or not? He is not an officer to enquire. If he undertook to examine witnesses under oath, he might find himself prosecuted for violating an Act of Parliament by administering extra-judicial oaths. As to the validity of Dr. Robertson's resignation, that is a question of law, and as such was one which the presiding officer had no right to determine. No person could withdraw the nomination except Dr. Robertson himself. The simple duty of the sheriff was to appoint his deputy returning officers, and upon receiving their returns, to sum them up, and return the man with the majority of votes. If that was his duty, and he has failed to perform it, it is the duty of this House to rectify his error. If there is any question as to Dr. Robertson's qualification, let it go before a tribunal fitted to deal with such questions, a tribunal far beyond party spirit; where it will be calmly considered, and justice and right will be done.

Mr. CAMERON (Victoria, Ont.) moved the adjournment of the debate.

Motion agreed to; and (at 5.50 o'clock, p.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 12th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### PRIVATE BILLS.

Mr. BEATY moved that the time for presenting Private Bills be extended to Monday, 19th March instant, in accordance with the recommendation of the Select Standing Committee on Standing Orders.

### BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 79) to incorporate the Davis and Lawrence Manufacturing Company.—(Mr. Curran.)

Bill (No. 80) to amend the Act incorporating the Great Eastern Railway Company.—(Mr. Massue.)

Bill (No. 81) to amend the Criminal Law, and to make special provision for the punishment of persons convicted of wife beating.—(Mr. Wood, Brockville.)

### THIRD READING.

The following Bill was read the third time, and passed:—

Bill (No. 16) to incorporate the Central Bank of Canada.—(Mr. Small.)

### CREDIT FONCIER FRANCO-CANADIEN.

Mr. DESJARDINS moved that the House resolve itself into Committee on Bill (No. 22) respecting the Crédit Foncier Franco-Canadien.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. AUGER. I think that the Bill asks too much. The promoters ask, by this Bill, to repeal an Act passed in 1880.

It says: "The Act of the Parliament of Canada, forty-fourth Victoria, chapter 58, intituled: 'An Act to enlarge and extend the powers of the Crédit Foncier Franco-Canadien,' is hereby repealed. The Bill now before us proposes to repeal that Bill. And what does it propose to put in place of it? It says:

"It shall be lawful for the said Corporation (Crédit Foncier Franco-Canadien) at all times, in exercising the powers of lending and advancing money at any time given it by any Act of any one of the Legislatures of the Provinces composing the Dominion of Canada, to receive and take any such rate of interest whatever, for the money to be lent or advanced, as may be lawfully taken by individuals, or in the Province of Quebec by incorporated companies under like circumstances, not exceeding eight per cent. per annum."

All the Bill asks is the privilege of charging eight per cent., but in return for this privilege the company gives the House no security at all as to the manner it shall exercise the privilege, in fact we have no control on the company at all. The result will be that each Province will act separately with the subject and in its own manner. Moreover, it is in direct contradiction to the first part of the preamble, which says:

"Whereas the shareholders of the 'Crédit Foncier Franco-Canadien' have renounced the privileges granted it by section 127 of the Act of the Province of Quebec, incorporating the said Company; and whereas it is expedient to assimilate the character and powers of the said Company to those of other companies of a similar character."

How will they be assimilated if the company is to be chartered by the different Provinces? The Province of Quebec may pass a law, in one sense, and the other Provinces may pass quite a different one. All the company wants to get assimilated is the rate of interest. This the company is not bound to make any report to Parliament. By the 44th Victoria, the company there mentioned could only enlarge its powers or change its rate of interest at the discretion of this House. The Anglo-Canadian Society, organized in 1874, bound themselves in their Act of incorporation to do certain things, to make a report to the hon. Finance Minister of their operations, but there is nothing of the kind in this Bill. For this reason I am opposed to the Bill, and when the proper time comes I shall propose an amendment.

Mr. ORTON moved to amend the Bill by providing that the interest should not exceed 7 per cent. per annum.

Sir LEONARD TILLEY. This Bill was reported to the House without amendment by the Committee on Banking and Commerce. The proposition just made by my hon. friend was, I think, considered there, but was not adopted. When the Bill was originally passed this company had exceptional advantages in the Province of Quebec; those advantages have been removed, and it was simply placing this company in precisely the same position as other incorporated companies who were not allowed to exceed 8 per cent.

Mr. METHOT. Ever since I have been in this House I have opposed this Bill on each occasion that it came up. I have been opposed to the principle of allowing people to lend their money at an unlimited rate per cent., and on two occasions I have proposed to reduce the interest to 8 per cent. As that provision has now been introduced in this Bill, I shall change my opposition into favor of the Bill, and shall support it.

The CHAIRMAN (Mr. Ives) declared the amendment of Mr. Orton out of order, having been made without previous notice.

Bill reported.

#### TEMPORALITIES FUND OF THE PRESBYTERIAN CHURCH OF CANADA IN CONNECTION WITH THE CHURCH OF SCOTLAND.

Mr. CHARLTON, in moving the second reading of Bill (No. 39) to amend the Act of the Dominion of Canada, 45th

Mr. AUGER.

Victoria, chapter 124, respecting the Temporalities Fund of the Presbyterian Church of Canada, in connection with the Church of Scotland, said: As some hon. members have spoken to me with respect to the provisions of this Bill, perhaps a few words of explanation may be appropriate at this stage. The Act of Union was passed by the Quebec Assembly in 1875; it was ratified by this House last Session, and so far as its principles are concerned, this Bill has nothing whatever to do with them. It is a Bill relating to the internal management of this fund; each minister of the Presbyterian Church of Scotland originally had an allowance of \$600 per annum. In 1853, I think, each minister received a bulk sum in lieu of that allowance, the amounts varying from \$8,000 to \$10,000 each. In 1855, the ministers of the church, seventy-three in number, created what is known as the Temporalities Fund. They funded the sums allowed to them, and, in return, were each to receive \$450 per annum; that was the sum for which they commuted their interest, and which created the Temporalities Fund. The Bill I have the honor to move to-day guards the rights of the original commutators, and provides that they shall continue to receive the \$450 per annum. It is necessary, however, that the allowance to the other beneficiaries should be reduced. The original capital of the fund has been trencched upon in order to meet charges upon it, and while the commuting ministers are not to be disturbed in the receipt of the sums due them, \$450 per annum each, the Bill provides for a reduction of the amounts paid to the other beneficiaries. After the creation of this fund, ministers, laymen and probationers of the church were added to the list of beneficiaries. Their rights were subsidiary to the rights of the original commuting ministers, and if any shrinkage of the fund occurred, their rights must first suffer. The fund originally amounted to £127,448 5s., or \$519,793. By the statement of 1881, I see the fund has been reduced to \$322,192.48. It is, perhaps, not necessary to enquire how this shrinkage in the fund occurred: it was by losses on securities, by drafts on the original fund; and these facts taken in connection with the circumstances, that the rate of interest is less now than formerly, the Temporalities Board find they have less funds to dispose of to meet the claims made upon them. By the last report the original commutators were twenty-nine, entitled to \$450 per annum; the number of privileged ministers was returned at fourteen, the number had been reduced to eleven; and the number of beneficiaries receiving \$200 per annum, was ninety-two. The Temporalities Board appointed a committee, and the beneficiaries also appointed a committee, and these two committees have mutually prepared and drafted the Bill which is now under the consideration of the House. This Bill has four principal features. It proposes to procure to the beneficiaries the payment of arrears. While the case was under adjustment before the Privy Council, payments were not made to the beneficiaries, and doubt still exists as to the power of the Temporalities Board to make those payments. It also empowers the Board to make a reduction of 25 per cent. from the payments to beneficiaries and privileged classes receiving \$400 and \$200 respectively; and it provided for an alteration in respect to payments made to ministers, and for a change in the mode of electing members to the Board. Under the law as it at present stands, vacancies on the Board occur only by death or by resignation. The Bill provides that four members shall vacate their offices each year, and their places shall be supplied, not as heretofore by the votes of the remaining members of the Board, but by the votes of the beneficiaries themselves, those votes being given either by mail or in person. These are the leading provisions of the Bill, the features of which have been approved, on the one hand by the beneficiaries, and, on the other, by the members of the Board.

I have the honor to move the second reading of the Bill, which will be fully considered in all its details, either by the Private Bills Committee or by a sub-Committee of that Committee, and the hon. First Minister assured me that the fact that an Opposition member has charge of the Bill will not be allowed to prejudice the interests involved.

Sir JOHN A. MACDONALD. As I understand from the hon. gentleman, the beneficiaries have agreed to the Bill as well as the Temporalities Board?

Mr. CHARLTON. The committee of the beneficiaries.

Sir JOHN A. MACDONALD. Have the beneficiaries agreed to it unanimously, or are there any dissentients?

Mr. CHARLTON. I believe the committee appointed by the beneficiaries agreed to it unanimously. I am not aware there are any dissentients on the part of the beneficiaries; but I have mailed a copy of the Bill to every one of them, and it is proposed that the Bill should be allowed to stand a few days in order to allow them a further opportunity of further discussing and considering it.

Mr. HAGGART. I observed by the Bill that there is a class of beneficiaries to be affected, and another who are not. The class whose interests are to be affected may be deprived of those interests by the vote of those not affected by the Bill. That class of beneficiaries are opposed to it altogether, as the Bill enables the class not affected to take away from the others 25 per cent. of their amount, or wipe it out altogether if necessary. I hold that the true principle is, that those affected by the Bill should have the right of voting on it, and they alone.

Mr. MACKENZIE. As I understand it, the fund has diminished from various causes to such an extent that a reduction is imperative, as it cannot meet the charges on it. The original commutators only commuted upon the understanding the fund should not be interfered with, except by their own act, and if others were subsequently added as beneficiaries, those who originally commuted and established the fund should not be affected until those others were wiped out altogether. This may seem hard to the subsequent beneficiaries, but I think we are bound to maintain the rights of the original commutators intact.

Mr. BLANCHET. I do not think I should have approached the consideration of this subject relating to a religious community to which I do not belong, except from the fact that I have received a letter from a retired minister belonging to that denomination, in which he manifests anxiety as to the interests of the parties dealt with in the Bill. This is what he says:

"I would at the same time beg you to read over the Bill, and I feel satisfied that after its perusal you will feel much as I do. We have enjoyed our living for nearly thirty years without any doubt being cast upon the legality of our rights, and if any body of men can be now appointed to retain one-fourth of our living, I am inclined to believe that anything whatever may be done."

I hope the mover will see that the rights of parties are respected, and that due provision will be made to see that no suffering is brought about by the enactment of this Bill.

Mr. JAMIESON. I, too, have received from one of my constituents, who is a beneficiary, a letter in which he protests against the principle of the Bill. He says that he has received from this fund during some twenty-four years, that he is an old man, and if the principle of this Bill is adopted, he will be deprived of a considerable amount of his income, and he thinks that the principle of the Bill is wrong. He is entirely opposed to it; and unless the matter can be remedied in Committee, to which it will be referred after the second reading, I should be obliged, on the representation which he makes, to vote against the second reading, because I think

that it is an improper piece of legislation to deprive the beneficiaries of money to which I believe they are justly entitled.

Mr. CHARLTON. I think, Mr. Speaker, the gentleman mentioned by the hon. member for North Lanark is, no doubt, one of the original beneficiaries; he has been on the list for thirty-four years. I have received a letter from Dr. Jenkins with reference to this matter, and I will read a short extract from it. He says:

"The proposed rejection of 25 per cent. was agreed to by the beneficiaries: it is in their own interests, and in the interests of the fund, no doubt it is to conserve the fund. I do not suppose that every individual among them is satisfied, but at a meeting of beneficiaries called to consider this and other matters, bearing on the proposed change, to which every beneficiary was summoned, the reduction question was unanimously agreed to.

As I said before, the fund was created by the original commutators. It was their money; and this \$450 is a first lien on the fund; they cannot be called upon to suffer any diminution. The measure asked for by the promoters of the Bill must be granted, or the fund will be diminished, and payments must be met every year by drawing on capital; and if this thing continues, there is danger that the original beneficiaries will have their rights impaired, and the managers of the fund will ultimately be unable to pay the \$450, to which in law and equity, as they founded the fund, they are entitled. I presume, however, the discussion of the Bill at this stage is a little premature. The beneficiaries will be heard before the Committee, as well as the promoters of the Bill; and the matter will there be fully discussed. The information to be laid before the Committee I am not in a position to lay before the House; but I presume, perhaps, that the House will let the Bill go before the Committee, with the understanding that sufficient time and ample opportunity will be given to all parties to be heard before the Committee.

Sir JOHN A. MACDONALD. I do not think that this Bill will suffer in the hands of the hon. gentleman who has introduced it, and I hope he will for a long time attend to Private Bills and press them before the House, which I have no doubt he will do with his usual ability. This is, however, a very serious matter affecting private rights, and the more serious, as when the last legislation in this relation took place, which was only a Session or two ago—was it not last Session—

Mr. HAGGART. Yes; last Session.

Sir JOHN A. MACDONALD. Parliament was led to believe that the question was finally adjusted, and that the vested rights of all these clergymen had been settled. I am glad to hear from the hon. gentleman that he does not propose to affect the interests of those clergymen, who commuted their original annuities, which were thereby absorbed, and made a fund, by generously giving up their securities, which now exist. However, I was rather struck by a remark made by the hon. gentleman, who said that, unless this reduction were made with respect to the salaries or incomes of the other beneficiaries, the fund might be abolished altogether, and the commuted clergy made to suffer. Now, as I understand it, the trustees cannot do that, with a grave commission of money, which would be a breach of trust, and would, perhaps, involve them in proceedings, not only civil, but criminal. I do not suppose the clergymen, although, as a general rule they are not very good men of business, would so far mistake their duties, as to waste this fund and expend it in such a way as to reduce the security of the original commutators. Whether the gentleman mentioned by the hon. gentleman from Lévis is a commuting clergyman or not, I do not know—

Mr. BLANCHET. He is.

Sir JOHN A. MACDONALD. But I fancy he is the same gentleman from whom I received a letter. From the style of it, I presume that he is the same person. He does not state in his letter to me, however, whether he is a commuting, or a subsequent, beneficiary; but he says he considers himself secured in a certain amount, and holds that he would be wronged if this amount were reduced in his old age. Still, if by misfortune the fund is reduced so that it will not pay him—why, it cannot be helped, the only question is this: Whether these gentlemen can be compelled to submit to a reduction of their annuities; and while the fund is low, should they be compelled by Statute to surrender any claim which they might have in the future, in case of the fund being hereafter in a more prosperous condition.

Mr. CHARLTON. The Bill provides against that.

Sir JOHN A. MACDONALD. Very well, I can then see no objection to this Bill going to the Committee on Private Bills, like any other Bill of this kind, as it involves the comfort and happiness, and perhaps livelihood, of some of these reverend gentlemen. I presume that the Committee will give their best attention to it, and see that all the parties concerned are heard upon it before it comes back to us here.

Mr. BLAKE. Mr. Speaker, there can be no doubt, in the sense of the general proposition of the hon. gentleman, that it is the interest of the original commuters which ought to be primarily considered, and no doubt it was primarily considered. When they surrendered their money—their capital—it was guaranteed to them that, as far as the fund was concerned, their income would be paid out of it. Now, suppose that, from time to time, as deaths took place, the fund became more than adequate to bear the interest charge for those who survived of the original commuters; and there came on the surplus of the fund fresh men, who had no claim as original commuters; and the surplus interest money of the fund was used for the purpose of increasing the endowments of the church; the capital of the fund was sunk in financial operations, or large losses were made, rendering it not possible to carry on the operations which had been projected without impairing the capital still further—the hon. gentleman will perceive that, although the capital to-day may be more than sufficient to pay the original commuters, yet still, if they proceeded to impair the surplus capital and take away from it, and to pay the subsequent holders, this would eventually affect the position of the original commuters.

Sir JOHN A. MACDONALD. That is true.

Mr. BLAKE. Then the fund would not hold out, but be like the Irishman's blanket, unable to cover head and feet together. Consequently there must be a reduction, which should be made to fall on those who went in subsequently, protecting, as far as possible, the interest of those who created the fund.

Sir JOHN A. MACDONALD. That is quite true.

Mr. CAMERON (Victoria, Ont.). It will be in the recollection of the House that when the Temporalities Bill was before Parliament last Session I opposed it very strongly. I opposed it because I considered it to be a piece of most improper legislation, and a shocking interference with vested rights, taking away from one set of men what belonged to them and giving it to another set of men. I think that this Bill, introduced by my hon. friend from North Norfolk, is adding robbery to robbery. At the time the Bill was passed last Session it was held out to members of the old Kirk that, if at any future time any more surplus accumulated, this surplus fund would be properly distributed; this was one of the inducements and salves applied to the consciences of members to induce them to vote for the Bill. Now, however, the trustees of the fund

Sir JOHN A. MACDONALD.

come before Parliament, and say: "We have been living on our principal, which we have been eating up as fast as we can; and we ask your sanction to the way in which we have administered this fund, and which we need admit will not in the future, under any possible circumstances, leave any surplus, which can possibly be applied to the benefit of the old Kirk." I would fail in my duty did I not enter the most strong and hearty protest possible against this legislation, as I did against the legislation of last Session. I feel it an outrage in one Session to repeat the wrong done then, with all respect to the action of Parliament, in passing the original Bill. Of course, knowing the sentiments of Parliament, as then expressed, it would be futile to attempt to oppose this Bill on the second reading; but when the details come to be considered, I must say I will feel it to be my duty then to offer to it the most strenuous opposition in my power.

Bill read the second time.

#### DOMINION RAILWAY TRUST AND CONSTRUCTION COMPANY OF CANADA.

Mr. SMALL moved the second reading of Bill (No. 41) to incorporate the Dominion Railway Trust and Construction Company of Canada, Limited.

Mr. BLAKE. I think this Bill will require the special attention of the Government, or, at all events, of the hon. Minister of Railways. I am not quite sure if my hon. friend could find anything more than that the incorporators could do under the Bill, but I certainly cannot.

Mr. SMALL. The Bill will be referred to the Railway Committee.

Mr. BLAKE. It should be referred to all the Standing Committees, I think. It certainly does deal not only with railways, but with canals and telegraph lines; but, then, it deals with everything else. There are many things in the Bill with which the Committee on Railways, Canals and Telegraph Lines could not deal. It should go at least to the Committee on Banking and Commerce, and the Committee on Miscellaneous Private Bills.

Bill read the second time.

#### CREDIT VALLEY RAILWAY COMPANY.

Mr. CAMERON (Victoria, Ont.), in moving the second reading of Bill (No. 50) to amend an Act respecting the Credit Valley Railway Company, said: In the absence of the hon. member for East Bruce, who had charge of this Bill, my name having been put upon it by mistake, I move the second reading. Some years ago when the Bill which it is proposed to amend by this Bill was before the House, I opposed it; and I make this explanation, because to promote the present measure under the circumstances, would be inconsistent on my part. The mistake of putting my name to the Bill was made, by some means, in the law clerk's office.

Bill read the second time.

#### CHIGNECTO MARINE TRANSPORT RAILWAY COMPANY.

Mr. CAMERON (Victoria, Ont.) moved the second reading of Bill (No. 51) to amend the Act to incorporate the Chignecto Marine Transport Railway Company, Limited.

Mr. BLAKE. Is it the intention in this Bill to give power to change the Government subsidy to this Company which has been authorized by an Act of Parliament?

Mr. CAMERON. I really cannot answer my hon. friend's question. I was asked to take charge of the Bill having had charge of the one last year, but I confess I have not read it.

**Mr. BLAKE.** Well, I have read it, and I call the attention of the Government to it. The hon. gentleman will remember that the Company was incorporated and a separate Ministerial measure was passed authorizing the granting of an annual subsidy on certain conditions. Apparently power is given by this Bill to change that subsidy; and it might make serious confiscations if money was borrowed on the credit of the annual subsidy which has been authorized to be charged by a private Bill, and afterwards—the subsidy being really conditional only on the work being carried on for these years—that there should be a separate set of creditors to deal with, who, under the authority of an Act passed by the Parliament, could say that the subsidy was changed for advanced money, and now they wanted their money whether the enterprise succeeded or not.

**Mr. CAMERON.** I was informed that the Bill was in reference only to the internal economy of the company—the different issues of preference stock, bonds, &c.—that it was only to provide for some alterations which the financial arrangements that the company made in England rendered necessary. As I said before, I have not read the Bill, but I think the point the hon. gentleman has mentioned is a matter which might properly come up for consideration in the Railway Committee.

**Sir JOHN A. MACDONALD.** The Bill for granting a subsidy to aid the company, was predicated on a measure settled last Session, and I was not aware until this moment that there was a Bill for the purpose of altering the Railway Bill of last Session. Of course, we will have to look into the matter; but I hope the company do not expect, as a matter of course, that the Government subsidy is to go to the company with extended or altered powers.

**Mr. MACKENZIE.** The Bill, however, is not in order; it deals with the public interests, and should not be introduced in its present form.

**Sir JOHN A. MACDONALD.** Of course, if the Bill provides for changing the Government subsidy and handing it over, that cannot be done without the consent of the Government; but any clause in the way of amending the internal economy of the company we have very little to do with.

**Mr. MACKENZIE.** Then the Bill had better stand.

**Sir JOHN A. MACDONALD.** Or we might strike out the clause if it is wrong.

**Mr. BLAKE.** It seems to me to involve a serious question. The clause to which I refer is the one substituted for the ninth clause of the former Bill. It provides for the issue of mortgage bonds, not exceeding £700,000 sterling, which shall constitute a first mortgage and privilege upon the railway, docks, and other works, and upon all subsidies, guarantees of money, or securities for money which the company may receive from any Government, and so on.

**Mr. CAMERON.** The Government can oppose any such provision in the Railway Committee.

**Mr. BLAKE.** But as the hon. member for East York has pointed out, the assent of the Crown is required for the preliminary step.

Motion allowed to stand.

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 49) to incorporate the Dominion Phosphate and Mining Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 52) to incorporate the Brant County Bank of Canada.—(Mr. Paterson, Brant.)

Bill (No. 54) to incorporate the Quebec and James Bay Railway Company.—(Mr. Bossé.)

Bill (No. 55) to incorporate the Royal Canadian Passenger Steamship Company.—(Mr. Mitchell.)

Bill (No. 56) to incorporate the Edmonton and Peace River Railway and Navigation Company.—(Mr. Dawson.)

Bill (No. 57) further to amend the Acts relating to the New Brunswick Railway Company.—(Mr. Weldon.)

Bill (No. 58) to amend the several Acts incorporating the Portage, Westbourne and North-Western Railway Company, and to change the name thereof to the Great Northern Railway Company of Canada.—(Mr. White, Cardwell.)

Bill (No. 59) to amend the Act incorporating the Atlantic and North-West Railway Company.—(Mr. Colby.)

Bill (No. 61) to incorporate the Niagara Railway Bridge Company.—(Mr. Ferguson, Welland.)

Bill (No. 62) to incorporate the Atlantic, Pacific and Peace River Telegraph Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 63) to amalgamate The Presbyterian Ministers', Widows' and Orphans' Fund in connection with the Presbyterian Church of the Lower Provinces and the Widows' and Orphans' Fund of the Presbyterian Church in the Maritime Provinces in connection with the Church of Scotland, and to create a Corporation to administer such Funds.—(Mr. Richey.)

Bill (No. 64) to incorporate the Pacific and Peace River Railway Company.—(Mr. Cameron, Victoria.)

Bill (No. 65) to amend the Acts to incorporate the Ontario Pacific Railway Company.—(Mr. Bergin.)

Bill (No. 66) to incorporate the Quinze Pier Boom and Improvement Company.—(Mr. Tussé.)

Bill (No. 67) respecting the Citizens' Insurance Company of Canada.—(Mr. Curran.)

Bill (No. 68) to incorporate the St. Lawrence Bridge and Manufacturing Company.—(Mr. Curran.)

Bill (No. 70) to amend the Acts relating to the Great Western and Ontario Shore Junction Railway Company.—(Mr. Robertson, Hamilton.)

Bill (No. 71) to incorporate the Cumberland Coal and Railway Company.—(Mr. Colby.)

Bill (No. 72) to incorporate the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 73) respecting the Montreal, Ottawa and Western Railway Company, and to change the name thereof to the Montreal and Western Railway Company.—(Mr. Abbott.)

Bill (No. 74) to incorporate the Great North-Western Railway Company.—(Mr. Cameron, Victoria, Ont.)

Bill (No. 75) to incorporate the Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada for Manitoba and the North-West.—(Mr. Ross, Lisgar.)

#### PILOTAGE ACTS AMENDMENT.

**Mr. BAKER** (Victoria, B.C.) enquired, Is it the intention of the Government to amend and consolidate the several Pilotage Acts of Canada during the present Session?

**Mr. McLELAN.** It is not the intention of the Government to do so.

#### MIDLAND HARBOR.

**Mr. COOK** enquired, Whether it is the intention of the Government to place a sum in the Estimates this Session for the improvement of Midland Harbor?

**Sir HECTOR LANGEVIN.** I have received deputations on this matter from the parties interested in the neighborhood, but the Government has come to no decision as yet.

## GRAND TRUNK RAILWAY COMPANY'S RETURNS.

Mr. MITCHELL enquired, Whether the Grand Trunk Railway Company of Canada have regularly made the returns of all accidents or casualties, whether to life or property, the causes and nature of them, the points at which they occurred, the full extent and particulars thereof, and a copy of the by-laws, rules and regulations of the Company, as required by the fifty-fifth section of the Railway Act of 1879?

Sir HECTOR LANGEVIN. In the absence of the hon. Minister of Railways, I beg to inform the hon. gentleman that the Grand Trunk Railway Company have made returns of accidents, resulting in loss of life and injuries to persons, giving particulars, but they have not furnished the by-laws and regulations, and there are no returns in cases of loss of property.

## BRANDON PORT OF ENTRY.

Mr. SUTHERLAND (Selkirk) enquired, Whether it is the intention of the Government to make the town of Brandon, Manitoba, a Customs port of entry; if so, when?

Mr. BOWELL. It is the intention of the Government to establish an outport at the town of Brandon; and instructions have been given to open it at as early a day as possible.

## BRANDON POST OFFICE.

Mr. SUTHERLAND (Selkirk) enquired, Whether it is the intention of the Government to erect a new post office building in the town of Brandon, Manitoba, as asked for; if so, when?

Sir HECTOR LANGEVIN. I have received deputations on this matter, but have not been able as yet to make up my mind whether this should be recommended to Council or not.

## GOOSE ISLAND LIGHTHOUSE.

Mr. KIRK enquired, Whether it is the intention of the Government to erect, this year, a lighthouse on Goose Island, Guysborough County, Nova Scotia?

Mr. McLELAN. When the estimates of lighthouse grants will be laid on the Table, before the final passing of the Estimates, the information will be given to the hon. gentleman.

## CUSTOMS OUT-PORT, PORTAGE LA PRAIRIE.

Mr. WATSON enquired, When does the Government intend to establish a Customs out-port in the town of Portage La Prairie, Manitoba, and why has the establishing of such port been delayed so long?

Mr. BOWELL. Instructions have been given to open this port as soon as the buildings promised for that purpose are ready. The reason it was not opened before, is because the buildings that were promised were not given to us.

## KING'S COUNTY (P.E.I.) ELECTION.

On the Orders of the Day being called, the adjourned debate on the motion of Mr. Cameron (Huron) relating to the King's County (P.E.I.) Election, was resumed.

Mr. CAMERON (Victoria, Ont.) If it be possible for every member of the House to approach the consideration of any question that comes before us for our deliberation in a judicial and unpartisan spirit, it is pre-eminently necessary that we should do so when we have to consider such a question as that before us at present. It is a question that involves not only public rights of a grave character, the most important that we have to deal with—the right of the people

Sir HECTOR LANGEVIN.

to representation in this House—but also private rights, what I term vested rights, the rights of two gentlemen, each of whom claims to be elected to this House. For that reason, I say we ought to approach it in an unpartisan spirit, if it be possible for us to do so. I grant we are all of us members of one party or the other. I think there is scarcely any hon. gentleman who describes himself as an Independent on the floor of Parliament at the present time, except my hon. friend who usually sits in front of me. But although we are all associated with one party or the other, still, we ought, on an occasion of this kind, to divest ourselves of our party prejudices, and to consider the question before us in a judicial spirit, free from partisan bias—if that be possible. I grant it is difficult, but, for my part, I have, during the consideration I have given to this matter, endeavored, as far as possible, to divest myself of any partisan feeling on the subject. I have tried to ignore the fact that of these two gentlemen, one, if declared entitled to the seat, would vote with the party to which I belong, while the other would vote against it. I have also endeavored, for another reason, to look at it in an unpartisan spirit, namely, from the fact that in all probability this question will be referred to the Committee on Privileges and Elections, of which I have the honor to be a member. That Committee is looked upon as pre-eminently required to discharge its duties free from any party or political bias. For these reasons I have felt, in considering this question, that we ought to deal with it, apart from any spirit of party, as affecting the claims and opinions I have formed in reference to it. When I say conclusions, I do not mean for one moment to say that I have arrived at any definite conclusion as to the right of either of these two gentlemen who claim the seat, to obtain it as the result of the present enquiry—that I think is a matter that requires further consideration; but I have come to a conclusion as to whether the motion, which my hon. friend has made, or the amendment of the right hon. leader of the House, ought to be carried. I have come to the conclusion that the amendment of my right hon. friend indicates the proper course to deal with this matter, and I will proceed to state my reasons. The electors of every constituency, no doubt, have a right to have the person whom they choose duly to elect by a majority of votes, seated in this House; but it is not necessarily a fact that the man who has received the majority of votes is entitled to sit in the House, because there have been many cases in which gentlemen who have received that majority have turned out to be entirely disqualified, and either unworthy, as in the Irish cases referred to, or disqualified from some personal reason, some business association, the holding of some office, or some other reason. Although one of the gentlemen may have had a majority of the votes cast at the election, it does not necessarily follow that he has an unquestionable right to take his seat here, though that has been the basis of the arguments of my hon. friends opposite, so far as I have heard them. The question now, however, is: how are we to dispose of this matter. We have before us the motion of my hon. friend that this House should now summarily, and on the spot, declare one of these two gentlemen entitled to the seat; we have the amendments of the right hon. Premier that this matter is one involving such grave and difficult questions that it is only right and proper that it should be considered by that tribunal which the House annually, at every Session, selects for the consideration of such questions—it being selected from amongst those most skilled to deal with questions of that kind; which Committee is invested with the power of protecting and looking after the rights and privileges of Parliament, and more particularly of dealing with every matter concerning elections. Now, in support of the position that where the matter is perfectly clear, the House, without reference to any Committee, may dispose

of it, my hon. friend from Queen's, P.E.I. (Mr. Davies), quoted a passage from the speech of the right hon. Mr. Gladstone, in which that gentleman very correctly and very properly lays down the true Parliamentary rule—as we should expect he would do—and with the permission of the House I will read it again, because, although my hon. friend quoted it as supporting his position, it seems to me entirely to support the position which the Ministerial side take on the present question. Mr. Gladstone says:

“If this were a case in which, after the best investigation we can make, we thought that any good, fair, or reasonable doubt attached to the facts or the arguments of the case, or as to the course which the House ought to pursue, then I admit it might be the subject of a reference to a Committee, especially if the question was one which involved the examination of a long and complicated series of precedents, such as it would be difficult to bring under the view of the House in debate. But, Sir, in our view, it is neither the one nor the other. The facts of the case are the fewest as possible, and the principles applicable as clear as can be brought to bear on any question of Parliamentary discussion, and I would submit that if that be the case, a proposal to enquire, instead of a proposal to act, would not be becoming the dignity of this House.”

Now, I entirely agree with every word contained in that quotation; and I think every word in it proves that the only proper way in which to deal with this question is to refer it to the Committee on Privileges and Elections. All we have to prove is, that this is a question in which a well founded doubt exists as to the right of these parties, that it is not a case in which, to use Mr. Gladstone's words, “The principles applicable are as clear as can be brought to bear on any question of Parliamentary discussion.” Now, we have here the benefit of the long series of precedents quoted by my hon. friend from West Huron; but he says that here the members of this House, laymen as well as lawyers, are suddenly—on hearing him quote these precedents without having an opportunity of looking at them, without having an opportunity of considering the facts of the cases in which those points were decided—to jump to a conclusion as to the true rule to be deduced from those authorities. Mr. Gladstone's opinion is that where the question involves the examination of a long and complicated series of precedents it ought to be referred to a Committee. This one does involve a consideration of a long and complicated series of precedents. Did not my hon. friend from West Huron quote precedents for the last twenty, thirty, and forty years from Canadian Parliamentary History? And here he asks us now, without any examination of those precedents, to jump to the conclusion that his quotation of them is correct, that the way he reads them is the true way of understanding them, and that they prove the position which he says they do. I have myself looked at some of those precedents, some with which I was familiar, and I draw a totally different conclusion to that which he has drawn from them. We have the fact that the lawyers on the floor of this House who have spoken upon the question have exhibited very diverse opinions regarding it. We have had the hon. members for West Huron, West Durham, Queen's (P.E.I.), and St. John, on that side of the House enunciating with great force their opinions; while on this side, we have had the right hon. Premier, and my hon. friends from West Simcoe and Prince Edward Island. The latter of whom is familiar with the local laws affecting this question, and all asserting the opposite. The laymen in this House are asked summarily to decide this question upon such contradictory opinions as have already been developed, before the debate has proceeded further. I ask, if the laymen of this House are, under these circumstances, to be called upon to give a vote, by what possible rule are they to be governed if not by the rule of their party alliances? And is that the rule that ought to be applied to decide this question. If this question is suddenly decided in this House—decided upon the merits now before it, upon the arguments of hon. gentlemen upon one side and on the other, who have con-

sidered the special facts of this case, and who upon their professional training are conversant with such matters—upon what other principle will this House decide it than simply whether hon. members are in favor of the Government, or against the Government? And, if that be the case, is that the proper way in which what is really a judicial and legal question—one involving the gravest interests, both as regards public and private rights—should be decided? Is it not much more proper, under these circumstances, that it should be sent to the Committee specially charged with subjects of this kind, which Committee will thoroughly sift the whole matters involved and report their conclusions to the House—if not unanimously, at all events, the minority will have an opportunity, after fully investigating and discussing it, to state their views to the House, and then the House, with the matter fully discussed before it, will come to a conclusion, no doubt a proper conclusion, according to the opinion of the Committee, if they think proper to adopt it. My hon. friend from West Durham (Mr. Blake) spoke the other day of the Privileges and Elections Committee as being a partisan or political body—I, on behalf of that Committee, disclaim any such charge, and the hon. gentleman should have been one of the last to have brought such a charge against it. During my limited experience as a member of that Committee, I remember an instance in which the Committee showed it was superior to political and party considerations, and the fact that it did so was owing to the honest, candid and straightforward course which the hon. member for West Durham adopted on that occasion. When the Anglin case came before the Committee, and when we first met to consider it, after the evidence had been obtained, I, myself, was the instrument of having a resolution declaring the view and opinion of the then Opposition, that Mr. Anglin had forfeited his seat in part and had violated the Independence of Parliament Act by becoming a party to a contract under the Government. The members on that Committee, supporting the then Government of the day, opposed my resolution. The hon. member for South Wellington (Mr. Guthrie) who has not now a seat in the House, moved an amendment declaring there had been no violation of the Independence of Parliament Act, that Mr. Anglin had done nothing wrong, and had not forfeited his seat. On the first day of the discussion every member supporting the Ministry, without exception, opposed my resolution. The hon. member for Bothwell (Mr. Mills), at that time a member of the Government, ventured to state his view of the law, and he enunciated a proposition, which we lawyers knew was absurd, namely, that there was no contract because there was nothing bringing it under the Statute of Fraud, it not being in writing. The hon. member for West Durham looked up—I recollect the occasion perfectly well—and said the hon. member for Bothwell must have forgotten (because he assumed that he must have known at some time) that the wording of the Statute of Fraud shows that there might be a good contract without any writing, and therefore his statement of the law was unfounded. The hon. member for West Durham did not subsequently favor the Committee with his presence for several days. Some little discussion, of a rather animated character, occurred the other day as to whether the illness, which was the unfortunate cause of his absence, was real or not; he seemed to think an imputation was cast on him, that he feigned illness in order to absent himself from the Committee. That statement is not correct. The hon. member for Bothwell came day after day, for three or five days, asking an adjournment in consequence of the illness of the hon. member for West Durham. But when at last the hon. gentleman did appear in the Committee, what did he say? He said that, with an unimportant verbal amendment, he would vote in support of my motion, and in opposition to Mr. Guthrie's amendment;

and, therefore, Mr. Guthrie withdrew his amendment, Mr. Mills withdrew his opposition, and every Ministerial supporter in the Committee withdrew his opposition, and my resolution, having been amended in an unimportant particular, at the suggestion of the hon. member for West Durham, was adopted. I say that this incident shows that the Committee on Privileges and Elections is a body which will render a dispassionate judgment, and will do what is right and just in matters coming before them. It shows that the Committee will rise above party spirit, and, even if the majority belong to the Ministerial party, the Committee will be prepared to say, if they believe it, that Dr. Robertson is entitled to his seat; and I am quite confident that the hon. member for West Durham, if he shows the candor and fairness which he showed in the Anglin case, when he examines this whole matter, and comes to the conclusion that Mr. McDonald is entitled to his seat, or that there should be a new election, the hon. gentleman, with his candor and fairness, will stand up and say so. The Committee will consider this matter as judges—almost all its members are lawyers, and are accustomed to deal with such questions; and they will consider it in a just spirit; they will look into the whole matter carefully, and not deal with it as a partisan and political body, as the hon. member for West Durham has stigmatized the Privileges and Elections Committee, but they will carefully consider the facts of the case, charged by the House with the responsible duty of acting as its legal adviser on this occasion, and advise the House what is the law and the righteousness of the case, according to precedents, authorities and facts; and when we have discharged our duty, impartially, and without political bias, as I believe we will, this House will be placed in a proper condition to consider the subject and determine it on its merits. That Committee is a proper tribunal to decide this question, and I was surprised that the hon. member for West Durham should have referred to the Committee in the way he did, impugning the correctness of the course proposed, which I am quite sure his own better judgment will lead him to admit to be the correct one, in disposing of matters of this kind. Is this question free and clear from doubt? If it is not, then it should be referred to the Committee on Privileges and Elections. The hon. member for Queen's, P.E.I. (Mr. Davies), made a similar statement the other day, but he took the ground that this case was so free and clear from doubt, that there should be no reference to a Committee, but that the House should decide it off-hand. Let us consider the facts of the case briefly, with a view to arriving at a conclusion. I confess that when I first cursorily considered the matter, I was inclined to the opinion that the returning officer had not acted properly and had not done his duty. I confess that was my first opinion; but when I heard the authority cited by the hon. the First Minister, and heard the clear argumentative and able speech of the hon. member for West Simcoe (Mr. McCarthy), which would carry conviction to any man—and I am sure every member on both sides of the House must have admired the clearness and ability with which he dealt with the question—when I heard that speech, and the authorities which he cited, and when I subsequently referred to them, as I have done since, I confess my opinion was changed. I came to the conclusion that the returning officer had acted within his duty, and had done his duty in making the double return. I maintain this: that the matter is not clear and free from doubt as hon. gentlemen opposite would have us believe. I thought at first the returning officer was wrong, but after further consideration, and after hearing the arguments and looking at the cases cited, I have been led to the opposite conclusion. Is it not then manifest, from this circumstance alone, that one possessing a somewhat extensive acquaintance with election matters, as I do from my professional

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experience, formed an opinion which second thoughts satisfied me was an erroneous one, that the matter is one capable of being argued, one on which both sides should be heard upon the evidence elicited and the authorities quoted? It shows, I say, conclusively, that a full examination of these authorities and precedents can only take place before the Privileges and Elections Committee, which, as Mr. Gladstone says, in the quotation which was made from his speech, is the proper place and the proper manner in which to discuss this question, and then to go on with the consideration of the facts. While I am not committed to any opinion as to the seat, and about the respective rights of these two gentlemen to the seat, or as to whether either of them is entitled to it, or as to whether there should be a new election—because I feel that it would not be right in the present position of the discussion of this question to come to any opinion on that subject, and more especially in the case of a member of the Committee of Privileges and Elections—still I have considered the matter, so far as to satisfy myself that a grave doubt exists on the subject, and I will proceed to state to the House the reasons why I think that this doubt exists. We find a return before the House, and my hon. friends have taken exception to this statement on the ground that parts of it have no business here; but still we cannot shut one eye to this return. It is made for the benefit of the House; it is before us officially and we are bound to read it and take cognizance of its nature. It is an idle argument to say that the returning officer should not give this information or send these papers, and to point to the fact that he cannot do so, because that information is there; and when we come to look at the documents we find them to be of that character that they cannot be lost sight of or set on one side. This return is before the House, and from it we find that Dr. Robertson and Mr. McDonald were candidates at the last election, the former obtaining a small majority of fifty or sixty over Mr. McDonald. On the day on which the votes were summed up the returning officer, the high sheriff of the county, was served with a formal document, signed by seven electors, in which they brought to his knowledge and notice, officially, that Mr. Robertson was disqualified, from the fact that he was at the time a member of the Legislative Assembly of the Island of Prince Edward, and they supported that notice to the returning officer by furnishing him with a certificate, under the hand of the Governor. First of all, however, they furnished him with a copy of a certificate of his own return—because the same sheriff had himself returned Dr. Robertson as a member for one of the electoral districts composing the County of King's. They presented him with a certificate of his own return. They presented him with a copy of the *Official Gazette* of the Island of Prince Edward, in which Dr. Robertson was gazetted as a member of the Legislative Assembly. They presented him also with a certificate under the signature of the Lieutenant-Governor to show it. Dr. Robertson had not, up to the 26th of June, sent in his resignation, and that no notice of such resignation, in compliance with the law, under the circumstances, of Dr. Robertson, have been received by two members of the said House of Assembly, or by any person whomsoever, on behalf of Dr. Robertson, and forwarded to the Lieutenant-Governor. When my hon. friend from St. John, on Friday last, referred to this certificate, I have no doubt he unintentionally made an improper reflection on the Lieutenant-Governor of Prince Edward Island, by stating that the Lieutenant-Governor assumed in his certificate that Dr. Robertson had not sent in his resignation; and that it was consistent with that certificate that two other members of the Local House should have given notice of the resignation. If my hon. friend will look at the Lieutenant-Governor's certificate he will see that it expressly covers the case—stating that no notice from the said Dr. Robertson, or from any member or members of the said House of Assembly, or from any person

whomsoever, on behalf of the said James E. Robertson, had been received by the Lieutenant-Governor, as to his resignation. Then we find that Dr. Robertson was elected and returned on the 7th of May last as a member of the Legislative Assembly, and on the 26th of June he had not resigned. Now, I have looked at the law of the Island of Prince Edward with the view of seeing what it is on this subject. To begin with, we all know, because it is a matter within our own Parliamentary knowledge, that a member of a Legislative Assembly of any Province is ineligible as a member of this House. We start out with that proposition. If, then, Dr. Robertson on the day of nomination, or still further on the day of election, was a member of the Legislative Assembly of the Province of Prince Edward Island, he was, *ipso facto*, disqualified from being elected or returned as a member of this House. That being the case, we find he was elected to the Legislative Assembly on the 27th of May last; and we find that the Act of Prince Edward Island, in the year 1876, in the 14th clause, provides this:

"But no member shall so tender his resignation while his election is lawfully contested, nor until after the expiration of the time during which it may by law be contested on other grounds than corruption or bribery."

So that on the day of nomination, or of polling, but certainly on the day of nomination, if Dr. Robertson was then a member of the Legislative Assembly at the time, within which a petition might have been presented against him had not expired, he clearly could not resign. The law of Prince Edward Island did not allow him to resign. It was impossible for him, try how he might, to resign, according to the law as it stood in the Island. The Controverted Election Act of the Island, passed in 1874, second sub-section of section 6, says: "The petition shall be presented within twenty-one days after the return has been received, at the office of the Colonial Secretary;" and then provides, in a subsequent clause, that Sundays shall be excluded from the computation. Excluding Sunday, the computation, twenty-one days from the 27th of May, would not expire until the 21st of June. That being the case, it is abundantly clear that Dr. Robertson could not divest himself, by any steps which he might take prior to the 21st of June, of the position of being a member of the Legislative Assembly of Prince Edward Island. He could not so divest himself, if he tried; and we will see presently that he did not try, within the proper time. Well, now, what position does he stand in? On the 13th of June, the day of nomination, and on the 20th of June, the day of polling, he was still a member of the Legislative Assembly of Prince Edward Island. Incapacitated from resigning he was bound to take his seat, because the law does not allow any man to resign his position, as a representative of the people, except in accordance with the provisions of the Statute; and he cannot resign in any other way. When elected a man is bound to take his seat; and he cannot divest himself of the character, or of the trust which the people have put upon him. Then, up to the 21st of June, Dr. Robertson, *ipso facto* by law, could not get rid of the position of a member of the Legislative Assembly of the Island; and, for that very reason, he was disqualified and ineligible as a candidate for election to the House of Commons. However, the law provides a mode by which, under certain circumstances, a man may get rid of his position as member; but subject, of course, to that provision which I have read—until twenty-one days after the return has been certified to the Colonial Secretary. Section 15 of the Act of 1876, provides that if any member of the House of Assembly wishes to resign his seat, in the interval between two Sessions of the General Assembly, and there is no Speaker, or if such member be himself the Speaker, he may address a letter, to be delivered to any two members of the House, declaring and mentioning his intention to resign and stating

that the two members, having received such declaration, shall do—what? Shall forthwith notify the Lieutenant-Governor thereof, under their hands and seal, and who is thereby empowered and required, within seven days after such notification, to issue a writ—

Mr. DAVIES. Read on.

Mr. CAMERON. Certainly. I will read to the end of the paragraph, or clause, if you like—"and shall issue a writ for the election of a new member in place of the member resigned, and the member so tendering his resignation, shall be held to have vacated his seat and to have ceased to be a member of the House." I do not suppose that my hon. friend will try to argue that it is sufficient merely to send the notification of resignation to two members of the House. I say that no lawyer will place any such construction on that clause. The true construction of it is, that a member who seeks to resign, must do all that is necessary to see that the men to whom he entrusts his resignation, do all that is necessary to divest himself of his position, and if his two agents—for they are his agents—have bottled his resignation up as I have heard from rumor they did in this case, intending to use or not to use the resignation as might suit them, and this is apparent from what was stated in the course of the debate the other day, this is insufficient to comply with the terms of the law. In fact the resignation was signed on the day of nomination, and these two gentlemen, to whom it was given, did not deliver it until the 25th of June, more than thirteen days after it was given to them, and they did not comply with the Act. They did not forthwith give it to the Lieutenant-Governor as they were bound to do; and Dr. Robertson did not give it to the Lieutenant-Governor. I therefore say that it does not lie in his mouth to say, as my agents, to whom I gave my notice of resignation, did not do their duty for although I signed it, they did not deliver it, I am not responsible for such neglect; and if it had turned out that Dr. Robertson was not elected, that is the last which we would have heard of his resignation. In fact I am informed from rumor that in Prince Edward Island, in the last election the self-same thing was done. That a member who is now sitting in the Legislative Assembly of the Island—before going through the form of resigning, before handing in his resignation—ran for the House of Commons and was defeated—that his resignation never was laid before His Honor, and the member is now sitting and voting in the Assembly. In fact, I am told that he is a member of the Executive Council of the Island.

An hon. MEMBER. No.

Mr. CAMERON. At any rate there is a member sitting in the House, as I am informed, under the circumstances I have described. It is quite clear that Dr. Robertson's resignation did not come into the hands of the Lieutenant-Governor by the 26th of June, because His Honor certifies to that fact, and, therefore, I say that if the form of resignation was gone through with, it was a pretence, a mockery, and a sham, probably intended to be used, or not used, as might be most convenient after the result of the elections. The very fact that these disputes have arisen, that these questions of fact have to be enquired into—facts which hon. gentlemen opposite, and especially the hon. gentleman from Prince Edward Island, are so anxious to contradict—shows that there are at least grave doubts on questions of law and questions of fact; and these are matters which it would be proper to refer to the Committee on Privileges and Elections, who are certainly a more competent and proper tribunal to decide such questions than hon. gentlemen whom I now address. I say this with no disrespect of your judgment, or of my own; but I say that a large body like this is not so capable of carefully weighing such questions, and arriving at a calm and dispassionate conclusion upon them, as the Committee

specially charged with such duties. There is another point of view from which the Statute itself may be considered. On looking further into this fifteenth clause, I am inclined to think that it does not apply in this present case at all; or that there was any possibility of Dr. Robertson resigning in the interval after the elections, and before the Speaker was chosen. The eighteenth clause says:

"Any two members of the House of Assembly may notify the Lieutenant-Governor, under their hands and seals, of any vacancy arising subsequently to a General Election, and before the first meeting of the General Assembly thereafter, by reason of the death or acceptance of office of any member, and the Lieutenant-Governor is hereby empowered," &c.

So we have here a special provision for the issue of a new writ in case where two hon. members certify to a vacancy between a General Election and the first meeting of the Assembly. The fifteenth clause refers to the interval occurring between two Sessions—that is, two Sessions of the then Assembly when there is no Speaker—the whole terms of the clause evidently intending to refer to resignations between one Session and another, and after the Speaker has been elected. On the other hand, the eighteenth clause is manifestly intended to apply to the case of a vacancy occurring from one or other of two causes: the death or the acceptance of office by any hon. member, provided it happens between the election and the first meeting of the Assembly. If my interpretation be correct, it is quite clear that, until the first meeting of the Assembly, Dr. Robertson could not have resigned at all. I have shown that, under the fourteenth section of the Act, he could not have resigned until the 1st of June; I have shown that if the fifteenth section applies, he did not resign; and I have shown that, under the eighteenth section, he could not resign until the Speaker was elected.

Mr. BLAKE. But you have not prejudged the case a bit.

Mr. CAMERON. No; I have not. I have simply stated what strikes me as the true interpretation of these facts, and I shall be delighted to meet the hon. member for West Durham, or the hon. gentleman from Queen's County, Prince Edward Island, or the hon. member for West Huron, who are indulging in these sarcastic interruptions and remarks, before the Privileges and Elections Committee, and listen to their arguments and their logic—and I hope I am enough of a lawyer to appreciate these arguments—and if they are sound to be convinced by them, and to change the opinion which I am now expressing as my own. Surely I have said enough to show that at least it is a question of the gravest doubt whether Dr. Robertson resigned his seat in the Assembly or not—whether he was eligible for election to a seat in the House of Commons or not. I have shown, I think, that the amendment of the hon. Premier should be adopted by the House. Hon. gentlemen opposite quoted Mr. Gladstone's language; and they say "if there is the greatest doubt do not refer it to the Committee, but we say there is no doubt, and therefore we should dispose of it summarily." I have said enough to show that there is the greatest doubt, and one which at the present moment, so far as I have been able to consider the question, I have been obliged to solve in this way—that Dr. Robertson was not eligible on the day of his election. At the same time, if hon. gentlemen can show that I am mistaken in my facts, that my arguments are unfounded, that Dr. Robertson acted differently from what appears upon the returns, they will be afforded an ample opportunity of doing so, and I shall be perfectly willing to change my mind and come to the conclusion, if I can honestly do so, that Dr. Robertson is entitled to the seat. I freely admit that, in my opinion, he has the preference to it, and, if it is at all possibly consistent with the law and the facts to support him in his claim to the seat, he should be supported. I think the man who has received a majority of the votes should be entitled to the seat, and to every reasonable construction of the law

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in his favor. We should not force doubts, or make rulings, or arrive at decisions which would tend in the direction of putting the minority candidate in the seat, or of involving a new election. I have no prejudice against Dr. Robertson, and if I can be convinced, before the Privileges and Elections Committee, that the difficulties which I have mentioned can be overcome, I shall be happy to vote in that Committee that as a matter of right he is entitled to the seat. I believe every fair-minded man will act in that spirit, as I believe my hon. friend the member for West Durham did in the Anglin case, to which I have referred. I am prepared to give him full credit for candid and straightforward conduct. I am prepared to admit that he was not warped by party predilections or partisan spirit when he acted on that Committee; but I ask him to give us the same credit when we ask that the matter shall be referred to the Committee. Do not let him say that he and his friends have all the honesty, and the impartiality, and the fairness, and the virtue, on their side of the House, and that we have all the partiality, all the unfairness, and all the vice on our side. I know that that is the usual style in which some questions are discussed on that side of the House; but I hope when we come to a question like this, we can afford to discuss it in a calm and judicial spirit. I hope that we can consider it dispassionately, so that when we go to that Committee we will be prepared to act the part of judges or jurors, and prepared to give a verdict in accordance with the evidence and in accordance with our conscientious convictions. I have only had an opportunity to consider summarily and cursorily the question as to whether there will be the necessity for a new election or not. I have not formed an opinion on that subject, because the facts are not before us upon the return. I do not know whether notice was given to the electors of disqualification on nomination day or at or before the polling; I do not know the particulars as to the number of votes given; I do not know whether the district in which Dr. Robertson was elected gave such a number of votes for him which might be considered as thrown away, as would give a majority for Mr. McDonald. We know nothing of the facts; they are to be brought before us, and upon the consideration of them will, to my mind, rest the question as to whether there should be a new election, or whether, in case Dr. Robertson is found to be ineligible, the other candidate is entitled to the seat. All these facts it will be our duty to enquire into; and the very circumstance that there are these facts, and that they are material facts, the consideration of which is necessary to a definite conclusion, must convince us still more strongly that the Privileges and Elections Committee is the proper place to dispose of this matter. Now, my hon. friend from Prince Edward Island told us very emphatically, the other day, that there could be no such thing as a double return. My reading of the Election Law has led me to a different conclusion. I think this is a case of a double return, not of a special return. I confess I have no doubt at all on that subject. A double return, as I find it described by the authorities on Parliamentary Law, is a return made by a returning officer containing the names of two men, in case of there being only two candidates, both of whom can come forward and take the oath and claim the seat. Now, in this case we have the knowledge that both of these gentlemen came forward and took the oath at that Table, and that both claimed the seat. I would like also to call the attention of the hon. member for Queen's (Mr. Davies) to the Controverted Elections Act of 1874, because if there could be a double return then, there can be still. Section seven of that Act says:

"A petition complaining of an undue return, or undue election of a member, or of no return, or double return, or of any unlawful act, by any candidate not returned, by which he is alleged to have become disqualified to sit in the House of Commons, at any election held after the passing of this Act, may be presented to the Court," &c.

If a petition against a double return can be filed, how can it be said that there is no such thing as a double return? Surely that is proof conclusive that there may be a double return; and the fact is we have a double return in the present instance. Well, what might have happened? Either of these gentlemen might have petitioned upon that return. So far as the documents on the Table of the House go, I do not know whether either petitioned or not; but I know that there has been no judicial decision by a court, under the Controverted Elections Act, as to which, if either, was entitled to the seat. They both come here now, claiming the seat, the time for petitioning under the Controverted Elections Act having passed; and if we decide in favor of either of these gentlemen, what position will we leave the other in? We leave him without any remedy. Without fairly and calmly considering the facts of the case, after hearing both sides, and looking at it as a judicial tribunal, we would be deciding summarily in favor of one man, and leaving the other without redress. Would that be acting in a fair or judicial manner? I think the very fact that the time for filing a petition under the Controverted Elections Act is now past, shows that we ought to leave this case to the Committee on Privileges and Elections, before which both parties will be cited to produce their evidence and their arguments, and which, after hearing them, will report to the House the decision it arrives at. Then, again, that we have jurisdiction is beyond doubt. Although we have a Controverted Elections Act, and have established under it a tribunal to decide cases of this kind, it is hardly necessary to state, because it is clear to any person at all conversant with Parliamentary Law, that this House has not divested itself of its right of control over its own seats. In support of that position, I will read from almost the latest books on the subject, Bushby on the "Practice of Elections," which states:

"It may be here observed that, although it is enacted by Section 50 of the Parliamentary Elections Act, 1868 (the English Controverted Act) that from and after the next dissolution of Parliament no election or return to Parliament shall be questioned, except in accordance with the provisions of this Act, this enactment does not take away the power of the House of Commons to enquire into or determine upon the eligibility of any person returned as a member."

We still have jurisdiction. We have told candidates and persons interested to go to the Election Court with their cases; but if they do not choose to go to that court on account of any peculiar circumstances, if the two candidates come and claim the seat, we have still power to dispose of the matter. But is it fitting for the whole House to try a question of this kind? We are trying the right of either of these hon. gentlemen to this seat; we are trying the rights of the electors of Queen's County; we are sitting in our judicial capacity, for that is the capacity in which we have to deal with this question; and we are asked to shut the mouths of these men, to say that we will not listen to them or look at their documents; but to summarily, by the force of our power, give one man the seat, and leave the other without right or remedy. I say it would be monstrous for the House to take that course. We must dispose of this case as we would dispose of it if there were no Controverted Elections tribunal in existence, and the only way we can do that is by referring it to the Committee on Privileges and Elections. A good deal has been said as to whether the duties of returning officers are judicial or ministerial. The hon. member for West Simcoe (Mr. McCarthy) quoted a number of books on Parliamentary Law to show that in England it was laid down since the passing of the Act similar to ours, that the duties of returning officers may now be considered as partly judicial and partly ministerial. The very words used in this book are:

"His duties are still partly judicial and partly ministerial. As to his judicial duties, it seems clear that he is only liable to an action of willful misconduct. But for a mistake made by him in the exercise of any of his ministerial duties, he has been held to be liable, although he has acted without malice."

Now, it has been said, I think by my hon. friend from St. John (Mr. Weldon), that these *dicta* do not apply, because the duties of returning officers, under the English Act and those under our Act, are essentially different. I have looked at the English Act, and I have failed to see any difference, certainly none in reference to making the return. In the English Act it is left to the discretion of the returning officer whether he will give a vote in the case of equality, while ours says that he must do so. I am not aware of any material difference in his duties, except that, certainly not as to the counting up of the number of votes and making his returns. I will read the clause from the Act, and you will be able to judge, from your own acquaintance with our Act, if, in any respect, it differs from it:

"Upon the completion of the counting, the returning officer will seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer"—

That is what we call the deputy returning officers' statement of votes.

"by comparing it with the number of ballot papers recorded by him as aforesaid and the unused and spoiled ballot papers in his possession, and the tendered voters list, and shall reseal each packet after examination. The returning officer shall report to the Clerk of the Crown in Chancery the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it."

Now, in what respect do the duties of the returning officer, under that clause, differ from his duties under our Act? He has, under our Act, to take the statements given by the deputy returning officers, sum them up, and make his return to the Clerk of the Crown in Chancery—just what he has to do in England. Yet we are told his duties are so essentially different that these English authorities do not apply. I say the Acts are so much alike, they do apply. But even apart from English authorities, the duties of our returning officers are still partly judicial. I think I may appeal to the hon. member for West Huron as to whether they are not partly judicial. I think if the returning officer, who returned the hon. member for West Huron, had not exercised judicial functions, we would not have the pleasure of seeing my hon. friend seated in this House. If I am not misinformed, my hon. friend stood in this position. On the day of summing up the votes, it was found that in two or three polling districts in his riding, the deputy returning officers had not put into the ballot boxes any statement of the votes, and the result would have been, had those statements not been counted, that my hon. friend would have been left in a minority. If I am not misinformed—and these are facts I have from the friends of my hon. friend—the returning officer, appointed under that wicked and abominable law which my right hon. friend the Premier introduced last Session, was such a bitter partisan that, on the application of my hon. friend, he postponed his declaration for two or three days to see what could be done.

Mr. CAMERON (Huron). What was there judicial in that?

Mr. CAMERON. It was adjourned by this austere returning officer appointed so corruptly. I fail to see in the Election Act any authority for a returning officer adjourning an election for any such cause. There is a power to adjourn the declaration under stated circumstances, but not for that cause; and I think if the returning officer had done his duty strictly and not exercised judicial functions, he would have summed up the votes, according to the statement found in the sealed ballot boxes, and have returned Mr. Porter instead of my hon. friend. My hon. friend, however, got the declaration adjourned—rightly or

wrongly, legally or illegally—and he took the very best authority he could get on the case. He was not content with his own opinion, nor even with that of the hon. member for West Durham, nor with that of any of the leading lawyers of the Reform party, but he came to the hon. member for West Simcoe and got his opinion. My hon. friend from West Simcoe, taking legally the same view he expressed here in his Parliamentary capacity, said the returning officer's duty was still partly judicial; and, applying a liberal construction to the Statute, he had the right to allow the two or three deputy returning officers, who had not sent in statements, to supply the omission before making up his declaration. Those statements having been so made up, the hon. member for West Huron was returned, no doubt rightly and properly, because he had a majority of the votes, so far as the merits of the election went; but, in my opinion, wrongly according to the strict meaning of the Act. Yet my hon. friend says the duties of the returning officer are purely ministerial, though he himself is sitting in this House by virtue of the exercise by that officer of judicial duties. This inconsistency shows that we should not be too fast in coming to a conclusion; that the matter is one of so great importance that the reason given by the hon. Premier for its reference to the Committee on Privileges and Elections are well founded, and that the duties and functions of returning officers are still in such doubt, it is desirable we should have them fully investigated now when the question is brought before us. This is the proper time, and this Committee is the proper tribunal for deciding this matter—not only this particular case, but to give the whole question such a thorough investigation as will establish a precedent that will bind Parliament in all like cases hereafter. For those reasons it seems to me so free from doubt as scarcely to require argument that our proper course is to refer the matter to the Committee on Privileges and Elections, which, I am sure, acting in the spirit in which it acted on a former occasion, will do justice between man and man in this important matter.

Mr. MACKENZIE. Although the hon. gentleman who has just sat down, and the hon. member for West Simcoe, both expressed the opinion that laymen should not interfere in this argument, I venture to attack the position the hon. gentleman has taken, and to present, as well as I can, the views which, as an impartial observer and an impartial judge in the matter, I feel bound to express. The hon. gentleman affected a tone of great moderation, and assured the House of his anxiety to reach the truth in regard to the course to be taken in this serious case, and I have to express my extreme regret that he was so unsuccessful in his search. There was, Sir, some appearance of fairness in the remarks of the right hon. gentleman who leads this House in opening the case. There was a still greater appearance of fairness in the language of the hon. member for Queen's (P.E.I.) when he frankly gave away the whole case by admitting that the returning officer would have done better had he returned the man who had the larger number of votes; but as the debate proceeded we found a degeneration in argument, until the hon. gentleman who has just spoken occupied actually an hour of our time without presenting one single point that affects the position. The hon. gentleman proceeded upon the assumption that what he calls Parliamentary Law has reference to English Statutes and English precedents in connection with those Statutes. The hon. member for Simcoe carefully avoided the slightest reference to our own Statute, under which alone Parliamentary Law can be created. What is Parliamentary Law but a reference to the cases which have been decided under the Statute Law of the country? Now, so far as our Parliamentary Law goes prior to 1874, the cases are wholly in favor of the contention of my hon. friend from West Huron. There has been no case since 1874, when the law was radically changed. We have,

Mr. CAMERON (Victoria).

therefore, no Parliamentary Law to appeal to, if we strictly interpret the meaning of the present Statute. But we are willing to go beyond that, and appeal to the precedents under the Statute Law of the old Province of Canada up to the time of the change I have alluded to, in 1874; and in every one of those cases we find the one great principle taking precedence of everything else, namely, that the person receiving the larger number of votes should be elected. That is the Parliamentary Law; and I hope my hon. friend won't go out, for I intend to deal with some of his arguments shortly.

Mr. CAMERON (Victoria, Ont.) I will return in a moment.

Mr. MACKENZIE. I dare say we can get on. Now, Sir, the right hon. gentleman in moving his amendment did not inform us what he proposed the court to enquire into. As I understood the hon. gentleman who has just sat down, and the hon. gentleman for West Simcoe (Mr. McCarthy), their enquiry is to be devoted altogether to matters entirely extraneous to the matter before the House. All that has been said about the Local Law and the proceedings taken by the hon. member for King's, P.E.I. (Mr. Robertson), is matter that might possibly go to an Election Court, but they are not matters with which we have anything to do. They do not in the slightest degree affect the merits of the case, because the seat is claimed under the law of 1874, and we are not supposed to know anything concerning the details that may have taken place at the time of the election with regard to the resignation of the Local seat. I do not, therefore, intend to discuss that at all, further than this—and I regret that my hon. friend has gone out before I touched that point. In alluding to the claims made on this side of the House, that the certificate of the Lieutenant-Governor of Prince Edward Island, and the statement of the individuals who signed the paper and gave it to the returning officer, in reply to the assertion made on that side of the House, that these papers were improperly before us, the hon. gentleman said: "Well the papers are there, the documents are before us, and we cannot help"—I think he said, I took down his very words—"we cannot shut our eyes to these documents." Now, what I have to ask—and I ask it from the hon. member for Victoria with the greatest possible humility, seeing I am one of the laymen—I ask if it is a rule of law to receive evidence which would not be admissible upon trial? My impressions were that in a case conducted by the hon. gentleman himself he would ask for the judgment of the court to rule out such evidence as he here says we cannot shut our eyes to. Now, the hon. gentleman has shut his eyes to everything, apparently, except what leads to retaining the seat for a political friend of his own. Now, Sir, I take it to be the duty of the leader of the House, instead of sending this matter to a Committee to make vague and meaningless enquiries, to protect the rights and Parliamentary position of every man who has been elected to this House. I understand that his duty, as leader of the House, is to see that the Election Law is complied with, and that nothing is suffered to interfere with the return of a member according to that law and his taking his seat in this House. Now, what are the facts of this case? I will not discuss at any length whether a returning officer has or has not any ministerial duties; I will merely say that no member yet, from the Premier down, has shown a particle of authority, for the assertion that he had any other than ministerial or executive duties. The law is most explicit upon the question of the duties of a returning officer—and I refer to the law with all the more confidence that I had something to do with placing it on the Statute-book, and to that law we now appeal. The present Chief Justice of Quebec was chiefly concerned in drafting this Statute; and the principal object he had in view, and that I had in view, and that my Administration had in view, was to make

it impossible for any one to deprive a candidate of his rights who had received a majority of votes. Now, let us read some of the clauses that relate to this. The 59th section declares:

"The returning officer at the place, day and hour appointed by his proclamation, and having received all the ballot boxes, shall proceed to open them in the presence of the election clerk, the candidates or their representatives present, and of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate, from the statements contained in the several ballot boxes returned by the deputy returning officers."

This is most explicit as to the duty immediately after the polling. Then the sub-section declares that the candidate who shall, in the summing up of the votes, be found to have the majority of the votes, be then declared elected. There is no room for an assertion that any judicial duties are imposed upon him or exercised by him. Then the 60th section provides that:

"When on the final addition of votes by the returning officer, and equality of votes is found to exist between any of the candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer shall give such additional or casting vote, but shall in no other case have the right to vote."

Could anything be more explicit than that? The hon. gentleman who has just sat down declared from the reading of the paragraph in the Controverted Elections Act, that because the words "double return" are used in order to cover every possible case that might arise, therefore the Statute regulating elections is to be interpreted by a clause in another Statute. I venture to say there is very little law in that, and very little justice if there is any law; and I am afraid he would hardly venture into a court of justice—though he may do it here—to lay down such a proposition as that a clause in a different Statute altogether is to take the place of one in another positive enactment. Then the 61st section provides:

"The returning officer, within four days after such verification, shall transmit his return to the Clerk of the Crown in Chancery, that the candidate having the largest number of votes has been duly elected, and shall forward to each of the respective candidates a duplicate or copy thereof, and such return shall be in the form Schedule S to this Act."

Now in this case there was no equality of votes, therefore the returning officer had no right to vote. There being no equality of votes it was impossible there could be a double return; and it is the exercise of the flimsiest sophistry to allege that because the words "double return" are mentioned in the Controverted Elections Act, there might be a double return where the officer is directed—where it is made mandatory upon him—to settle the case and vote in favor of one of the candidates. This is not directory, in the English Act it is directory. "He may give," here it is "He shall give." Now, with regard to the provisions of the 56th section, that the returning officer, within four days after such verification, shall transmit his return to the Clerk of the Crown in Chancery, declaring who had the largest number of votes, that return was not made, and the returning officer violated his duty, and by a plain violation of his duty he has deprived an hon. member from his seat, who was elected to a seat in this House. And now the hon. leader of the House, disregarding the Statute Law that is before his face, disregarding right and justice in this matter, and backed up by two gentlemen who think that because they are lawyers they are peculiarly qualified to decide every case, no matter what its merits may be—they are all anxious to keep a man out of his seat whom they know has been duly elected to it by a considerable majority of the legal votes cast. This is the real position of the matter, and no amount of special pleading, however able it may be—and I admit the ingenuity of the hon. member for Victoria (Mr. Cameron) in making special pleadings—will do away with the simple and incontrovertible fact that the

majority of votes was given to this candidate whom we desire to see in his proper place in this House.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

Mr. MACKENZIE. I was endeavoring to show, before recess, the position in which this matter stands, viewed as I view it from a common sense stand-point, as well as, for I pretend to know the law, from a legal stand-point; and I was endeavoring to point out the varied inconsistencies which characterized the speeches of hon. members on the other side of the House. It is true the hon. member for Victoria (Mr. Cameron) appealed to the House most warmly and earnestly, apparently, to consider this question in a judicial spirit, and endeavored to do what was right; in short, to fulfil the law in a measure of justice as well as of technical obligations to that law. But if my hon. friend meant that speech which he made to-night as a judicial examination of the subject, I can only say that I should like to hear him when engaged in presenting a partisan view of a point. It did appear to me that his speech, and that of the hon. member for West Simcoe (Mr. McCarthy), were strongly characteristic of the political partisan rather than of the judicial official. The right hon. gentleman who leads the House admitted, to use his own words, that the tendency in legislation of late years was to deprive returning officers of any judicial power to act, to make them mere executive or ministerial officers; but he did not make any attempt to show wherein the present law failed to accomplish what, according to the inference I drew from his words, he seemed to regard as a beneficial change. If the right hon. gentleman can point out any wording which is necessary in the Statute of 1874, which regulates elections, to make it more completely a ministerial duty on the part of returning officers, I should like to know it. I am not able myself, I confess, to imagine any words more complete in their meaning, by any and every possible interpretation, than Sections 58 to 62, which regulate the duties of returning officers; and if we are to assume to ourselves the duty of determining upon elections, we may at once revert to the position we occupied under the Grenville Act, where it was naturally the case that men were seated or unseated, to a very great extent, by a political prejudice or feeling. We deliberately, as a matter of choice, by the Act which was passed, and has since been amended, divested ourselves of all authority respecting the seating of members, except where we found that something might strike the House as being absolutely necessary to do; in other words, we retained the power, but with the understanding that all questions of the kind raised by this case shall be determined by a judicial body, namely, the Election Court. The hon. member for Victoria (Mr. Cameron) has explained that if we seated Dr. Robertson under a direct motion of the House, we at once deprive his opponent of the right of petitioning, as that opponent has allowed the time to lapse. This House is not responsible for the lapse of time. The gentleman who had a minority of votes, knew the Election Law, I presume. He must have known it was the duty of the returning officer to return the candidate who had received the majority of votes, and if he imagined he could unseat the person so chosen and elected, by an appeal to the Judges of the Election Court, then he had a right to do so; but he had no right to presume, nor had any one a right to presume, that this House would permit the occupation of one of its seats by a candidate who had a minority of votes, or that the House would reject an application for his seat by a member who was duly returned by a majority of votes. While I decline to discuss the question as to whether the resignation by Dr. Robertson of the seat in

the Local House, was regular or not, or the question whether the Lieutenant-Governor of the Province was or was not acting under a strict sense of duty in giving his certificate, that he had not received any resignation, I hold there is but one view to be taken on the one vital issue, even from the point of view of the hon. gentlemen opposite, who assume that the returning officer had a certain right to act in a judicial manner; in other words, that he had the right to question and decide on the qualification of one of the candidates before him. The Act gives no such power; there is nothing in the Act which hon. gentlemen opposite can point out as implying that it gives that power. There is the simple declaration that the returning officer shall receive the nomination paper signed by a certain number of electors, accompanied by a deposit of a certain sum of money, and accompanied also by a letter of acceptance from the candidate himself. Beyond that he has no right to go; but if the returning officer assumed, as he did afterwards in this case, evidently under some inspiration of which we are not informed, the right to judge as to the qualification of the candidates, then he should have judged unfavorably of that candidate at the time the nominations were made. It was his duty to have said: "This person is disqualified by reason of his not having made his resignation at the proper time of the Local seat, and, therefore, I decline to place his name on the list of candidates to be voted for." While such a decision would be unaccountable to me, and extravagant in its presumption, yet I could understand, if the judicial power was to be assumed at all, that was the time to assume such authority. The returning officer would have been liable to the just censure of the House for such an exercise of power which he was not entrusted with; but, at the same time, it would have enabled the electors to nominate some one else, if the returning officer had refused to accept the nomination of Dr. Robertson. As it is, there was no choice, and the names having been regularly placed on the list, the returning officer declared, in the loudest tones and terms he could use, that Dr. Robertson was a candidate with Mr. McDonald for election for that county. Dr. Robertson received an absolute majority of the votes polled, and it was only after those votes were received and the summation of the votes made that the returning officer presumed to exercise the power which he did exercise, of refusing to declare elected the gentleman who had the majority of votes. Such a proceeding was altogether unjustifiable. The right hon. First Minister and the hon. member for Queen's, P.E.I. (Mr. Brecken), in their speeches the other day, took the ground that there was a natural necessity for a returning officer exercising such discretion in placing the names of parties who were nominated upon the election list, and the right hon. gentleman suggested the case of a felon being nominated. The member for Queen's immediately followed, taking up the same idea; and that gentleman evidently forgot that there were precedents for returning officers being obliged, in the exercise of their duties, to receive the nominations of felons. Then the right hon. gentleman assumed that for fear a female might be nominated, which would be perfectly irregular, it would be necessary for the returning officer to order an inquisition to discover the sex of the candidate. Anything more weak, more absurd, more ridiculous, could scarcely be uttered by any one; and to have this gravely propounded by the leader of the House, was evidence to me of how little he had to say in justification of the extraordinary course pursued by this returning officer. Not, Sir, but what I partially expected that, because, during all my Parliamentary life, I am bound to say I have generally found the right hon. gentleman and his friends very willing to give their support in questionable cases to the members of their own party; while I am not aware of a single case where the Liberal party have endeavored to deprive and keep by any vote any member of and from his

Mr. MACKENZIE.

seat. Well, hon. gentlemen may laugh; but I would be glad to know where the precedents are. Nay, more, Sir, it will be admitted the gentlemen on this side of the House, when in power, lost no time in the very first Session in which they controlled a majority in Parliament, in taking pains to make the law as explicit as possible, and so explicit that during the elections run since, only this single case has arisen under that Act; and no one yet has pointed out on the Ministerial side of the House to-day, a single clause, or word or paragraph, by which the returning officer can, by any pretence, justify his action in refusing to return the member who had the majority of votes; and if there are any words, which can make the Statute more explicit, I would like to hear them repeated, and if there is anything more definite laid down in any other Election Law in the world, as to the duties of returning officers, I would like extremely to know where they can be found. Now, I have watched with the utmost anxiety and the greatest eagerness, the course which was to be pursued by gentlemen opposite, upon this question. It is true that the gentlemen who have spoken on that side of the House have avowed an intention to consider this matter impartially; but I was amused at the member for Victoria (Mr. Cameron) who spoke of the view which the Ministerial side of the House took of the question, showing that it was a Ministerial question, and that, however anxious members opposite might be to do what is just and fair in this case, we know now that the Ministerial whip is cracked over them, and that every one of them is expected to do his duty by voting for the amendment moved by the right hon. gentleman, no matter in what way should be interpreted the Election Law which governs this case. Now, some person is entitled to the seat. The law supposes that every election return has been complete; and it is complete in all cases except this one. No one has this seat, and certainly a number of the people are unrepresented, and until they be represented there is an absolute injustice done to some person, and also to the electors in question. *Prima facie*, the man who has the greatest number of votes is the man entitled to be elected, and there was due notice given of this, as a matter of course, in the Election Act to every one who is a candidate. The returning officer, according to law, has a copy of the Election Law placed in his hands by which to be guided in making his return. That return was not, however, made according to the direction of the law, and, therefore, the man who had the majority of votes is deprived of his seat. Now, hon. gentlemen opposite have endeavored to argue a great deal—and wholly from the premises connected with Local Legislation—as to whether the resignation was regular or irregular, and whether it was in time or out of time; but that is a matter for the courts to determine—it is not a matter for us. We have a plain duty before us, and that duty is to seek the man who has received the greatest number of votes, as the one, and the only one, who could be by law duly elected. Any question of qualification might arise—and I have no doubt that they will arise—if this case goes in the way the hon. Ministers are apparently determined it shall go; but if the law remain as it is—or indeed whether the law remain as it is, or not—if the present Parliament in power retain their position, we are fairly warned by this case, that in the future it shall be optional with a returning officer to decide in his own mind, whether I or any other member on this side of this House, be, or is qualified to be, elected as a member of Parliament. Some five or six men will go to the returning officer and say: "We know that A.B. is a contractor with the Government, and that he is not qualified to be a member." The returning officer, acting on this precedent which is about to be set, will—if he is an extreme partisan, or a weak man subject to the influence of

the partisans around him—as a matter of course follow this example, and will decide: “I will not return A.B. because he is said by some parties to be a contractor.” Now, the right hon. gentlemen in his change of the Election Law, last Session, took additional security for the performance of such antics as this by the election of returning officers, because he took the power to appoint such men as he pleased; and chose men who have conducted the elections, in many places, in a most extraordinary way, too much of what we anticipated at the time that this Act was amended last year, has taken place in the irregularities which have characterized many of the elections. Now, I appeal to every member of the House; I appeal to a higher law than even our Statute of 1874; I appeal to that Statute which provides that every just and honest man will endeavor to and ought to endeavor to do unto others as he would that others would do unto him. I ask, if there is a single member in this House, who looks at this case dispassionately, and who knows that this Dr. Robertson had a large majority of votes, who will say, if he was in his place, he would not take the seat; or if his friend and brother opposite him was in a similar position whether he would vote to deprive him of his seat in this House. We read in an ancient Statute-book, much more ancient than any of ours, of the case of certain people who habitually set aside the fundamental and moral laws, and we read that the Pharisees of Judea made the law of God of none effect by their traditions; and so, Sir, we find the due successors of those Pharisees to-day, instead of serving the law, setting aside the law of the land by these traditions, and this in a matter so deeply affecting the rights of the people as this question does affect them. Now, Sir, I think that I can appeal, with some degree of confidence, to the inner consciousness of the members of this House, the representatives of the people in it, as to who is right or wrong in this matter; as to whether the returning officer failed or did not fail in the discharge of his duty. Let them take the Statute of 1874 and read it carefully, and I am perfectly satisfied that no man will decide or can decide in any other way than that this officer violated the law, refused to perform his duty, and failed to accomplish what the law required him to do, placed in the position in which he was placed. I am only astonished, very much astonished—

Sir JOHN A. MACDONALD. Amazed!

Mr. MACKENZIE. Amazed. My hon. friend recalls a word which, I believe, I have used very frequently, and if he can imagine any word that can more strongly express the feeling, I am quite willing he should substitute it.

Sir JOHN A. MACDONALD. Bewildered!

Mr. MACKENZIE. I am sure no one is better qualified to appreciate the position than the right hon. gentleman, or understands more thoroughly than he does, that he is not doing in the matter that justice to the candidate that he would like to be done to him if he were in a similar position; and that is after all the real test of what is right or wrong in this world. If the hon. gentleman can point out anything to me which justifies a different conclusion, I shall undoubtedly go with them in any motion which they may propose that is consistent with the law of the land. But the hon. gentleman makes a motion which is intended to deprive a member of his rights, which is intended to set an evil example to returning officers, which is intended as a public proclamation that—although the law is explicit and mandatory as well as directory as to certain things being done—if they do not do them their offence will be looked upon as a venial one; and that if the candidate deprived of his seat by such means only belongs to the minority for the time being, hon. gentlemen opposite will give him ample protection. That is the implied intention of hon. gentlemen opposite. Nothing else can be deduced from their arguments

and statements than that this plan will be carried out in future. I, therefore, appeal most anxiously to the House to do what is right in this matter, to discard every consideration but what is required to ascertain what constitutes a precise observance of the law which we are required to recognize, and what is a violation of the law which we are required to condemn. On a former occasion, when a case of this sort was before the House, I moved an amendment to the amendment. I shall do so again to-night, if he orders, under almost precisely similar circumstances to bring back the division to the point of a strict and express approval or disapproval of the course of the returning officer. I am anxious to know if hon. gentlemen opposite will really set aside all justice, will violate all law, and say that they are resolved, in spite of every consideration which can be mentioned in connection with the law, to deprive a man of the right he has attained under the law; or whether, like hon. members on this side, they will act fairly, honestly and justly, in requiring returning officers to observe the law at they ought to observe it. I move in amendment to the amendment:

That all the words after the word “That” be left out, and the following inserted in lieu thereof:—“this House deems it proper in the matter of the return for the electoral district of King’s, in the Island of Prince Edward, to act upon the law of Parliament, as established in the precedents of the old Parliament of Canada, and the Parliament of the Dominion, in the Beauharnois, Kent, Oxford, Gaspé, Bagot, Essex, Lennox and Addington and Muskoka cases, and the law passed by the Parliament of the Dominion of Canada in 1874, respecting Elections, which enacts that the returning officer shall, at the place and hour appointed by his proclamation, and after having received all the ballot boxes, proceed to open them in the presence of the election clerk, the candidates or their representatives, if present; and of at least two electors, if the candidates or their representatives are not present, and to add together the number of votes given for each candidate from the statements contained in the several ballot boxes returned by the deputy returning officers, and that the candidate who shall on the summing up of the votes be found to have a majority of votes, shall be then declared elected, and that the returning officer shall transmit his return to the Clerk of the Crown in Chancery, that the candidate having the largest number of votes has been elected.

“Also in conformity with these precedents and this law, to assist its jurisdiction, to maintain its privileges, and forthwith to redress the violation of law and duty apparent on the papers which has been committed by the returning officer in not returning as elected the candidate having the greatest number of votes; and this House declares that James Edwin Robertson should have been returned as one of the members for the said County of King’s by the said returning officer, saving all rights of all persons to contest the election and return.”

With the permission of the House, there is just one word which I desire to say with reference to a matter mentioned by the hon. member for Victoria, recalling incidents connected with a meeting of the Privileges and Elections Committee in the Parliament before the last, in regard to Mr. Anglin’s case. I heard the right hon. gentleman opposite accuse my hon. friend for West Durham of shamming sickness on that occasion. From the position I held at that time in the House, and in the Committee, I had the best reasons to know that no charge could be more unfair or unjust, and I would feel that I was not discharging my duty, man to man, unless, after what passed, I bore my testimony to that undoubted fact.

Sir JOHN A. MACDONALD. I cannot well follow the resolution, which is a very lengthy one, and which has not been communicated to me. It occurs to me, however, to be in substance the main motion. It seems to me it is out of order.

Mr. FLAKE. We have had this question up several times, and nothing is clearer than that when different statements are made, and additional observations introduced into an amendment, it is different from the original motion. This is very like the motion made in amendment to the amendment in the West Peteborough case. We have had this question raised time and again, and I think under your predecessors, Sir, you will find that motions bearing less on the original motion than this does have been held to be in order.

**Mr. SPEAKER.** In a case which the amendment and the amendment to the amendment left out several recitals that were in the original motion, Mr. Speaker Cockburn ruled that the amendment to the amendment was in order. He says:

"It proposes to the House a resolution which is substantially the same as that involved in the original motion, but it omits considerable matter of recital both of fact and law, and in that respect I think the proposition is one which the hon. member may propose as an amendment. He may say very properly, as he does say, that he has no desire to commit the House to the recitals which form a part of the original motion. I think the motion is, therefore, in order."

That decision of Mr. Speaker Cockburn was given on the occasion of submitting the resolutions respecting the British North America Act, to which Sir George Cartier moved an amendment, and Mr. Dorion moved an amendment to the amendment, to which Mr. Harrison raised the objection. In the Peterborough case, the report of which has just been placed in my hands, I find that Mr. Blake moved, in effect, that John Bertram having received a majority of votes over William Claxton, ought to have been returned. The right hon. Sir John A. Macdonald moved, in amendment, to refer the question to the Committee on Privileges and Elections. Mr. Mackenzie moved, in amendment to the amendment:

"That the words: 'the return made by the returning officer of a member to represent the West Riding of the County of Peterborough in this House, and all the papers connected therewith, be referred to the Select Standing Committee on Privileges and Elections, to be appointed in pursuance of the Orders of this House, made on the 6th instant, with instructions to proceed without delay, and report to this House on the proper and legal course to be adopted with regard to the said return, in order that the rights of all parties concerned may be duly protected,' be left out, and the words 'this House deems it proper, in the matter of the return for West Peterborough, to act upon the precedents in the Parliament of the Province of Canada in the Oxford case, the Kent case, the Beauharnois case, the Bagot case, and the Lennox and Addington case, and in conformity with these precedents, to assert its jurisdiction, to maintain its privileges, and forthwith to redress the grievous and flagrant violation of law and duty apparent on the papers—which has been committed by returning the defeated as the successful candidate; and this House declares that John Bertram Esq., should have been returned as member for West Peterborough and has a right to take his seat saving all rights of all other persons to contest the election and returns,' inserted instead thereof."

The question of order does not appear to have been taken in this case. The amendment to the amendment, containing different recitals from what are contained in the original motion, although the concluding portion seems to be substantially the same, would, therefore, seem by these precedents to be in order.

**Mr. WOODWORTH.** There are two propositions before the House, Sir, or were a few moments ago, until the amendment of the hon. member for East York was proposed. These two propositions are submitted for the consideration of a House composed, Sir, with yourself, of 211 members, I think, nearly half of whom are new to this Parliament; and how it would be possible for those new members, I being one of them, to undertake in the short time we have had to go through the different cases, to read them, to study them, to understand them, so that we could give an intelligent vote on this subject, I am at a loss to know. The hon. member who made the first motion asked this House to seat a member from Prince Edward Island. The first asked that the Clerk of the Crown in Chancery do attend with the necessary papers at the Table of the House, which was done. I do not think that the hon. member, at that moment, knew exactly what those papers contained, but the moment they were read, this House was seized of the facts contained in those papers; and I was rather surprised to find that the hon. member for West Huron—like a lawyer who has asked a question of a witness when he did not know exactly the answer that would be given, or was, as it is called, "fishing for evidence"—found that the papers were a little too much for him, that they stated more than he expected, and, therefore, he complained of their extent. In his first motion he asked for the papers. After the papers came

**Mr. BLAKE.**

down, he said: "There are other papers before Parliament now—I think improperly before Parliament." But he was the hon. member who asked for these papers. We turn back to the files of the 19th February, and find the following motion made by the hon. member for West Huron:—

"That the Clerk of the Crown in Chancery do attend this House, to-morrow, with the returns of the last Election for the Electoral District of King's County, P.E.I., together with the statements of the several deputy returning officers, for the said Electoral District; and any documents used, or required at such election, or which may have been transmitted to said returning officer, by such deputies."

On that motion the papers were brought down. Then the hon. member said he thought they were improperly before the House. If they were, he was the means of bringing them here. I do not think that the House can possibly go back on the consideration of those papers. What do they state? They state, not that Mr. McDonald or Dr. Robertson is entitled to the seat here—they state that Dr. Robertson had more votes than Mr. McDonald, but that Mr. McDonald was a candidate against whom nothing had been said, while, on the contrary, evidence had been adduced before the returning officer of that county, showing that Dr. Robertson was not qualified to take his seat. Now that we are seized of these papers, how is it possible for us to give the seat to Dr. Robertson? If the returns had not shown what they have, the motion of the hon. member for West Huron, would possibly have prevailed, but the House is possessed of all these papers, and, in order to obtain an intelligent opinion on the case, it is necessary—especially for the new members, of whom I am one—that we should have some time to deliberate; and in taking this time I do not see that any wrong is done either to Dr. Robertson or to Mr. McDonald. It is a very serious thing to deal with the seat of any hon. member. There is no member more willing than I to give a vote in favor of any contention which, I think, is borne out by law and by fact. If we did what the hon. member for Huron asks us to do, we would place Dr. Robertson in such a position that he might well exclaim in the words of another eminent gentleman: "Save me from my friends." We would place him in this position under the Act of 1873, from which I quote:

"If any person who is made by this Act ineligible as a member of the House of Commons or incapable of sitting or voting therein, does, nevertheless, so sit or vote, he shall forfeit the sum of two thousand dollars for every day he sits or votes, and such sum may be recovered from him by any person who will sue for the same, by action in any form allowed by the law of procedure in the Province in which action is brought in any court having jurisdiction."

The preceding clause says:

"If any member of the House of Commons shall be elected and returned to any Legislative Assembly, or shall be elected or appointed a member of any Legislative Council, and accept the seat, his election as a member of the House of Commons"—

Now I will quote the Act of 1872. The first clause says:

"No person shall be eligible to, or be capable of being nominated to or voted for, or of being elected to or of sitting or voting in the House of Commons, who on the day of the nomination at any election to the House of Commons, is a member of the Legislative Council or Assembly of any Province in which, by law, members of the Senate or House of Commons are rendered incapable of being appointed to, or of sitting or voting in the Legislative Council or of being elected to, or of sitting or voting in the House of Assembly thereof."

The second clause is as follows:—

"If any such member of a Provincial Legislature shall, notwithstanding his disqualification as in the preceding section mentioned, receive a majority of votes at any such election, such majority of votes shall be thrown away, and it shall be the duty of the returning officer to return the person having the next greatest number of votes, provided he be otherwise eligible."

If that be law—

**Mr. BLAKE.** Hear, hear.

**Mr. WOODWORTH.** The hon. member for West Durham says "hear, hear," and so does his faithful friend behind him, who made a very able speech, as an election speech, but

not a very legal speech—the hon. member who got his seat without any contestation whatever. I say if this be the law—and I am not as wise as many of the hon. members opposite—as has been said by the hon. member for West Simcoe, if this be the law, shall not we, half of whom are new members, have time given us to consider? If this be the law, the votes given for Dr. Robertson may be thrown away. It may turn out that Dr. Robertson is entitled to the seat. No one would be more pleased at this than I, for I sympathize with small numbers, and I would not take away the slightest degree of comfort from the hon. members opposite. If they can feel any happier than they look by getting another member, I would be the last man to vote to take away that member. The hon. member for Queen's, who is so happy in his seat, and has no trouble, and who, if report says truly, is the retained counsel of Dr. Robertson—

Mr. BLAKE. Order.

Mr. WOODWORTH. I do not say this as a stigma on the hon. member. I only say it to show that the zeal he has evinced in the matter of his speech is the product of his being so intimately related with the subject.

Sir JOHN A. MACDONALD. It was not a *brief* speech at all.

Mr. WOODWORTH. The moment the hon. member for Simcoe had departed in the slightest degree from the legal argument he so clearly and ably adduced here, we heard the hon. member for West Huron make his ironical "hear, hear," and exclaim, "You are an honest judge." The moment the hon. member for Victoria made his statement of the case in his calm, lucid and most able manner, we heard the same remark again. We heard the remark that he was prejudging the case; and I could not help noticing the fact that an hon. member opposite, who made a very good speech, was retained as counsel.

Mr. BLAKE. I did not call the hon. gentleman to order because he should not mention it if it was true, but because it was not true, and the Rules of this House forbid, under the most severe penalties, any member of the long robe taking part in a discussion in which he has been retained as counsel.

Mr. WOODWORTH. It would have been better if, when I had been called to order and interrupted, the explanation had come from the hon. member himself. I think that when the hon. member for West Durham makes this bold statement that it is not true, he should have given some other proof than merely calling me to order. It would have been much more in keeping with the deliberations of this House and in accordance with the practice of Parliament for the hon. member affected by the statement to have made the explanation. I am glad to see that my hon. friend does not deny it. I stated it without the slightest ill-will, notwithstanding the provocation from the other side. My hon. friend from Queen's, who has got rid of all the troubles and trials of his election campaign, quoted in his eloquent speech, from some remarks made by Mr. Gladstone in 1870, I think on the O'Donovan Rossa case. As that has been so ably handled by the hon. member for North Victoria, I shall merely allude to it; but if he had quoted some other part of what Mr. Gladstone said he would have put himself out of court altogether. Mr. Gladstone said further:

"The law and precedents applicable to this case are, on every point of substance, perfectly clear."

That is the reason Parliament dealt with that matter, but, in every case in the Parliament of Great Britain where there is a doubt as to the law and the fact, is it sent to a Standing Committee on Privileges and Elections such as we have here? No, Sir, it is sent to a Select Committee, and the House

goes to the trouble of appointing a Select Committee to which to send these matters. I will also quote from May's "Parliamentary Practice," page 548, to show the law on this point:

"Whenever any question is raised affecting the seat of a member, and involving matters of doubt, either in law or fact, it is customary to refer it to the consideration of a Committee."

The very words, almost of Mr. Gladstone. One hon. member quotes from the West Peterborough case. I do not know anything about that case, and I doubt if many members here do. Yet, they are called upon to vote immediately on the proposal of the hon. member for West Huron, to put Dr. Robertson in his seat here, and if we did so, he would be liable, possibly, to a penalty of \$2,000 a day for sitting here. The amendment proposed by the hon. member for East York (Mr. Mackenzie), is merely a recapitulation, as I understood it, of statements made on that side of the House—perfectly true they may be for aught I know, but they do not lead us to any conclusion. The difficulty we have to solve is this: that we do not know at this moment—though the hon. the First Minister and the hon. member for West Durham may know—but the majority of the members here do not know at this moment what are the rights of this matter. They do not want to do an injury to Dr. Robertson or Mr. McDonald, and they want this matter fully investigated so that the right man may get the seat. I was rather surprised to hear the hon. member for East York state that he had nothing to do with the question of whether the time had expired for petition in this matter. He did not care anything about that, all he wanted was to get a man named Robertson into the House. I am quite sure that if Dr. Robertson got his seat unfairly, and if he was a fair man, he would not thank the hon. member for East York or any other member for placing him in a seat to which he was not entitled. This is the first question of the kind that has come to my cognizance during my Parliamentary experience, and I certainly would be very loth on the first vote I gave in the Dominion Parliament, to give one that might hereafter be found contrary to right and to justice and to law. The hon. gentleman quoted something in regard to the Pharisees when he sat down. Well, Sir, we have all been well brought up, and have all learned something about the Pharisees. There was a time when hon. members opposite sat on this side of the House, and they appeared as if they wanted a whitewashing, and they got it too. But how unkind it would be for any member to apply to them the remark that was made about the Pharisees, that though they appeared outwardly beautiful, inwardly they were full of dead men's bones and all uncleanness. How unkind that would be, and yet they did appear outwardly beautiful, until at last the veil was removed, and the Committee ascertained that while sitting here they were violating the laws of Parliament every breath they drew. Of course I shall not go into these quotations, because time would fail me, and it would not be profitable to the House; but I reiterate again that this matter should be taken out of the region of partisanship, and when it comes before the Committee—if I am on the Committee, and I believe I am—I promise to give it my most earnest attention, and to vote for disposing of the matter in the direction indicated by the law and the facts, without regard to which side they may favor. In the meantime I shall vote that this matter be referred to the Committee on Privileges and Elections, as has been suggested by the hon. Premier on whom rests a great deal of responsibility, who is an old Parliamentarian and who has the law of Parliament almost at his finger's ends. In the case Mr. Gladstone referred to there was no doubt; but in this case the hon. Premier says there is a doubt. We all know there is; and I shall vote to send it to a Committee, where these doubts may be cleared up and the matter properly adjusted.

Mr. FLEMING. I desire to make a few observations on this important subject, and if I fail to maintain that proper judicial spirit in my remarks which characterized the opening of the address of the hon. member for North Victoria, and which he maintained so successfully throughout, it will be attributed to my want of the varied experience which he has had in Parliament and otherwise, and which he made so abundantly evident in the course of his address. But although there may be a suspicion that the hon. member for Victoria departed from a calm judicial consideration of the case—although I have heard laymen in the House assert that he had, to some extent, in stating the facts, and quoting so largely as he did from the Statutes of the Island, prejudged the case which hon. gentlemen opposite propose to send to the Committee on Privileges and Elections; yet I must say, in the absence of all judicial authority, for the course suggested by the supporters of the amendment, there is judicial authority for the position of the hon. member. I have read of a case, it is true it is the case of a foreign court, but with that respect which we ought to show for the judicial decisions of a friendly nation it is worthy of respect. This must have been operating upon the mind of the hon. gentleman, and his remarks seem to have been founded upon it. The case was one of a Dutch Justice in the Western States, who after having considered the matter before him, said: "I will take three days to consider this case, but ultimately I will decide for the plaintiff." I do not think it is necessary that I should allude to the speech of the hon. gentleman who has just addressed the House. I do not think, with all due deference to his argument, that he added anything to what had been already said, and said better by those who had preceded him. The opening argument which he addressed was one that had been repeated by others before, namely, that this House was seized of the papers which the returning officer returned; and he quoted from the speech of the hon. member for West Huron (Mr. Cameron) and from the Votes and Proceedings, to show that those papers were here at his instance and upon his motion, in order to show that the hon. member for West Huron was responsible for the presence of the papers, and that they could not be ignored. But every lawyer knows, indeed I have found that laymen in this House know, that there may be papers returned in connection with a return here, as there may be in other courts, that cannot be read in connection with the returns. If the hon. gentlemen who have addressed the House from the other side attempted, in the course of their legal practice at *nisi prius*, to attach a paper which had no connection with the record, and stating facts not within the record, it would be excluded as not pertinent to the case; just as, in regard to these papers, when the returning officer by the Statute is instructed to make a specific return, everything outside of that is outside of the record, and all such papers transmitted are extraneous, and not pertinent to the return, and in the proper sense are not before the House at all. But we have the hon. gentleman quoting from Mr. Gladstone again—the third time the quotation has been made in this House—and then pleading ignorance of the question because he has not had time to give it calm consideration, to look into precedents and examine cases. What, I should like to ask, has the hon. gentleman been doing during these busy days of the Session? I do not know that hon. members have been employed to any great extent since the 20th February, when the papers in this case were brought before the House. I am not aware that legislative duties have borne so heavily on hon. members as to render them unable to give that consideration to this important subject which it demands, and which they themselves say it demands. These papers, as I have already said, were laid before the House on 20th February. Their consideration has been adjourned three times at the instance of the hon. leader of the Government, in order that he and

Mr. WOODWORTH,

his supporters might have an opportunity of looking into them; and yet, after all this delay, they come and tell the House they are unable to find precedents contrary to those cited by the hon. member for West Huron, and in the amendment to the amendment. They have not been able to find them, because there are no other precedents to find. They have not been able to find on record that the Parliament of this country has ever decided questions of this kind in any other way than that proposed by the hon. member for West Huron. We are about to depart, for the first time, from the course which those precedents declare Parliament has invariably followed, and that, too, at a period in the history of the Dominion when a departure is of the very greatest importance—at a period when the law has been changed so that the nomination of the returning officers is in the hands of the Administration of the day—at a period when the law has been changed so that returning officers no longer hold their appointments by reason of the high positions they occupy in the public service, but as the nominees of the Administration of the day; and we are about to make that departure, if the amendment is adopted and the case transmitted to the Committee on Privileges and Elections, unless the House first declares clearly and specifically what it considers to be the duty of the returning officers; and there will then be established a precedent which will, I fear, when other elections be productive of fruits, the like of which we see come round, in several cases in the present House, and we will see many more of them. The object of hon. members supporting the motion and the amendment to the amendment is that the House should affirm, and affirm clearly, that this House shall consist of members elected by a majority of the people and no others; that no members shall occupy seats by virtue of any law or functions, whether judicial or otherwise, on the part of returning officers, except such as are contained in the Statute. The hon. member for Victoria (Mr. Cameron) has stated that the hon. member for West Huron occupies his seat by virtue of the judicial functions exercised by the returning officer in that county, because he deferred the declaration until he got all the returns in—because the returning officer manifestly performed his duty by waiting until all the deputies had furnished him with their ballot boxes, and the proper papers by which he could declare who was elected; because he did that the hon. member for Victoria with his judicial mind, which his speech so well exemplified, declared that the returning officer was exercising judicial functions! Why, to adjourn for dinner would then be exercising judicial functions! To adjourn for any other necessary purpose would have been exercising judicial functions! And there are, if rumor speaks correctly, hon. members in this House, who do occupy their seats by virtue of the judicial or other functions of returning officers—and there are in this House, if I am correctly informed, hon. members who, instead of being the representatives of the county that they purport here to represent, are functionaries of the functions of returning officers exercised in the last election. Now, Sir, to prevent the recurrence of such a state of things as this, this House owes to itself and to the members occupying seats here, to declare that when an hon. member has secured the confidence of the people, to whom he has appealed for confidence, that that hon. member shall be, by the officers appointed by this House for that purpose, duly returned according to the plain directions of the Statute. Hon. gentlemen opposite say, no precedents have arisen under the Election Act of 1874—that no question of this kind has arisen under it. I say that is a commentary upon the perfection of the Election Law of 1874 as it existed before it was changed by hon. gentlemen opposite, and we find the effect of that change to be that at the very first election, after the change is made, we have this case coming up in this Parliament, and we have the other cases to

which I have alluded, in which hon. members have either been refused their seats or have been improperly returned by the judicial or questionable functions of returning officers. But there is a precedent in point, a judicial decision by the highest court of the country. In the newspapers of the 28th of February, there was published the judgment of the Supreme Court of Canada, in the Queen's County election case, in which it was stated by one of the Judges that the functions of returning officers were ministerial and not judicial. Why, this House—although the official report has not been published—by the presence of the hon. member for that county—his corporal presence in this House—has judicial notice of that judgment; and that precedent is in accordance with the plain wording of the Statute and with the practice of Parliament in the past. All that is sought here by the hon. gentleman's motion, and by the amendment to the amendment is to affirm that principle, so as to prevent the recurrence of a case of this kind again. The hon. member for Simcoe in his very able argument—the ablest by all odds that we have heard from that side of the House—says, that the returning officer had grave doubts, and that there were great doubts in his mind, whether if he should return a gentleman to this House, who was not duly qualified, he was not liable to the penal clauses of the Statute; and the right hon. gentleman, the leader of the House, recited these penal clauses, to show that the returning officer had exercised a wise discretion in making the return he did in this case; and at the same time, these hon. gentlemen are telling us, that the returning officer would have done better, if he had returned Dr. Robertson as having the majority of votes. We heard them saying that, in order to save himself from the effect of the penal charges, he was obliged to make this return, while at the same time he could have made a better return, though in danger of suffering from the penal clauses, if he had done better than he has done. That is the effect of their argument upon the question of the penal clauses of the Statute. The hon. member for Simcoe puts, perhaps, the case in the strongest way in which it has come from that side of the House, when he says that Parliament would be acting improperly in declaring Dr. Robertson entitled to a seat to-day, when it might on the finding of the Committee be obliged to declare, that he was not entitled to the seat to-morrow. That is perhaps the strongest argument which has come from that side of the House, but it does not necessarily follow that Parliament would stultify itself if it acted in that way. On the contrary, I submit that Parliament would stultify itself, if it does not declare in the most clear and emphatic manner that the duty of the returning officer has not been performed in this case. The returning officer is an officer of this House. The returning officer has failed to return the member whom the people of the County of King's desired to sit here as their representative; and if the House fails to correct the return and do what the returning officer ought to have done, then this House is taking upon itself a responsibility and is assuming to perpetuate the wrong, and the responsibility of declaring that these people must go unrepresented or be represented by somebody not their choice. Now, Sir, there can be no danger, there can be no inconvenience, there can result no possible wrong, if the House adopts the motion as proposed to be amended by the amendment to the amendment, although the hon. member for Victoria has argued that if this House declares Dr. Robertson entitled to the seat, it leaves the other candidate without remedy, because the time has elapsed in which he could apply to the Election Court; but the hon. gentleman answered himself when he made that declaration in one breath, by citing from Bushby to show that Parliament, although it had passed a Statute providing an Election Court, had not divested itself of the right to declare whether or not a

member has a right to a seat. The rights of the minority candidate are not taken away, although the time has elapsed. It is quite competent for any hon. member to rise in this House, even after the adoption of the motion of the hon. member for Huron, and move to refer the question of the qualification of Dr. Robertson to the Privileges and Elections Committee, so that the remedy is not taken away. All that is asked by the motion is that the fact should be emphasized that no returning officer shall take upon himself to elect members to this House—that no returning officer shall undertake the duty of declaring that the choice of the people shall not be returned to this House—that no returning officer shall dare to evade the clear declaration of Parliament and the country, or interfere in any way with the choice of electors. As a young member I have come to this House imbued with a deep sense of the dignity of Parliament. I have come here expecting that when hon. members were sitting in their places, exercising judicial functions as they are doing in this case, they would approach the consideration of a question of this kind in the same spirit, though perhaps not with the same wisdom, that the Judges of the other courts of the country would do. I was, therefore, disappointed when I heard the amendment moved by the right hon. leader of the House, and I have been greatly disappointed at the manner in which this question has been discussed by hon. members on the other side. The question is one of such great importance that it is due to the security of every hon. member of this House that some clear declaration should be made that returning officers shall not interfere any further than the Statute gives them authority to do. Hon. members may be strong here to-day, but if returning officers are to be the electors in the future, as they have been during the last elections to some extent, hon. members may find that their own seats are not secure. They may be the choice of the people, but the returning officers exercising those judicial functions, which hon. members opposite say they have a right to exercise, may prevent them from occupying the positions to which the people have elected them.

Mr. AMYOT. I have listened with a great deal of attention to the arguments which have been advanced on both sides of the House, for, being a member of the Committee on Privileges and Elections, I was anxious to become acquainted with the facts of the case, and to hear how my colleagues understood the law. The hon. member for East York says very correctly that in the Act of 1874, section 59, are specifically stated the duties of returning officers, and he truly says that unless we find some other clause giving additional powers to those officers, they are bound to follow that clause. He is perfectly right in that. But if we find that there is a special clause in which the returning officer is bound to act in a certain way, if we find that the returning officer in this case has acted in that particular way, I hope the hon. member for East York will ask leave to withdraw his motion, and will say that the returning officer has acted properly. I admit with all the hon. members who have spoken on the other side of the House that generally speaking the returning officer has no judicial authority. A man may be a contractor or a Judge, he may be entirely disqualified, and the returning officer is bound to accept his nomination, he is bound to count the votes, and to declare elected the man who has a majority of votes. But there is one case in which he is bound to do the very reverse, and what is that case? When a man who is a member of the Local Legislature—who has been returned as such, and whose return has been published in the *Official Gazette*—becomes a candidate at a Federal Election, the returning officer is bound to accept the ballots; but if upon opening the ballot boxes this candidate is found to have a majority of votes, it becomes the duty of the returning officer

to return the person having the next highest number of votes. The clause of the Statute is as follows:—

“If any such member of a Provincial Legislature shall, notwithstanding his disqualification as in the preceding section mentioned, receive a majority of votes at any such election, such majority of votes shall be thrown away, and it shall be the duty of the returning officer to return the person having the next greatest number of votes, provided he be otherwise eligible.” (1872, ch. 10, s. 2.)

What is the position in this case? We had a returning officer who knew the candidate—who knew that he was the Local member, for he himself declared him returned for the Local House. Some say: Where is the proof that he is the same man? We have the oath of the returning officer himself. Let us take the common sense of the matter. We know that a house is a house, and that a river is a river, and the returning officer knew that Mr. Robertson was the member for the Local House and he declared so. Furthermore he gives us written evidence; we have authentic certificates; and if the returning officer of that constituency had not made the return he has made—in fact he has not gone far enough, inasmuch as he did not declare that the candidate having the next number of votes was duly elected—I say that if he had not made the return he has made he would have failed in his duty, and he might have been brought before this honorable House for contempt of Parliament. I admit that there would be the greatest possible danger in giving judicial authority, generally speaking, to the returning officers. Governments may change; our enemies either on this side or on the other may come in power, and then hon. gentlemen know what might happen. But the Legislature, in 1872, thought fit to except such cases as the present. Did the Legislature of that day foresee this election? I am told that very near me sits an hon. member in this House who had to fight another Local member of that same Province; and what became of his bogus resignation when that Local member was defeated? The resignation was thrown away, and the Local member went on sitting in the Local House. I do not care to enter into the merits of the case itself, but I am speaking on the amendment, and I think it was an election in which the returning officer was bound to accept the nomination papers and to open the ballot boxes, but upon being satisfied that the man having the majority of votes came under section 2, chapter 15, of 35 Victoria, he was equally bound to declare that that man was not eligible, and to return the person having the next highest number of votes. Now, what does the motion ask? It asks us to declare Dr. Robertson elected, that the law of the land is not to be observed, and that in spite of the contempt of the law exhibited by Dr. Robertson, the Statute shall not be vindicated in his particular case. That is, it is asked to declare by a mere resolution of this House that the Statute is not in force, but that we should act under the old laws of Canada and according to precedents. The old laws of Canada are no longer in force, when contrary to the Federal Statutes. As to precedents, they are sometimes the science of ignorance; very often precedents are cited when they only mean that the law has not been properly decided. I say, when we have a law so clear as the one I have quoted, we are bound to put aside the law of England and the precedents, and act according to our law. The motion, again, speaks of reserving rights. What rights? The law in force says that thirty days after the return is published in the *Official Gazette*, no petition can be brought before the courts; and does the hon. member for East York believe that by a mere resolution of the House he can change the law? Suppose that to-morrow, if that motion was carried, a petition came before a Judge—what would he say? He would say that the *Gazette*, on the 29th of June last, contained a double return, and that there was no petition against it within the lawful time—So Dr. Robertson would keep his seat in this House; we

Mr. AMYOT.

would have sitting in this House a member who had despised the law of the country, and who, according to the law of the country, had not been elected. It seems to me to be very clear that when such a question as this comes before the House, it is the duty of the House to declare that the law must be followed, or to send the case to the Committee to be enquired into. I am surprised that any members of this House should throw suspicion upon the integrity and intelligence on the Committee on Privileges and Elections. I find that the Committee includes six of the leaders and the best members of the Opposition, and I think that they ought to wait until that Committee brought in its report before casting any doubt or suspicion upon the other members of it. The Opposition may rest assured that we shall go there as judges anxious to do our duty, and not as partisans or attorneys of parties. If they are able to establish that the law is not as I stated, they will carry their point; if not I suppose the members of this honorable House will agree that the law should be followed.

Mr. AUGER. One of the arguments offered by those hon. members who oppose the motion of the hon. member for Huron is that the new members, especially the laymen, do not know enough of the law, or have not got enough judgment to decide this case, and therefore it must be sent to a committee of lawyers. That seems to be the idea that was stated by the hon. leader of the Government, and more plainly stated by the hon. member for Victoria. I repel the accusation that laymen do not understand the Election Law; and I maintain that, as a general rule, laymen know more about the Election Law than lawyers themselves. The reason is this: Most lawyers who have had contests, trusting their knowledge of the law, very often had agents; but most laymen, like myself, who had hardly a lawyer on my side, had to take the law in their hands and interpret it for themselves. And, Sir, I found that law so plain that, when I first looked at it, I thought somebody besides lawyers had something to do in making it. I am not a lawyer, nor the son of a lawyer, but I believe I can claim to belong to that class of men from whom the hon. member for West Simcoe (Mr. McCarthy) will choose his third Commissioner. As a man of common sense, I will just state what I think of the case; and I feel quite prepared to give my judgment here, without waiting till the case has been before the hon. gentleman who has just sat down, or the hon. member for Victoria. Sir, the case is very plain to me. The discussion reminds me of how a child, when reproved by his mother for wrongdoing, will sometimes point away with his finger, and say: “Ah, mother, look at that birdie!” That is what the hon. gentlemen opposite have done. When we speak of the law of 1874, they say: “Look at that birdie; look at England; look at the law of 1872, but do not look at our present law.” I think, Sir, it would be a dangerous precedent to pass the motion of the right hon. leader of the Government. When a law is so plain as our Election Law, and when we find men in the highest stations here encouraging different views of its meaning, what is the effect upon the people? They will say that if the leaders of those who are expected to put the law in force are found helping those who refuse to obey the law, they are tempted to do the same. Sir, if this honorable House hesitates to do its duty, hesitates to rebuke this returning officer, what will be the consequence? By-and-bye another returning officer will be induced to go a little further. I understand that at the last General Election the hon. leader of the Government was elected for two counties—Carleton and Lennox. Suppose that two days after the election the returning officer for Lennox, having seen that the hon. gentleman was elected for Carleton, had decided that he ought not to declare him elected, because he would be a member for another county, suppose the returning officer for Carleton had done the same thing, the Government would have been almost beheaded. Mr. Speaker, I have read that law, I had to read it, I had no one to read

it for me. I had to study it; and what did I find? I found that there were some preliminary steps to be attended to. I found that after I was a candidate, no one could take the election away from me except the electors of my county; and as soon as I got the majority of the electors I was the member for Shefford. The law is plain, it cannot be plainer. The question is: Was Dr. Robertson a candidate? If he was a candidate, then the law says he was to be declared elected. Was he elected? No; the returning officer makes his report, and says he has the majority of votes. Well, I think the duty of this House is to do just what the returning officer ought to have done, declared Dr. Robertson elected. Some hon. members opposite say: "But you are going to put that man to the expense of \$2,000 for every day he sits here." They take a good deal of interest in that man all at once. That is why I am prepared to vote now. Although I am not a lawyer I think I understand the question well enough to vote just as well now as after the case has been in the hands of the last hon. gentleman who spoke, or of the hon. member for Victoria.

Mr. WHITE (Cardwell). The discussion has been confined to the lawyers of the House, with the exception of the two hon. gentlemen opposite who have contributed that peculiar quality to the debate, which, on high authority, is the special attribute of non-professional gentlemen. I am emboldened, from the fact that they have discussed this question, to offer a few remarks in relation to it. I am whether not going to discuss at any length the question a returning officer possesses judicial as well as ministerial functions under the Act of 1874. I am bound to say, however, it is rather a remarkable fact, that, in one case at any rate, that of the election of the hon. member who brought this matter before the House, the returning officer did exercise a judicial as well as a ministerial function, and that, had it not been for the exercise of the former quality, the hon. member in question would not have been here to bring forward his motion. The hon. member for East York insists on the literal reading of the Act of 1874. He points to the 59th clause, which says:

"The returning officer at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them, in the presence of the election clerk, the candidates or their representatives, if present, and of at least two electors, if the candidates or their representatives are not present to add together the number of votes given for each candidate, from the statements contained in the several ballot boxes returned by the deputy returning officers."

According to the literal reading of that clause, the returning officer has to do solely with the "statements" of the deputy returning officers. If the returning officer, in the case of the election of the hon. member for Huron, had followed that rule, that hon. gentleman would not have been here to bring this matter before us. It is quite true, that the returning officer may, under certain circumstances, take means to ascertain what has been the result of the voting, but the 63rd clause declares the only cases in which he can take those means, and those are:

"In case the ballot boxes or any of them have been destroyed, lost, or for any other reason are not forthcoming within the delay so fixed" —

Mr. CAMERON (Huron). Read on.

Mr. WHITE. In the case referred to, the ballot boxes were all there and the only things wanting were these particular statements of the deputy returning officers, from which alone, according to the exact reading of the Statute, the returning officer had the power to make his return. I am glad to know the hon. member for West Simcoe gave advice in precise accordance with the opinion he has expressed on the floor of this House. It is a matter of sincere congratulation to hon. members on this side and ought to be also to hon. members opposite that, in the magnificent speech which the hon. gentleman delivered here, he took precisely the same ground that—although he might be ac-

cused of partisan feeling here—he took in advising an hon. gentleman who is a political opponent and in a case when the result of his advice was to seat a political opponent in this House. That is not the only case. It happens we have a judicial decision on this very Act of 1874. I refer to the South Renfrew election case which came up before the Hon. Chief Justice Wilson in 1874. What the Hon. Chief Justice said is worth reading. The facts of the case, from reading the judgment, were that the returning officer refused to receive a nomination paper because, although there were twenty-five names upon it, the paper being apparently quite regular, it turned out, according to representations made to him, and into which he exercised the judicial function of enquiring, that one of the names was not on the voters list, and therefore the returning officer assumed that the person in question had not the right to sign the nomination paper. He consequently threw it aside and the matter was brought before the courts under the protest. What were the statements made by the Hon. Chief Justice Wilson at that time. He said:

"The petitioners complain of the rejection of Mr. Bannerman's nomination papers. It is not said that Tierney's name was then upon the list, nor is it contended so now: and it appears he was not on the assessment roll of 1873 in respect of real property, but it is said there were the names of twenty-five persons on the nomination papers as, and purporting to be, the names of actual *bond fide* electors of the South Riding, and twenty-four of them are so in fact, and the twenty-fifth was honestly believed to be so too. That it was a genuine paper, and not a sham document, and being so, although as a fact, Wm. Tierney was not an elector, yet the paper being duly sworn to according to the Statute, the returning officer was bound to accept it and to act upon it as a genuine truthful document. It is said he and the election clerk raised and took objection, which was not apparent on the face of the document, and that they discovered it by an examination of the voters' list, and that such a proceeding was in effect a judicial investigation and inquisition held without authority, and determined contrary to law. For the respondent it is said that the returning officer is not wholly and only a ministerial officer."

Recollect this decision is on the Act of 1874, which hon. gentleman opposite cited as establishing the fact that the returning officer is simply a ministerial officer.

"That he is necessarily, and in fact has certain judicial functions to perform; that he is by section 11 of the Act to decide on the number of polling places to be appointed; that he has to grant a poll by section 24 if more candidates than can be returned are nominated in the manner required by the Act; and he is by section 23 to report any nomination proposed or rejected for non-compliance with the requirements of the Act; and that in all cases when the objection to the candidate or voter, or to the nomination paper is patent or notorious he may act judicially; and that he cannot receive a nomination paper with only twenty-four names to it, for that would be the same as if he received it with less than the number of twenty-five electors in fact upon it."

"I am of opinion the returning officer is both a ministerial and judicial officer. He has not now, as formerly, to hold an inquisition into the capacity or qualification of a candidate or voter; but I feel assured if a person appeared and was nominated, and such candidate were a woman or a mere child" —

It is rather remarkable that the statements made by the right hon. First Minister and sneered at by the hon. member for East York, were almost precisely the words used by the learned Chief Justice on that occasion:

"If such a candidate were a woman or a mere child, the returning officer could decline to receive such a nomination, and in like manner he can decline to receive the nomination of a Chief Justice or the Speaker of the Senate."

Now the disqualification of a Chief Justice or a Speaker of the Senate is precisely the same as the disqualification of a member of a Local Legislature. It must be admitted that the returning officer could have rejected the nomination of Dr. Robertson when that was presented to him, upon this statement of the law as laid down by the learned Chief Justice, that the duties of the returning officer are judicial as well as ministerial, notwithstanding the apparently plain words of the Statute of 1874. But it is said in this particular case that the returning officer did not reject the nomination of Dr. Robertson, that he allowed that nomination to be made, that he permitted the electors to vote upon it, and that it was only after the

votes had been cast that the returning officer assumed the judicial functions, which he might, according to the decision of the Chief Justice, have assumed eight or ten days before. Now, so far as the facts affect the interest of the electors—and that is the important question with which we have to deal—I take it that it makes very little difference so far as they are concerned, whether within the two hours between twelve and two o'clock it is discovered by the returning officer that the candidate who is nominated in good faith, it may be by twenty-five electors, is not qualified and at five minutes to two o'clock he declares that candidate has no right whatever to the nomination, and is perforce compelled to declare the other gentleman elected. Yet that is the argument which hon. gentlemen opposite would use if they accept the decision of the Chief Justice. But what are the facts in the case? It seems to me that if the returning officer can exercise judicial functions in determining upon the regularity of the nomination of a candidate, that he must be permitted to exercise those same judicial functions if facts are brought to his knowledge afterwards which affect the qualification of the candidate who goes to the polls. In this particular case what do we find? There is no doubt whatever that Dr. Robertson was a member of the Local Legislature, and the returning officer may or may not have known whether he had resigned. It is true that under the law of Prince Edward Island, as we have had it read to us here, he could not resign within twenty-one days of the time of the official announcement of his election in the *Official Gazette*. Although, the returning officer may have had personal and judicial knowledge of the fact of the election—because it appears he was himself the returning officer at that election—it does not appear, nor is it certain, that he could have known anything whatever of the precise date upon which that particular official declaration was made. He may have known it or he may not have known it. If he had not known it, and if he assumed that Dr. Robertson had resigned, then in that case it is quite clear he could have gone on permitting the nomination, and having afterwards discovered, from facts submitted to him, the true state of the case, he declared that Dr. Robertson was not qualified because he could not in fact resign his position, within the time required, as a member of the Local Legislature. We know from the statements made here that Dr. Robertson was not the only gentleman in Prince Edward Island who, having been elected for the Local Legislature, undertook to find a seat in this House. We know that in the case of Mr. Perry, who ran for Prince County as the colleague of the hon. gentleman who sits behind hon. gentlemen here, we know that in his case he ran for that county, and it is fairly to be assumed that he sent in his resignation in the same way to two friends with the understanding that if he was successful in his contest for the House of Commons they should send it to the Lieutenant-Governor. We know as a matter of fact that Mr. Perry was defeated, that his resignation was not sent to the Lieutenant-Governor, and that he is sitting still in the Local Legislature. I think we may fairly infer, so far as any special sympathy is due to Dr. Robertson, that his intention was precisely the same as that of Mr. Perry, as illustrated by his subsequent conduct. But what is the position in which we find ourselves to-day? Suppose that we pass the amendment of the hon. member for East York, and that this gentleman is permitted to take his seat in this House, or to have authority to take his seat—what then? The time has passed for lodging an election petition before the courts. The hon. member for Peel (Mr. Fleming) tells us that, notwithstanding that Mr. McDonald will still have his rights, because he can go before an Election Committee of this House—that is to say, because he can go before the precise Election Committee to whom it is proposed to submit this case now. Well, suppose we admit him to the floor of this House, and

Mr. WHITE (Cardwell).

the moment he comes here some hon. member gets up and calls attention to the fact—as has been done already in a number of cases—that there is a gentleman sitting in the House who is disqualified to sit here, what is the course to be taken? A motion is immediately moved to refer his case to the Committee on Privileges and Elections. Then we should have exactly the same course to pursue, the same enquiry to make, that it is now proposed to make by the amendment of the hon. leader of the Government. But, Sir, there is another view. Supposing Dr. Robertson, realizing the fact that he is disqualified—and upon the statements that have been made that is not an unfair presumption—or believing, at any rate, that he is disqualified, declines to take his seat in this House; suppose he prefers to remain in the lobby, that he proposes to do what an hon. gentleman did in this House in the last Session of the Parliament, of 1874-78, that is to say, that he comes here to his desk in the morning and writes his letters, and the moment you take the Chair he leaves and goes into the lobby knowing that he is disqualified, just as the hon. member for Montreal West did, who was disqualified because he had a contract, and when the people of Montreal West were left unrepresented for the whole Session by the connivance of hon. gentlemen opposite—suppose he did that, then where are the rights of Mr. McDonald? The attention of this House cannot be called to the fact that any one is sitting here improperly because he is not sitting here. He chooses simply to remain in the lobbies. He keeps the county closed and the people unrepresented; he prevents the possibility even of any member calling attention to the fact that he is in the House, and, therefore, the case could not go before the Committee on Privileges and Elections. As I have said, we have one remarkable case in point. At the close of the Session of 1877, a number of gentlemen in this House were found to have had contracts with the Government. I dare say many of them had them unwittingly. I am not going to raise a question at all as to the propriety of their conduct; I am dealing simply with the facts. I am quite certain that with some of them the contracts were taken unwittingly on their part; but it was found they had those contracts. Many of them resigned their seats, went back to the electors, and most of them were returned again. But the member for Montreal West avoided all that, defied Parliament, defied his constituents and remained out of the House altogether during that time, and we had as a result of that proceeding that constituency unrepresented during an entire Session. Now, in this particular case, that must necessarily be the result, if Dr. Robertson, having been given the right to sit here, should take it into his head that he had better not run the risk of a penalty of \$2,000 a day for sitting here, because that is the result if disqualified. The hon. gentlemen opposite speak as if there was a disposition in this House to decide this question in the interests of one party or another. That is not the motion before the House at this moment. The motion before the House is simply this, that we shall refer this question now, in order that Dr. Robertson may have his rights, to the Committee established by Parliament to enquire into every question affecting its dignity and privileges, and the right of its members to sit here. That is the only question before us. It is not whether we shall seat Dr. Robertson or Mr. McDonald, or whether we shall decide to have a new election or what result may follow; it is simply that we shall take now in advance that proceeding which hon. gentlemen themselves have said we must take afterwards in order that all the parties to this controversy may have their rights. It may be convenient or it may not, to have another election in King's for one political party or another, I am not saying whether it will be or not. It may not be convenient for hon. gentlemen opposite, for we know that shortly afterwards, at the local elections, Dr. Robertson and his friends were unsuccessful, and, therefore, it may not be in

accordance with their views that there should be an election at this moment. If that is the case, the object, and the only object of the resolution proposed by hon. gentlemen opposite, is simply to keep that seat closed, and to disfranchise the constituency. It seems to me that the fair and honest course to all parties in this case, to the constituency seeking to be represented on the floor of this House, to the hon. gentleman who says that being the only qualified candidate he ought to be here, to the gentleman who, although declared by some parties to be disqualified, had the majority of votes, is to refer the matter to the Committee on Privileges and Elections, where it may be thoroughly and fully discussed and a decision arrived at. When the report comes from that Committee, then it will be time for hon. gentlemen to say whether injustice has been done to any of the parties; but until this has taken place the motion of the hon. gentleman opposite is simply an attempt to drag a herring across the trail, to excite the people's feelings without justification, by representing the House as endeavoring to refuse a seat to a gentleman who is entitled to it. As to the amendment to the amendment, I do not think hon. gentlemen will gain much by it. It may be that they may think they have gained something by inducing a number of members to vote or appear to vote against the plain proposition embodied from the Statute; but after all, the sting is in the tail, the declaration that Dr. Robertson should be seated; strike that part out and there is nothing left except a recital from the Statute, and, therefore, hon. members are not called on to vote that what is said in the Statute is said in the Statute, any more than they are called on to declare that the earth revolves on its axis every twenty-four hours. The point we are asked to vote for in the amendment to the amendment is that Dr. Robertson should be seated, and by seating Dr. Robertson now we will have to do one or two things, either immediately refer the matter to the Committee on Privileges and Elections and have it discussed and decided as to his qualifications, or give him the power to keep his constituency without a representative at all and do gross injustice to all parties connected with the case. For one, I, as a layman, have no hesitation, looking at the matter apart from legal technicalities and simply from a common sense point of view, in voting for the amendment of the right hon. the First Minister.

Mr. DAVIES. As my name has been mentioned in connection with the dispute between Dr. Robertson and Mr. McDonald, I may perhaps claim the indulgence of the House to say a word or two; and I will not repeat the arguments I have attempted to lay before the House when I first addressed it, inasmuch as they have been more ably stated by the hon. member for East York and the hon. leader of the Opposition. Before referring to the personal matter, I desire to say a word in reply to the case which the hon. member for Cardwell (Mr. White) has just quoted from the Ontario reports. He has quoted a decision by Chief Justice Wilson, to the effect that a returning officer's duties are judicial as well as ministerial. I think you, Mr. Speaker, will bear me out in saying that when the hon. member for West Huron presented the case, and was followed by several hon. members on this side, we acknowledged the correctness of the law as laid down by Judge Wilson; but the hon. member for Cardwell has failed to understand or lay before the House the plain and clear distinction which Judge Wilson laid down in that decision. And that distinction is this: that while the returning officers' duties are ministerial and judicial, they are judicial *quoad* the reception and rejection of the nomination papers; but after he has exercised his judicial discretion and received the nomination papers and placed the candidates before the people to receive their votes, then his judicial duties end and his ministerial duties begin. If the hon. gentleman will refer to the 23rd section

of the Election Act, he will see it is expressly laid down that when a returning officer exercises the judicial function with which the law clothes him, in respect to the reception or rejection of nomination papers, and this is the only judicial function he has, that in the event of rejecting a nomination paper he must return it to the Clerk of the Crown in Chancery with his reasons; but when he accepts the nomination paper he admits that the candidate is a fit and proper person to receive the people's suffrages, and the candidate has the right to assume that those votes will have a proper and legal effect; and that when the returning officer comes to sum up the votes, he will do what the Act affirms he must do, declare the man with the majority of votes duly elected. But the hon. member for Cardwell goes further and says, that if Dr. Robertson is allowed to take his seat, he might refrain from doing so, and prevent the House from taking action in the matter. Surely the hon. member is not serious in that proposition, he should know, and no doubt the legal gentlemen on his side of the House can inform him, that the House has as much jurisdiction over members who have taken the oath before taking their seats as it has afterwards. If Dr. Robertson was declared by the House to have been properly returned, and if he had taken the oath he was just as amenable to its jurisdiction as if he had taken his seat, and it never was disputed that the House had jurisdiction and could exercise it if it chose. But the great principle really at stake is that the returning officer has no other duties to perform than those which the Acts point out; and that the House must assert the rights of the electors and its own privileges, by seating the candidate elected before it refers the question of his eligibility or disqualification to the Committee on Privileges and Elections. There are two questions involved in this debate, and we on this side of the House have a right to complain that the greater question has not been touched by hon. gentlemen opposite, who have confined themselves to the minor question as to whether Dr. Robertson or Mr. McDonald is the proper person to represent King's County in this House. I submit that it is a small question whether Dr. Robertson or Mr. McDonald is the member, but I submit it is a vital question affecting not only them and the electors of King's County, but every electoral district in the Dominion, whether the voices of the electors must be given effect to, or whether they can be reversed at the mere whim of a returning officer. That is the question before the House; and I submit, with all deference and humility to hon. gentlemen opposite, that they have directly evaded it. Now, I will put this to hon. gentlemen who may entertain a doubt as to the proper course to be taken. I had the honor to quote from a speech delivered by the hon. the Prime Minister of England, as to the rule to be adopted in these cases, and I have noticed that every hon. gentleman—every legal gentleman, at least, who has followed on the other side—has endorsed the rule laid down by Mr. Gladstone, as fair and reasonable, and that is this: that where there is no fair, reasonable, or honest doubt as to the course to be taken, the House, Sir, should decide immediately, in deference to its own dignity, without referring it to a Committee of Privileges at all. Now I ask, has any legal gentleman on the other side of the House in his place, taken the Statute in his hand and read the words of it, and said that there was a reasonable or fair doubt as to their meaning. I submit that they have not. I submit that even the right hon. gentleman himself has not done so. If the speeches delivered on the other side of the House are read, it will be shown that not in one of them have the speakers expressed a doubt as to what the Statute means; not one of them has ventured to express a doubt as to what the real duty of the returning officer is, although some of them have endeavored to gloss over his conduct, in this particular instance. What does the right hon. gentleman himself say: that the general rule is clear, the person having the majority of votes ought to be returned,

but there may be exceptions. Very well, what are they? The exceptions are the cases of a felon and of a woman. But is Dr. Robertson within either of these exceptions? No other exception is given, and the general rule is plain. And as to the instance which the right hon. gentleman gave of a felon, I think that the member for South Durham effectually answered it by quoting the cases of John Mitchel and O'Donovan Rossa, who although felons, were both returned to Parliament, and I venture to assert that if the returning officers in either case had dared to refuse to return a duly elected member although a felon, he would have received the censure of the House of Commons who are very jealous of their privileges. If I turn from the right hon. gentleman to the gentleman who followed him, I find that this gentleman, my hon. colleague, opened by admitting that the returning officer would have discharged his duty more correctly if he had returned Dr. Robertson, and not enquired into his eligibility or otherwise. And we find the hon. member for South Simcoe, whose speech has been so much lauded in this House, stating I am not prepared to state that it may not be so; namely that the returning officer is simply a ministerial officer. There is not an hon. gentleman on that side of the House—of the legal profession at least—who has ventured to say that there is the slightest doubt as to the meaning of that Statute; and this being so, I contend under the authority of Mr. Gladstone's speech, which has been read here, that this House has a plain and distinct duty to perform, and that is, to call the returning officer to account, and to insist on the votes of the people having effect, by amending the return so as to declare that Dr. Robertson should be the representative, and to put him in his place in this House. Then if the question of eligibility, or of disqualification is raised, that matter and all the papers pertaining to it should be referred to the Committee on Privileges, to calmly and coolly enquire into the whole circumstances of the case. The hon. member for South Simcoe instanced a case as in point, and I believe that this was the only precedent cited by hon. gentlemen on the other side of the House; and a most unfortunate precedent it was. What was it? He held in his hand the Journals of this House for the year 1873, and he stated he had found a case analogous to this, which happened in connection with the representation of Prince Edward Island. Mr. Perry, at that time, sat for Prince County in this House, and was disqualified—or it was alleged he was—but the distinction between Mr. Perry's case and this, was this: the returning officer in that case knew his duty, and discharged it, by returning Mr. Perry to this House. Mr. Perry took his seat as a member of this House; and after he had done so, as the member duly qualified, having taken the oath, he was prosecuted for the penalties under the Statute, and then he came in and petitioned the House to relieve him from the penalties and to affirm that his resignation as a member of the Local Legislature was within the tenor of the Statute, and the House so affirmed; so that the precedent quoted, instead of being in favor of a returning officer daring to exercise a discretion, which the law did not give him, is directly against the position of hon. gentlemen opposite, showing that he must discharge his duty by returning as elected the man who has the majority of votes. But, Mr. Speaker, I do not want to weary the House, and I will only touch upon another point. The hon. gentleman who represents King's, I think, in Nova Scotia, made a speech this evening, in which he referred to me—I do not think it was necessary, however, to drag in this matter at all—as now being the counsel of Dr. Robertson. Well, whether the hon. gentleman was in order or not I am not a sufficient Parliamentarian to say; but I can assure the House that I am not now the counsel for Dr. Robertson; and as many facts have been referred to which are not strictly

Mr. DAVIES.

within the record, I will recall to the House certain facts within my own knowledge. When Dr. Robertson was deprived of his seat, did he sit quietly by and attempt to secure it by a majority, or partisan vote in this House. No; but he went to the courts, and deposited \$1,000 there and filed a petition, and he did all that man could do, to endeavor to serve his opponent with a copy of the petition. But the latter evaded service, and when an application was made to the court to extend the time to serve Mr. McDonald, in order to leave to a tribunal not animated by passion or prejudice, whether Dr. Robertson was disqualified or not, Mr. McDonald employed counsel vigorously to oppose any extension of the time, and thus succeeded in evading service of the petition. I was the counsel of Dr. Robertson in that matter. It was disposed of by the court; and I am not his counsel now. Hon. gentlemen opposite may laugh and sneer. They may possibly think that I am not as dispassionate, and as impartial, and as judicial as some of the hon. gentlemen who have made speeches on the other side of the House, but I claim, Mr. Speaker, that in this matter, at any rate, I have not shown any unfair prejudice—at least I do not think I have. At any rate, I have done nothing that could justify hon. gentlemen opposite in imputing to me any unfair partiality. My opinion may be wrong. I do not claim infallibility; but I am honest in the expression of my views, at all events. "But," says the hon. member, and I believe he is a member of the legal profession, too, "it is true that the returning officer may not have the power to place these papers before the House; but inasmuch as they are here, we are bound to treat them as if they were properly and legally here." I would like to know whether my hon. friend would stand up in any court of Christendom and adduce that argument before a Judge. It is preposterous. The question before the House is this: Had the returning officer the right to send these papers here at all? In sending an *ex parte* statement which may, or may not be true, he has entirely gone beyond his Province; but the learned gentleman quietly assumes that it is within his right, and assumes the correctness of all the alleged facts. He says that they are before us and we must discuss them. There is the petition and there are the papers, and we must consider them, whether they are here legally and properly or not. Such a *petitio principii*, I never heard before in my life. But the hon. gentleman goes further, and discovers an argument which was supported by the hon. gentleman on my left—I do not know his electoral district, but I believe it is Bellechasse—namely, that the Act of 1872 was applicable to this case; and he endeavored to place it before hon. members, as if this Act was binding on the sheriff, and could be enforced in this country at the present time. Surely the hon. member could not have looked into that Statute or known that it was long since repealed. The Act of 1872 was passed for the purpose of preventing in this Parliament dual representation in those Provinces where dual representation was prohibited. It provided that if in these particular Provinces, legislation prohibited a member of this House from occupying a seat in the Local Legislature, the converse position should be taken here; and then local members should not be allowed to sit here. It went on to provide that if a Local member attempted to run, the sheriff should treat his votes as a nullity. In 1873, however, an Act was brought in which totally altered that, providing that no member of any Local Assembly should be eligible to sit in this House at all, effectually annulling and repealing the Act of 1872—and let me remind the House that when that Act was passed, in 1872, Prince Edward Island was not a part of the Dominion at all. In that part of the Dominion the Act of 1872 never was in force. After the passing of the Act of 1874, there was not a shadow of doubt as to whether the Act remained in force. The Act of 1874

entirely remodels the law; it makes a new law—a new guide for the returning officer. That is a fact which must be plain to everybody. I will not say any more.

Some hon. MEMBERS. Hear, hear.

Mr. DAVIES. I am glad I have succeeded by one sentence, at least, in pleasing hon. gentlemen opposite. I beg to remind them, however, that while this great constitutional question is being so ingeniously shirked, the resolution of the leader of the Government is going upon the records of the House as a precedent, which may in the future operate against some of those who are now cheering it so loudly. I beg to remind hon. gentlemen who come from the outlying districts of the Dominion, that while public opinion, and the power and fear of the press may prevent returning officers in the more central parts of the Dominion from exceeding their proper functions, and acting illegally, there is no such power or fear likely to be exercised in these outlying Provinces; and if you now establish the precedent that the votes and the voice of the people may be set aside by the whim or partisanship of a returning officer you will reap in the future a rich harvest of similar cases. It will not then be a question whether a majority of the voters voted for one candidate or the other but whether the voice of such majority is pleasing to the returning officer. If it is, the return will be made accordingly. If not, it will be reversed or nullified.

Amendment to the amendment (Mr. Mackenzie) negatived on the following division:—

YEAS:  
Messieurs

Allen,	Fisher,	McMullen,
Armstrong,	Fleming,	Mulock,
Auger,	Forbes,	Paterson (Brant),
Bain,	Geoffrion,	Pickard,
Béchar, d,	Gillmor,	Platt,
Bernier,	Gunn,	Ray,
Blake,	Harley,	Rinfret,
Bourassa,	Innes,	Robertson (Shelburne),
Burpee (St John),	Irvine,	Ross (Middlesex),
Burpee (Sunbury),	Jackson,	Somerville (Brant),
Cameron (Huron),	Keefler,	Somerville (Bruce),
Campbell (Renfrew),	King,	Springer,
Casey,	Kirk,	Sutherland (Orford),
Casgrain,	Landerkin,	Thompson,
Catudal,	Lister,	Trow,
Chariton,	Livingstone,	Watson,
Cook,	McMillan (Huron),	Weldon,
Davies,	McCraney,	Wheler,
De St. Georges,	McIntyre,	Wilson,
Fairbank,	McIsaac,	Yeo.—60.

NAYS:  
Messieurs

Allison,	Farrow,	Massue,
Amyot,	Ferguson (Leeds & Gren)	Méhot,
Baker (Victoria),	Ferguson (Welland),	Mitchell,
Barnard,	Fortin,	Moffat,
Beaty,	Foster,	Montplaisir,
Benoit,	Gagné,	O'Brien,
Benson,	Gigault,	Orton,
Bergeron,	Girouard (Jac. Cartier),	Paint,
Bergin,	Girouard (Kent),	Pinsonneault,
Billy,	Gordon,	Pope,
Blanchet,	Grandbois,	Reid,
Blondeau,	Guilbault,	Richey,
Bolduc,	Guillet,	Riopel,
Bossé,	Hackett,	Robertson (Hastings),
Bowell,	Haggart,	Royal,
Brecken,	Hall,	Rykert,
Bryson,	Hawkins,	Scott,
Burnham,	Hay,	Shakespeare,
Burns,	Hesson,	Small,
Cameron (Inverness),	Hickey,	Smyth,
Cameron (Victoria),	Hilliard,	Sproule,
Campbell (Victoria),	Homer,	Tassé,
Carling,	Hurteau,	Taylor,
Caron,	Ives,	Tilley,
Cimon,	Jamieson,	Tupper,
Cochrane,	Kilvert,	Tyrwhitt,
Costigan,	Kinney,	Valin,
Coughlin,	Kranz,	Vanasse,
Coursol,	Langevin,	Wallace (Albert),
Curran,	Lesage,	Wallace (York),

Daly,  
Daoust,  
Dawson,  
Desaulniers,  
Desjardins,  
Dickinson,  
Dodd,  
Dugas,  
Dundas,  
Dupont,

Macdonald (Sir John), White (Cardwell),  
McDonald (Cape Breton) White (Hastings),  
Mackintosh, White (Renfrew),  
McMillan (Vaudreuil), Wigle,  
McCallum, Williams,  
McCarthy, Wood (Brockville),  
McDougald, Wood (Westmoreland),  
McLelan, Woodworth,  
McNeill, Wright.—118.

Amendment (Sir John A. Macdonald) agreed to, on the same division reversed.

Main motion (Mr. Cameron, Huron), as amended, agreed to on same division as the last.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 10:55 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

TUESDAY, 13th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### BILL INTRODUCED.

The following Bill (from the Senate) was introduced, and read the first time:—

Bill (No. 82) to amend the Act to incorporate the North-Western Bank.—(Mr. Beaty.)

### THE QUEDDY RIVER DRIVING AND BOOM COMPANY.

Mr. MITCHELL, in moving that the petition of the Quddy River Driving and Boom Company be now received and referred to the Committee on Standing Orders, said: The reason I make this motion is, that the Local Governments of the different Provinces, more particularly the Province of New Brunswick, in which this company exists, have, ever since Confederation, and prior thereto, exercised the right of granting charters for the booming of navigable rivers. It was believed they had that right; they had granted these charters before Confederation, and there are fifty or sixty of these booming companies throughout the Province in that position. The first occasion on which the right of the Local Legislatures to grant these charters has ever been questioned, recently occurred, and the matter is now before the Supreme Court. It was discovered, from the intimation given by the Judges during the argument, that there is little doubt the decision of the court will be adverse to the right of the Local Legislature to grant these charters. The result will be that hundreds of millions of feet of lumber, which will in a few weeks be floated down the rivers, will be at the mercy of any one who chooses, from malicious or other motives, to go and cut those booms away. It is for this reason that, late as it is, and although it is beyond the limit set for the reception of these petitions, it has become necessary for these gentlemen to come to this House and ask it to consider the emergency that has arisen. I hope the House will have no hesitation in receiving the petition on which a Private Bill may be founded.

Mr. BURPEE (St. John). I know there will be a strong objection to this Bill. The very case on which the hon. gentleman bases his request was before the courts only last month, and no decision has yet been given upon it. This is only one of a number of cases in New Brunswick that will be affected by the decision of the court. The members from New Brunswick who are most

interested in this case, together waited upon the Government, and asked them to take into consideration the condition of the boom companies in New Brunswick, in case the decision of the court was against the legality of their charters. This is the only case that has been argued before the courts. Parties were here at the time who were largely interested in this boom company, and they expected that if the decisions of the court were adverse to the right of the Local Legislature to grant the charter, that this Government would legalize the companies. I think that this Bill is very objectionable in itself, besides its being brought at a very late hour; and that, under the circumstances, and the matter having been brought to the notice of the Government, I think it is a little premature, and a little unfair to bring a Bill of this kind before the House, leaving the parties who are deeply interested in it no chance to protect themselves.

Mr. MITCHELL. What the hon. gentleman states is quite true. Persons representing this boom interest did come to Ottawa, and all the members of New Brunswick were consulted about it. The unanimous opinion of the members from New Brunswick who met in caucus on the subject was, that a committee should wait on the Government to suggest that some general measure should be introduced in order to relieve public claims which were likely to suffer by the charters being declared illegal. We know that Governments are proverbially slow. We are not at all sure the Government will take this matter up, although they have it *en délibéré*. But these gentlemen have their boom erected on a stream that opens very early, as it runs into the Bay of Fundy—these southern streams open several weeks before other streams—and unless some immediate steps are taken to enable this company to protect the property which is floating down into the river it will be lost. The hon. gentleman says it is late in the Session; it is late according to the Rules of the House, but the Rules are made for the purpose of getting the business early before the House. We know they are not cast-iron Rules, and we know that the universal practice of this House has been that whenever a case of injustice or hardship can be shown to exist, by no fault of the parties interested, this House has never refused to consider that case on its merits. What are the facts here? These gentlemen say that before a public Bill is likely to be prepared and can be presented, or in case the Government decides not to go on with a general measure, their property will probably be drifted away to sea, from the fact that parties are in a position to go and cut away their booms with impunity. There is no danger that private rights will be interfered with, as ample opportunity will be allowed to protect those rights; and besides the power of this House will be called into operation to prevent any injustice being done them. It is true, as my hon. friend has stated that this legislation is going on. But we do not ask that this Bill shall interfere with any pending cases. We propose to put in the Bill that will be submitted to the House a saving clause which will reserve all the rights of interested parties. What we say, and what we have a right to ask this House, is, that as a crisis has arisen, and as this company's property is threatened, this House should take the matter into consideration, especially as it is probable that the decision of the court will be adverse to the legality of their character. It would, therefore be the greatest folly to wait any longer, in the hope that the decision of the court will be in their favor. They come here asking this House to prevent a great loss, and it will be quite open to my hon. friend and the hon. gentleman who raised this question against the right of the Local Legislatures, to come to the House and show in what way the Bill which we propose is going to injure them, or to affect them unjustly, and they will have ample opportunity of protecting themselves. But we think, in view of the emergency, that the matter should

Mr. BURPEE (St. John).

be considered before the Committee, irrespective of the fact as to whether the Government will take up the question or not. This is a matter for which no one could be blame!. Dozens of charters have been renewed since Confederation. Not one has raised this question before, and the whole public have been taken by surprise. These parties should be dealt with by the House in a generous and liberal spirit, at all events as regards placing their case before the Committee, with a view to having their property, and not only their property, but also public property, protected, because hundreds of millions of dollars worth of property will, in all probability, be lost, if some action be not taken in this regard.

Mr. BLAKE. I do not suppose there are hundreds of millions of dollars worth of boom property coming down the river, in which the company is interested; and the hon. gentleman will find that the whole lumber exports in the Dominion do not quite pan out the figures he has talked of. But the position of the question requires much consideration. If I rightly understand the matter, it is true that, since Confederation, a very large number of charters for boom companies of navigable rivers have been granted by Local Legislatures, not merely in New Brunswick, but also in Nova Scotia. I remember to have passed under review, a very considerable number of such charters, during the time it was my duty to consider them—and, I believe also, a considerable number in Ontario. The question, whether the charters were within or without the power of the Local Legislatures, seems not to have been raised in court until the case of which the hon. gentleman speaks was brought forward; but, if I am rightly informed, the decision at which the court in New Brunswick arrived at last December, was adverse to the validity of the charters. There was a decision of the court at that time, in favor of the view that the Local Legislature had not the power to issue such charters. The companies said they would not come to this House for a Private Bill, but prefer to appeal to the Supreme Court in order to obtain a reversal of that judgment. The hon. gentleman tells the House that the case was argued the other day, and that the Judges in the course of the argument indicated opinions which led him to adopt the view that their judgment would, perhaps, affirm the judgment of the New Brunswick Court. The hon. gentleman does not, of course, know what will be the result; the ways of Judges are past finding out, and probably their judgment may be different from their dicta given in the course of the discussion. The supposition that the judgment of the court below will be affirmed, is not sufficient ground for the House to allow, at this late hour of the Session, the petition to be presented. The hundreds of millions of property of which the hon. gentleman speaks will not be relieved by this Private Bill, but only if Private Bills are passed in all cases, or a general measure introduced. We had not, therefore better enlarge the question, but deal with the present petition, which is one for a Private Bill to incorporate this particular company; and dealing with it in that way, I feel that the circumstance that, in December last, a judgment was obtained from the court in New Brunswick adverse to the charters, and that the company did not care to come to Parliament earlier, because they hoped to reverse it, does not furnish a sufficient reason for the House granting leave to present this petition at this stage of the Session.

Mr. MITCHELL. I meant hundreds of millions of feet when I inadvertently stated hundreds of millions of dollars? I am not sure that there are not hundreds of millions of dollars worth of such property throughout the Dominion; but, in regard to New Brunswick, I am sure I am right in saying there are many hundreds of millions of feet coming down the rivers there. I fail to see the force of the hon. gentleman's objection; I think these people have a right to

come here—it is not very late in the Session yet—and ask to have their claims considered.

Sir LEONARD TILLEY. The Rules of the House were, no doubt, enacted for the purpose of protecting the rights of individuals from being interfered with by legislation, without sufficient notice having been given; and there can be no doubt the hon. gentleman, in moving the motion, wishes, for the time being, to dispense with the Rules of the House so as to enable him to introduce a petition and Bill. I would suggest that he should not press the matter, because a deputation of gentlemen from New Brunswick has waited on the hon. Minister of Justice, and presented very fully and clearly the circumstances under which the parties in whose interest the hon. gentleman is moving, are placed; and I may say to him that, while the Government would feel it a very serious matter to undertake to legislate upon questions of this kind without giving an opportunity to parties whose interest might be affected, they are prepared to consider the question of bringing in some legislation this Session to relieve them for the present, in this particular case, until legislation can be had, and due notice given to all parties. The Government have about arrived at that conclusion; this case involves a very considerable amount of property, and the hon. the Minister of Justice and the Government are considering the matter with the view of obviating the difficulties which my hon. friend is seeking to meet by legislation. I think, therefore, from what has recently taken place, if the hon. gentleman will allow the matter to stand, he will find, as regards this case, that it will be met by legislation this Session.

Mr. MITCHELL. Under these circumstances, and after the explanation of the hon. the Minister of Finance, I will ask the permission of the House to withdraw the motion, feeling assured that the necessary steps will be taken by the Government to meet the case.

Motion withdrawn.

#### CONTROVERTED ELECTIONS.

Mr. SPEAKER informed the House that he had received from the Hon. Mr. Justice Sicotte, one of the Judges selected for the trial of Election Petitions, pursuant to the Dominion Controverted Elections' Act, 1874, his final judgment in the matter of the Controverted Election for the Electoral District of Rouville, and also for the Electoral District of St. Hyacinthe, declaring the sitting members in each case to have been duly elected.

#### SALE OF INTOXICATING LIQUORS LEGISLATION.

Sir JOHN A. MACDONALD. I told my hon. friend opposite, last night, that I would go on to-day with the following resolution:—

That the following paragraph of His Excellency's Speech of the opening of this Session, be read at the Table, that is to say:

"I am advised that the Judgment of the Lords of the Judicial Committee of the Privy Council, delivered last June, on the appeal of *Russell versus The Queen*, goes to show, that in order to prevent the unrestrained sale of intoxicating liquors, and for that purpose to regulate the granting of shop, saloon and tavern licenses, legislation by the Dominion Parliament will be necessary. Your earnest consideration of this important subject is desired."

And that on the said paragraph being read, it be referred to a Select Committee of seventeen members, with power to send for persons, papers and records, and to report by Bill or otherwise, and that the said Committee be composed of Messrs. Blake, Ross (Middlesex), McCarthy, Cameron (North Victoria), Blanchet, Laurier, Desjardins, Casgrain, Hall, Foster (King's County, New Brunswick), Burpee (St. John), Riehey, Robertson (Shelburne), Brecken, Royal, Baker (Victoria, B.C.), and the mover, and that the Rule as to limitation and selection of members be suspended.

But I find, that owing to some inadvertence, the judgment, which was to be printed and distributed, has not yet been distributed. It will, however, be distributed to-morrow

morning, and I will, therefore, postpone this matter until it is in the hands of hon. gentlemen.

#### BANKS AND BANKING.

Sir LEONARD TILLEY moved the second reading of Bill (No. 46) further to amend an Act intituled: An Act relating to Banks and Banking, and the several Acts amending the same.

Mr. FAIRBANK. Mr. Speaker, on rising to address the House for the first time, I beg to ask its kind indulgence while I make a few remarks on the important question before us. I would have preferred, Mr. Speaker, had necessity not required me to break my silence, to defer my few remarks till I had become more familiar with the political atmosphere of this higher latitude; but this measure is of that importance to a large number of very worthy citizens of Canada, that I cannot allow the opportunity to pass without expressing my views on the subject before us; and in doing so I must, of necessity, briefly allude to our banking system. This system consists of large central banks with numerous agencies acting under charters which allow them, under certain restrictions, to issue notes payable on demand. Through their agencies they accumulate the surplus money of the country, and collect the capital forming our great financial revenues; which are as important to the business life of the country, as are reservoirs of water to great cities. To the chartered banks we must add a large number of institutions known as "private banks." A work performed by banks, which does not usually attract much attention, is the settlement of debts by the use of instruments of credit. This is done to a very great extent; and probably not less than 95 per cent. of our entire commercial transactions are carried on through credits without the use of coin or bank notes. Mr. John Thompson, one of the oldest American bankers, says:

"I feel confident that 95 per cent. of our business and the business of Europe is done on paper tokens, cheques, drafts and letters of credit which so long as confidence is good are a perfect substitute for money."

Comptroller Knox, of the United States Currency Department, states that the transactions of the banks on June 30th amounts to \$284,000,000, while the actual money employed in gold, silver and paper currency amounts to only \$14,000,000; thus the business transactions of the banks were \$270 in those tokens of credit to \$14 in cash. The experience in England in this respect is very similar. Sir J. Lubbock gives an account of a days transaction amounting to £23,000,000 sterling, of which 94 per cent. and over was performed by tokens on credit, and 5 per cent. in coin or bank of England notes. My object in alluding to these facts, Mr. Speaker, will be more obvious further on. I do not require to allude to the effect of currency on the prices of our products. We all know the effect which is instantly felt in this connection when money is scarce. Now, what is done by the chartered banks in the cities, is performed, in the country and in the villages, by private bankers; and into this great number of private banks, scattered throughout the country, in every village, and in many towns as well, deposits find their way. These banks form the small reservoirs, and take the place of the chartered banks, in the larger places. Small deposits are placed in these smaller institutions, and those who do not care to expose themselves to danger from pickpockets by carrying money on their persons, or from burglars by keeping it on their premises, place it on deposit in these banks, which perform a very important duty throughout the country. It is very rare indeed, Mr. Speaker, that the farmers find their way into the back parlor of the chartered banks, and the necessities of these people, and the necessities of the country merchant for accommodation are just as important to the extent in which they

exist, as are the necessities of the larger importers and dealers in the cities. These banks have become a necessity, and they are much more numerous, perhaps, than is generally supposed. In my own county, I know there are twelve which are performing good work in their respective localities while within the whole county there are only three branches of chartered banks. In Ontario, I know there are over 150, and I think there are nearly 200 of these private banking institutions; and I presume that throughout the whole Dominion they are equally common. The clause to which I wish particularly to refer, is section 8 of the Bill, by which it is proposed to amend clause 10 of the old Act. If that clause be amended, as is now proposed, it will read as follows:—

“After the first day of July, one thousand eight hundred and eighty, any person, firm, or company, assuming or using the title of Bank, Banking Company, Banking House, Banking Association, Banking Institution, Banking Agency, or using any words in any designation by him or them assumed, tending to imply that such person, firm, or company is carrying on business or acting as a chartered bank, or is an agent of any such bank without being authorized so to do by this Act, or by the Act relating to banks and banking, or by some other Act in force in that behalf, shall be guilty of a misdemeanor.”

Now this clause, as amended, carries the restrictions which have been imposed upon private banks for the purpose of restraining them from the use of the simple term bank to an extent which leaves the banker in great doubt as to what designation he can assume. The reason assigned for making this amendment is that depositors do not know these are private institutions, that they may have been deceived and induced to deposit money in them, supposing them to have all the protection of the chartered banks. I shall allude to that matter of protection further on; but I may say that we have heard of no complaints having been brought before the Government that the people have been deceived in this matter. It will not, I think, be alleged that these deposits have been an injury to the banks, nor has it been claimed that they have been an injury to the depositors; and it occurs to me that these are the two classes who are chiefly interested in the question. It is stated in this connection that the depositors have received from them a higher interest than from other banks; but I do not think it will be pretended that this has been a disadvantage to the depositors, if it be the case. For these reasons it appears that the private banks of the country are to be deprived of the name which has been handed down to them for two hundred years—the name which only properly designates their business, for I know of none by which their business can be correctly designated, except by one or other of those which are prohibited by this Act or might be interpreted to be forbidden by this Act. In depriving them of the use of these designations, I consider that we would be depriving them of actual property. Many of these firms have, under these names, acquired what to them is of value; and if these names are worth money, I think they may be called property, as they certainly partake of the qualities of property. We are all very well aware that very considerable discussion has recently been carried on, particularly in Ontario, in consequence of the disallowance by this Government twice of an Act passed by the Local Legislature—such disallowance being based as alleged upon the taking away property without giving, not a consideration, but without giving an adequate consideration for it. In this case it is proposed to take away property from a class of people without giving them any consideration whatever—not to take it from one class of people and give it to another, but to take it away and destroy it. I believe, although I am a layman, that I am quoting perhaps pretty good law in this case; at all events, to my mind it is common sense, and I believe common sense is the ultimate basis of law. I know of my own knowledge that there are persons who would not part with the name their banking business bears without a consideration of many

Mr. FAIRBANK.

thousands of dollars; but this Bill proposes to take away the name from them, and produce this very great injury. I do not know that it is consistent with Parliamentary rules to read letters in the House; but I may state that I have received a number of communications upon this subject, from bankers, in which they clearly point out that they look upon the measure in the light I have described. Indeed, it cannot be otherwise considered by bankers, than as casting a slur upon them and their business; and if the basis upon which the Bill is presumably founded is correct, they are open to the charge of obtaining money under false pretences, by assuming a name to which they have no right. It would almost seem that some have supposed that we have a class of persons engaged in this business, who are ashamed of it, that they wish to sail under false colors; that they wish to appear, not as themselves, but as others. I believe this is a mistake. I believe that, as a class, they are satisfied with their business, and would sooner be considered as the captains and owners of their own yachts than as second mates of another man's schooner. I know that attention has been called to the recent failure of a business institution of this kind; but it has not been claimed that its name had anything to do with the failure, or that the depositors were deceived. If reports are correct, the principal loser by that failure is a chartered bank, and surely it is not claimed that that bank did not know that it was dealing with a private institution. Certainly the bank was not deceived. It has been stated that parties make deposits in these institutions, supposing that they have all the protection enjoyed by the chartered banks. These chartered banks are sufficiently strong not to require to rest upon any false pretension; they are strong because they are large, wealthy and well managed institutions; and it will not be claimed that the Government bonds held by these chartered banks afford any special security to the depositors. The deposits in these banks are about \$108,000,000, and they hold about \$1,000,000 of Government bonds. Surely it will not be claimed that the security of the depositors rests upon that basis? It is true that they hold a certain amount of Government notes—something like \$10,000,000. They also hold about \$6,000,000 of specie as a special cash security for their circulation. The chartered banks require no defence from me, nor from any member of this House; their position is well known; and it is not necessary that the law should give the Canadian depositor any special security beyond what they now possess. I am not aware, Sir, in what manner these private institutions have recently lost their character. On the other side of the water there are some private banking institutions pretty well known in Canada. There is one known by the name of Glen, Mills, Currie & Co., another by the name of Baring Bros. & Co., and another by the name of Morton, Rose & Co. I believe that, on the 30th of June last, the hon. Finance Minister had deposited in these institutions Canadian funds to the amount of over \$1,000,000—deposited with a class of men who, in Canada, would be subject to the penalties of misdemeanor if they put the sign, “banking house,” over their door. A misdemeanor, I believe, is punishable, at the discretion of a Judge, by fine or imprisonment. We are holding out great inducements to immigration. It is possible that some of these large banking institutions may come to this country. Let us fancy Baring Bros. being citizens of Canada, and using some designation not strictly forbidden in this Bill, but which, under the sweeping clause it contains, would render them subject to the penalty for misdemeanor. Would it not be possible for them, as our law is no respecter of persons, and properly so, to find themselves in the back yard of a common gaol breaking stones? But I submit that it is possible for them, or any private Canadian banker, under the sweeping clause of this Act, to be subjected to punishment of that kind. I do not require to remind this House of the sensitiveness of

money. I do not require to remind it, either, that the present is a somewhat sensitive time in Canada in money matters. We have purchased more than we have sold. We have passed through a somewhat exciting time during the past year. The older Provinces have been affected somewhat seriously by the emigration to the new. Many, during the process of being transplanted from the old to the new, have ceased to be producers and have become consumers in the meantime. Under any circumstances, it would be unwise to unnecessarily attack the reputation of any important business in the country; but for us to do so at the present time would, I think, be specially unwise. I sincerely trust, in view of the part in our business system performed by this class of individuals, that the hon. Minister of Finance will entertain such amendments as will relieve the private bankers from the embarrassment which would follow the passing of the Bill as it now stands, and will leave them the right to use a name which will designate their business, but deceive no one, and will not subject them to the imputation which, as a class, I believe they by no means merit, and which it is not to the interest of any one that they should receive.

Sir LEONARD TILLEY. The Government can have but one object in view in the introduction of a Bill of this kind, that is: the promotion of the public interests. The tenth section of the Banking Act of 1872, to which the hon. member has referred, provides that a certain term shall not be used which imply that an individual, or two individuals styling themselves a banking company carry on a bank. The hon. member says there are 150 or 200 private banking companies or bankers in Ontario alone. That statement has been made to me from other quarters, and I think it is very likely the case. Now, there can be no objection—on the contrary it is an advantage—that individuals who have capital should be willing to lend it; but what the Government desire is, that no such individuals or associations should adopt a name by which the public would be led to suppose that they possessed corporate rights to transact a banking business. I find, in a list of parties who are transacting business as banking companies or banking houses, which I hold in my hand, that there are in Ontario only some thirty, including the branches of some of these, that would come within the provisions of this Bill.

Mr. MACKENZIE. What book is that?

Sir LEONARD TILLEY. It is Rand, McNally & Co.'s Banker's Directory and list of Bank Attorneys. I find in it the following firms, who come under the provisions of the Bill: Aeton Banking Company; Fawcett's Banking Office, Alvinston; Johnston Banking Company, Amherstburg; Fawcett's Banking Office, Arkona; Buck's Banking House, Caledonia; Dresden Banking Company, Dresden; Duart Banking Company, Duart; Elmira Banking Company; Beattie's Banking House, Fergus; Johnston's Bank, Goderich; Scott's Banking House, Gorrie; N. Hayes' Loan and Exchange Bank, Ingersoll; Maher Banking Company, London; Porteous Banking House, Mildmay; Millbrook Banking Company, Millbrook; Mitchell Banking Company, Mitchell; Scott's Banking House, Oakville; Orono Banking Company, Orono; Porteous Bank of Canada, Paisley; Elliott-Baker Banking Company, Ridgetown; Farmer's Banking House, Seaforth; Claris' Banking House, St. Thomas; Fawcett's Banking House, Stratford; Pew's Banking House, Welland; Essex County Banking House, Windsor; Scott's Banking House, Wingham; Fawcett's Banking House, Wyoming. For instance, there can be no objection to a company or an individual doing business; but none of these companies, calling themselves companies are incorporated companies. In many cases, they assume the name of banking company. If they assume the name of bankers, there can be no objection, for every person can understand what a private banker means; but the moment they assume the name

of company or banking house, say Smith's or Jones' banking house, the public are likely to be misled, and the Government deem it their duty to require that a private banker shall be known by sign as a private banker. And as 170 of those doing business in Ontario, have adopted terms that would not bring themselves under the application of the existing Act—for instance, two persons establish themselves a banking company, the one president, the other cashier. It may be said people are perfectly cognizant of the fact, that, when they deposit money with such a company, they are not depositing it with an incorporated or chartered company; but if there is no benefit or advantage in the adoption of the name of a banking company, why do those who have adopted that name object to its being taken from them? As the hon. member says, it is a valuable property, and if you take it away without giving consideration, you deprive them of their just right. If, however, they have adopted a name or a title, from which it is to be inferred they are an incorporated company—because when they say company, it is supposed they are incorporated under some authority of a Local Legislature or of this Parliament—the name is misleading in the character. I do not say that a large portion of those induced to deposit money with those companies, do not know perfectly well they are private bankers. Still, it has come to the knowledge of the Government that there are individuals who have deposited money with these bankers, who imagine, from their having adopted the name of banking company, that they are dealing with a company chartered by the Dominion Parliament, and therefore have the security given to any person depositing with a chartered company. This being the case, I think Parliament and the Government would be responsible if they would allow a state of things to exist, under which individuals can come to us and say: you allow parties to assume titles and names that lead us to believe we are dealing with an incorporated company, having all the protection given to us under the charter of the Dominion Parliament. If such companies, not chartered, assume the name of private bankers, to which there is no objection, individuals will understand they are not incorporated; that they are not a bank receiving authority from Parliament, and giving to depositors the protection they have with an incorporated company. A case has come to our knowledge in which parties represent that a bank has been in existence since 1871, whereas the terms of the agreement show it has only been in operation for a few years. One of the parties is president; the other, cashier; and they deal and give their obligations in the form of a bank. Under these circumstances, while there can be no objection to private bankers doing business as such, the Government are of opinion that they should not be permitted to assume the name of a "bank," or "banking house." It is not very pleasant to go into particular cases, but one or two have transpired lately to confirm this opinion. The hon. gentleman has given no remonstrances to the Government on this question. There have been remonstrances, and Parliament should deal with the evil in time—before it reaches such a point that might, perhaps, cause most serious consequences. If the hon. member considers there is a value in the name of banking company, there must be some reason for it. If he or any other gentleman has assumed the name of banking company, and by this Act should be deprived of it, and objects to be deprived of it, then there must be some value in the name over and above that of private banker. What is that value? It must be that people imagine that in dealing with such banking company they are dealing with men in a different position from men calling themselves private bankers, otherwise there is no value in the name. The declaration of the hon. gentleman shows there must be some value in it, since he charges the Government with seeking to take away that value; therefore that

value can only be in the assumption of a name misleading in its charter. The Government have no desire to interfere with private bankers when they do not assume the name of banking company, implying that they are incorporated under an Act of Parliament. The propositions now before the House do not change in any way the character of banking institutions. At present the violation by a bank of its Act leaves the Government no resource but to repeal the charter. That would be a serious matter. Therefore it was considered desirable, in cases where there is violation of the powers given the banks, there should be a money penalty imposed rather than a forfeiture of the charter. This will be more effective, because while a bank would say: "Parliament will not take away our charter, we can go on violating it," a money penalty will have the desired effect of preventing violations of the Act which sometimes take place without and sometimes with consideration or premeditation. It is considered desirable that parties should no longer continue the name of banking companies, or banking house or take a local name—for instance the Bank of Sarnia. I do not say such a name has been taken, but merely quote it for the sake of illustration. In one case a local name has been taken and it could be impossible for any person, not cognizant with the particulars, to know it was not an incorporated bank. Under these circumstances the Government thought it desirable that some provision should be introduced to prevent the adoption of names by private bankers calculated to mislead individuals depositing money with them; perhaps because they receive one per cent. more than they could get from the incorporated banks and believing they were dealing with an institution regularly incorporated, instead of with private individuals.

Mr. CASGRAIN. How will this affect foreign bankers like Baring Bros. and others, whose bills of exchange come to this country? If foreign banks do business in this country, though they may have no regular offices here, will they also come under the operation of the law?

Sir LEONARD TILLEY. No; if they establish a branch here under the name of a banking company.

Mr CASGRAIN. But if they do not establish any particular branch of business and still do an immense business in this country, then they would not fall under the operation of the law?

Sir LEONARD TILLEY. No; then they are private bankers.

Mr. BLAKE. I am sorry that the hon. gentleman should have failed to apprehend the argument of the hon. member for Lambton (Mr. Fairbank) so entirely as he did. The hon. gentleman said that my hon. friend admitted, by saying that various persons had acquired a valuable property in this name; that they had acquired a property they were not entitled to, because it was valuable only by reason of the presumed deceit upon the public involved in the name. The hon. gentleman is entirely mistaken. He knows very, very little of what a Finance Minister ought to know with reference to the value in trade of names. He knows very little of the ordinary course of mercantile concerns in these matters, if he supposes that any name that is not much used and under which a great business is done for a long time, does not become of value. The name is of value, whatever it is. "High cock a' lorum," if you please, "Mrs. Winslow's Soothing Syrup," "Radway's Ready Relief," "Perry Davis' Painkiller," are all of value. An hon. gentleman suggests "N. P." What would the hon. gentleman not think that name is worth? It is a deceitful name, it does not represent the true case, it is by no means what it says, but he uses the name and he deceives the public with it. Now these are instances, and I hope he will introduce a clause into his Bill making it a misdemeanor for any person improperly to use the name

Sir LEONARD TILLEY.

"National Policy." But I say this, that these persons who have conducted business under the name of banking company instead of banking house, or any other name which it is hereafter to be criminal to use in this country—I say those who have conducted business under these names have spread their reputation and made their connections under these names, have made a property by that use which is of tangible, appreciable value, of which they are to be deprived if the Bill becomes law. The ordinary experience of mankind tells us that, and the country from which we draw much of our law on this subject, England, tells it to us also. It is a property so valuable that its value is recognized in courts of justice which declare it an infringement to use that name by others. It is a property so valuable that it is salable, it is a subject of sale and transfer in connection with the business. Therefore, my hon. friend was perfectly correct in saying that property had been acquired by means of the name under which business had been conducted without, in the slightest degree, exposing himself to the imputation which the hon. Minister flung at him that he was proving that it was a value dishonestly acquired. Dishonestly acquired? Why, Sir, I presume there were banks, banking institutions and banking houses before ever there was an incorporated bank in the world at all. This name which the hon. gentleman is about to appropriate, all connection with this name, all the adjectives, all the collocations of words which approach to the name of bank, were used by persons not incorporated before ever there was an incorporated bank at all. The name company, he says, indicates to you—what? He says it indicates an incorporated company—it indicates a joint stock company. Nothing of the kind. There is Jones & Co., Smith & Co., Everybody & Co.; and when we deal with companies, and are incorporating them, we speak of joint stock companies in our Acts, and we speak of incorporated companies; but it would be a monstrous thing for us to assert, as a body of intelligent men supposed to be competent to legislate, that the word company was, in the common parlance of this Act, understood to be an incorporated company. It is not so. Now, when we come to make new crimes, Mr. Speaker, we ought to think about it a little. We ought to understand what moral law is being invaded, what great public reason there is why there should be a new restriction on the liberties of the people of this country, and enforced by telling them that they would expose themselves to a fine and imprisonment as for a misdemeanor, if they do to-morrow what it is perfectly lawful for them to do today. The hon. gentleman says that representations have been made to him. Now, there are three sets of persons concerned in this matter: first, the private bankers, with whom the hon. gentleman interferes; second, the depositors of these private bankers; third, their rivals in trade, the incorporated banks. I wonder has he had any representations from the latter? Has there been any suggestion from the incorporated banks, that the public interest requires that nobody but incorporated banks shall use the names "banking house," "banking institution," "banking association," or anything of that description? If representations have come from that quarter we can weigh them and value them. They are not to be received with disrespect. They are to be received with due attention, and they are to receive that measure of consideration which is consistent with a recollection of the fact that they are rivals in trade for deposits; that they would naturally like to prevent the private bankers from using any name which would induce the public to have confidence in them. Is there any complaint from the depositors? I believe, there is no failure that has become public or notorious of one of these banking companies. At least we have had no general and unanimous complaint on the part of depositors, that has come to the public at any rate, though the hon. gentleman says there have been some complaints received by the Government. A

public grievance must be the foundation of the proposal to create a new crime, and I think we ought to get more information before this Bill goes to a Committee, or is reported, as to the nature and extent of the proved grievances to which the hon. gentleman alludes. Criminal laws of all laws ought to be precise and clear in their character, they ought to be of that character that those who run may read, so that it may not be difficult to know what is lawful and what exposes to penalties. But the hon. gentleman has asserted to be criminal the use of all the words he could think of, all the words hereafter to be criminal that he could think of, or using "any words in any designation tending to imply that such person is carrying on business as a chartered bank." And the issue to be tried before a jury upon a criminal proceeding is whether the man used words tending to imply that he was carrying on business as a chartered bank. Why, what a vagueness is here. How impossible it is to know to what conclusion a Judge and jury may come as to whether these words tend to imply that. It would be better, if we are going to restrict the liberty of the subject by making it criminal to use certain collocation of words, to put them all down, set them down in black and white. The hon. gentleman does not tell us what they are. When he first moved his resolution he said there was no objection to using the word banker, but to-day he says that if a man uses the words "private banker" that will be all right.

Sir LEONARD TILLEY. "Banker," without "private."

Mr. BLAKE. Now we have the hon. gentleman's judicial decision, that wherever it does tend to imply that you are acting as a chartered bank, if you say "banking company," "banking house," or "banking institution," it does not intend to imply that you are acting as a chartered bank if you say "bankers." But I am not at all certain that the other Judges, the real Judges and the real jury who will try this case, would adopt the hon. gentleman's view. I think he had better put in the saving clause providing that notwithstanding his large statement at the end here, it shall be lawful for them still to call themselves "bankers." For my part, I think it is a great pity that we should not allow people to call themselves what they are. As he well knows, the legitimate old-fashioned name for this business is the banking business, as the business of banking was conducted by private individuals before ever there were incorporated companies; and they carried on the business to an enormous extent without incorporation. I think it is a great pity that unless upon a case of proved necessity, of proved mischief, we should make it criminal for men to use names which aptly express the lawful business they are carrying on under the laws of their country.

Mr. CASEY. It does seem, indeed, strange that the hon. the Minister of Finance should not comprehend why that class of men known as private bankers should wish to call themselves by the name of "bankers." Would he be able to understand why men who deal in groceries should like to be designated grocers; men dealing in iron, hardware merchants; and those dealing in dry goods, dry goods merchant? If the hon. Minister can conceive why those dealers wish to be allowed to use the name describing the business, he surely can understand why men possessing capital and dealing in bills of exchange and doing banking business, should be allowed to use the only word which describes their business. Surely it would be an outrage on men engaged in every branch of trade if they were not allowed to use the only name by which the general public know that business. Of course it may be that the hon. Minister intends to change the nature of the English language, and to say that a word which has hitherto meant banks of all kinds, whether incorporated or private, shall hereafter be known as applying only to incorporated banks; but it will take some time to get the

public accustomed to such a change in the English language, by which this word "banks," which has hitherto had a general signification, should, for the future, be used in only a narrow sense. To any one who knows anything of the business of private banks and the class of people who deposit money in them, and deal with them, it is absurd to say that the depositors and their customers imagine they are chartered banks, simply because they call themselves bankers. Private bankers have probably not great wealth but some capital, and establish themselves in their native town, and are known personally to all the country round. Every one knows that John Jones or William Robertson, as the case may be, is himself the banker, and is not the agent of a chartered bank, and it is because he is thus personally known, respected, and trusted by the people of the immediate neighborhood, that he is able to obtain deposits and do business with his customers. It is simply absurd to imagine that any ordinary farmer, or man of intelligence, doing business with such a banker in a country town, imagines he is the agent of the Montreal, Imperial, or Molson's Bank, for he is known as John Smith; and it is because they think he is an honest man, and responsible for the money deposited, they do business with him. I agree with the two hon. members who have preceded me that this Bill must do marked injustice to private bankers, more especially as the hon. leader of the Opposition has pointed out that clause 8 is so extremely vague that a man cannot know what term he may use to describe himself. If the use of the words therein enumerated is thought to be sacrilegious, it might, perhaps, cover the whole ground if it provided that the word "private" should be prefixed to all terms used in describing private banking institutions. But apart from the injury to private banks this Bill will work, and I think is intended to work, it will also work injury to depositors and those who deal with private banks. There is practically no object to be served by this Bill, unless it is intended to restrict the business of private banks. It is evidently intended to restrict their usefulness, and it is only by lessening their business that the special risk to depositors is to be decreased; in other words it is to lessen the amount of banking accommodation available to the people of the country, for the hon. Minister must remember that to the vast mass of the rural population the ordinary banking accommodation is not available, and if they are not allowed private banks they will be without banking facilities, as they cannot go to large towns to do their banking business. If the name of the occupation is taken away with a view to making the occupation discreditable, it will surely deter many persons willing to enter into that class of business, and it will thereby lessen the amount of accommodation, especially to the rural part of the population. How great that accommodation is, thousands of farmers and small dealers scattered through the country know better, perhaps, than the hon. the Finance Minister, who doubtless has never been compelled to deal with such institutions. The representations made to the hon. gentleman in all probability, were made by rivals of these men in business. This clause bears on its face the appearance of having been suggested by the chartered banks themselves, jealous of the amount of business drawn away from them by private bankers, and anxious to discredit that business and increase their own by rendering the business of private bankers discreditable in name. If the hon. Finance Minister had shown himself, during his term of office, consistently opposed to the creation of monopolies of any kind, there would not be much ground for insinuations of this kind; but since he has not shown himself a determined foe to monopolies, either manufacturing or otherwise, it is possible that his judgment has been misled by representations made on behalf of chartered banks which wish to become, what at present they are not, the full controllers of the monopoly of banking in all parts of the Dominion. Whether that be

the case or not, it is clear to the common sense of members of the House that the Bill tends to have that effect, that whether it is intended to create a monopoly or not, it will have that effect; a monopoly, not only unjust to the parties who have transacted this business heretofore, but those who dealt with them. For these reasons I hope the hon. Minister will see his way either to strike out the clause, or modify it so as to make it clear what designations they must assume.

Sir LEONARD TILLEY. The hon. leader of the Opposition, in endeavoring to establish his point said that there is something in a name that is of value and that no doubt the Minister of Finance values the National Policy, sham as it is, and deceitful as it is to the public. We do not value the National Policy simply because it is called the National Policy, except as it represents a policy that is not a sham, but which the people of the country have endorsed. I do not think the hon. gentleman was very happy in his illustration. We might retort and say that the men who are advocating a one-sided Free Trade, and call themselves free-traders, are shams, and we might say that, I think, with some truth. But, I think this is apart from the question. The hon. member who has just taken his seat, would endeavor to make the House believe that we desired to prevent private banking. We do nothing of the kind, nothing of the kind whatsoever. There is no desire whatever on the part of the Government by this law, or by any Act we might introduce, to prevent private banking; but we simply wish, that those who are engaged in private banking, shall accept the name of bankers, and not assume to act as banking houses and banking companies. The hon. the leader of the Opposition, there is no doubt, was making a very strong point when he said that we should be careful when we are creating new offences; but this is not a new offence. I will now read a section of the Banking Act, which provides that after the 1st day of July, 1880, any person, firm or company assuming or using the title of bank, without being authorized so to do by this Act, or by any Act relating to banks and banking, or by some other Act in force in that behalf, shall be guilty of a misdemeanor." That is the Act at present.

Mr. BLAKE. But we are creating a new offence.

Sir LEONARD TILLEY. No. We simply provide that persons shall only assume the title of banker, because certain parties have attached to it banking company, or banking association. Out of all the private banks, perhaps, only one company comes exactly within the provisions of this section; and because it has been evaded by bankers—through terms misleading in their character, and calculated to lead the public to suppose that they are dealing with chartered banks—we make these provisions in order to bring these offenders within the original intention of the section I have read. We are not making any new offence.

Mr. BLAKE. No, no.

Sir LEONARD TILLEY. The hon. gentleman shakes his head; but the offence already existed.

Mr. BLAKE. Certainly, at the time that section was proposed it contained similar words, or some of them, to those now proposed, but they were struck out, because the House was not disposed to so limit the Act.

Sir LEONARD TILLEY. I think that the hon. gentleman is mistaken on that point.

Mr. BLAKE. I remember it very well.

Sir LEONARD TILLEY. There is no desire, whatever, to prevent any person engaging in private banking; but we wish that the public shall know exactly the character of the bank, or banker, with whom they are doing business. With reference to communications made to the Government

Mr. CASEY.

I only recollect—and that indirectly—receiving one from banking companies. It has been insinuated that the banking institutions of the country have been communicating with the Government, because they are competitors of the private banks; but I only recollect one case, and it was merely indirectly, and casually referred to, owing to the fact of certain parties having violated certain conditions of the Banking Act. Under these circumstances, I can see no reason why—as the spirit of the Act as contained in the section which I have read has been evaded by the use of other terms—we should not say it should not be evaded by the addition of banking company or banking house, as was originally intended; but if there is any question about the term employed being indefinite, or there be any objection of that kind, I am prepared to make it as definite as possible. There may be something in the remark of the hon. member as to the words added here, making it indefinite, with respect to parties guilty of such violation of the provisions of the Act. I have no objection to look into this matter and see, because my object is to make the Act definite, and in this respect should not be open to any doubt or question. In every other provision, I think that the Bill is warranted, and I think that it should be sustained by the House.

Mr. MACKENZIE. Will the hon. gentleman lay on the Table the documents in which representations were made to him on this subject.

Sir LEONARD TILLEY. No, Mr. Speaker, I cannot do so. I would be very sorry to do it. These are private communications, and the parties who sent them would not like to have their names and the names of the parties referred to, brought before the House.

Mr. MACKENZIE. It seems to me that this is extraordinary legislation, avowedly based on representations made to the House by petition; but no petition has been presented to the House asking for this arbitrary and tyrannical legislation. If the hon. gentleman has had, as a member of the Government, communications made him which lead him to make this new provision in the banking law, I am prepared, for my part, to give due weight to those considerations, if they are placed before me; but I am asked to vote in the dark, and am told that representations exist, but I must not see them. As a member of Parliament, I am asked to legislate on a subject, in the absence of the information upon which the Bill is avowedly based. Now, I am not willing to be placed in that position, for one. I think that the hon. gentleman should not enforce his law, except by making it criminal to have no right to prevent any one taking any appellation he chooses; but by making it a misdemeanor to assume a particular name the hon. gentleman obtains his object, which could not be secured by any civil procedure.

Sir LEONARD TILLEY. That is the law at the present time.

Mr. MACKENZIE. Even if it is the law at present, this is an extension of wrong law; and I do not think we should be told, when we object to anything, that something of the kind has been done hitherto. We have been, hitherto, in this House, of late years, compelled to review past legislation, and prevent further legislation being based on the same grounds. That will occur constantly. Now, I know something of the operations of these private banks. I am bound to say that, so far as I know, they are conducted with very great regularity. Very few of them have given the public any cause for offence; and if there is any general ground—as I have said already—upon which this clause is based for an extension of the system, I do think that we ought to have it in some shape before us. The hon. gentleman—if he finds it impolitic to present the names of the individuals—might let us have the representation without the names. That can be done

at all events; but to ask us to legislate on this subject, avowedly on representations made, and not to allow us to see those representations, is certainly not paying any very great respect to the members of this House.

Sir LEONARD TILLEY. Mr. Speaker, I do not see that the hon. member is warranted in making that statement, because, no matter what the correspondence is, or whether there is any correspondence or not, or however voluminous it may be—as far as that is concerned—we simply point out that the declaration or assumption of certain names, brings parties offending within the provisions of this section; and this and the grounds for doing so, have been distinctly stated. As to laying these communications before the House, I would be very sorry to do so, for these are private communications, which have been sent to the Government, or to myself as the Minister of Finance, and we are not called upon to lay them before the House.

Mr. ROSS (Middlesex). I do not wish to prolong the discussion, but I cannot allow this Bill to go through the second reading without entering, at least, a mild protest against the meddlesome character of the legislation proposed regarding private banks. We have, as has been already stated, about 200 private banks in the Province of Ontario. They do a very large business; they employ a very large amount of capital; they contribute to the convenience and the business facilities of a great many people; and yet, without any evidence in possession of the House that these men are unworthy of the position which they occupy, they are going to be deprived of their identity—of their business identity, or of their individuality as business men in the community—and are to be subject to fines and penalties if they do thus, and so—the direction of a large amount of capital being thus necessarily interfered with. Now, I think that when there are no remonstrances in the possession of the House, that when the information held by the Minister is of such a confidential character, that it cannot be disclosed, and when we do not find in the public prints, or anywhere else, that has reached me, any evidence that these men are unworthy of the names which they bear, of their standing and the titles by which they have been designated, when we have no information of that kind, I cannot understand why the Minister of Finance should, at this stage, interfere with them or with their business identity. It is, to say the least of it, a species of meddlesomeness on his part, which I think the country could very well afford to dispense with at present. This Bill should also be opposed, because, as it appears to me, it makes a reflection on the standing of these men. Does the hon. gentleman mean to say that all these private bankers—some of them having several hundreds of thousands of dollars perhaps of capital invested in their operations—are carrying on their business fraudulently and have established a business reputation under the cover at least, or under the pretence, of doing business as chartered banks, which they could not have made simply as private bankers? It is the insinuation that the hon. gentleman throws out! I leave that insinuation to be considered by the private bankers, and by many of the capitalists of this country. I leave them to consider the high estimation in which they are held by the hon. Minister of Finance. We throw our ægis over the chartered banks, we give them standing and position in the country, from the mere fact that they have a charter; but these men, these private bankers, have to build up reputations for themselves. Many of them have accumulated wealth; many of them are men of extensive fortunes; and although they accumulated their means by the honest, industrious, and legitimate use of a small amount of capital, and have built up for themselves reputations for industry, honesty, and fair dealing, they are to be told by the hon. Minister of Finance that they are doing business under the guise of

chartered banks; that they receive deposits under that guise; that they loan money and make profits under that guise. They are to be told that the trade mark—the distinct identity which they bear as private bankers, as members of the community, as great traders, is to be demolished by one stroke of this great legislator's Banking Bill, and these men are to be relegated—we can hardly say where, but as far into obscurity as this clause in the Banking Bill can relegate them. I do not think that this is dealing charitably, or kindly, or—shall I say—fairly with these banks. They have the right to retain the positions they have built up for themselves, and their standing and positions are associated with the trade mark or name which they bear. Take for instance the Guelph Banking Company—a company known by that name throughout the County of Wellington—their bills of exchange and other paper is known by that name in every part of that district; but if you deprive them of that name, and they have to choose another, they have to establish their identity, and build up their business standing and reputation under a new designation, which it will require the public some time to become familiar with. This hon. gentleman who so sacredly guards all the public interests, who has pretended to be so vigilant a guardian of the manufacturing and industrial interests of the country for the last three or four years, is about to attack this large and important business, this industry which we cannot well spare in many rural towns and villages, and he is going to interfere with those who are engaged in it. We know that, in some of the back places, if we had not these banks, business could be carried on only with very great difficulty. Are we going to throw all this business into the hands of the chartered banks? Are we going to give them a monopoly of the banking business of the country, by interfering with these smaller institutions that serve so useful a purpose in the commerce of the country? Are we, by means of this meddlesome Bill, going to interfere with the standing and the reputation of the private banking business of Ontario, and, I may say, of the whole Dominion of Canada, and thus take another step in the direction of placing the business of this country in the hands of monopolists? We know that these great commercial and banking institutions are a power in this country, as they are in England; we know that many persons deposit their money in the private banks instead of the chartered banks, because they get one per cent. more interest upon it. If they do so, it is their own look-out; they take the risk themselves, if there be any risk, and if you interfere as you propose with the private banks, you will deprive them of these deposits and crush out one industry while you are attempting to build up another. I think the hon. gentleman's legislation is tending in the wrong direction. Instead of attempting to centralize wealth, we should attempt to diffuse it. We should attempt to give the towns and villages all over the Dominion, as far as we can, the same privileges and advantages with those who dwell in the larger cities, or in the neighborhood of the chartered banks. We should endeavor to develop and increase the wealth of the country by affording the same facilities for those who live in the rural districts, as those which are enjoyed by the dwellers in cities. I must object and protest against this clause of the Bill. I remember that, in 1880, when the old Bill was before the House, we proposed to refuse those carrying on private banking business the use of the term banker. I think you, Mr. Speaker, remonstrated with the hon. gentleman, and I know I did, and he conceded the use of the term banker; and I think that, having heard the course of this discussion, and feeling as he must feel that the sentiment of the House is against the useless and injurious restrictions of this Bill, he should amend it by striking out those terms which are as useful, as legitimate, and as neces-

sary for the use of a banker as are the terms which any other business man uses to describe his business.

Sir LEONARD TILLEY. It is all very well for the hon. member for West Middlesex to express the sentiment of this House, but does he suppose that the Government and all the members of this House will accept his views of the case as those of a majority of the House? Of course, if I thought he was expressing the opinion of the majority of hon. members of this House, I would withdraw the Bill at once; but as I do not recognize the representations of the hon. gentleman upon this, or upon almost any other question, as the opinions of the House, he must excuse me if I do not accept his view. Judging by the remarks made by the hon. leader of the Opposition to-day, we might suppose that he believed that there should be no restrictions imposed upon banking operations at all; but every hon. member of this House who is upon the Banking and Commerce Committee is aware that no one is more particular than he is with reference to giving powers to loan companies and other associations of that kind, to receive deposits and transact other business of that description. It is known by every member of the Committee that that is the course of the hon. gentleman—that he is a perfect watch dog there with reference to such matters. Now, he and the hon. member for Middlesex would throw the whole thing open—

Mr. BLAKE. Nothing of the sort.

Mr. ROSS. Not at all.

Sir LEONARD TILLEY. That is practically what these hon. gentlemen are contending for. You would imagine from what has been said by the hon. member for West Middlesex that there should be no restriction with reference to the lending of money, and the transaction of financial business. The Government and the House have deemed it necessary, from time to time, to impose certain restrictions in the public interest with reference to banking corporations—with reference first to their capital, then with reference to the amount of issue, and other things. The public interests are guarded and protected in every particular, and in the Act of 1880, for example, the holders of notes are given the first claim upon the assets of the company.

Mr. ROSS (Middlesex). Do you mean to say that there is no difference in that respect between chartered banks and private banking companies?

Sir LEONARD TILLEY. I know that, of course, there is a difference between a bank of issue and a private bank; but in the same way it has been laid down, in the Banking Committee, that no company shall be incorporated unless it has a capital of half a million. Cases sometimes come up in which small banks desire to be chartered, but so tenacious is Parliament with reference to giving power to banks to establish themselves upon small capital, that, as I have said, a fixed rule has been laid down, that half a million must be subscribed, that a certain portion must be paid up, and a certain portion paid within a stated time before they are allowed to go on.

Mr. ROSS. But private banks do not issue notes.

Sir LEONARD TILLEY. But they receive deposits, and that is the very point with respect to which the hon. leader of the Opposition is so careful to guard every Act with reference to loan companies, and so on, that comes before us. But with reference to this question, there is no desire whatever, as I have already stated time and again—the hon. gentleman is trying to draw a herring across the trail; trying to draw our attention from the question—there is no desire to prevent private bankers from doing business. They can go on and do business under the name of bankers, but they are not to assume the name of a banking company as was provided by the terms of the clause to which I have

Mr. Ross (Middlesex).

referred. Now, the hon. member for West Middlesex, who perhaps has a banking company in his own constituency, for whom he would like to say a word—

Mr. ROSS. I have half a dozen of them, and I am always bound to protect the interests of my constituents.

Sir LEONARD TILLEY. And especially the bankers in that locality.

Mr. ROSS. They are opposed to me in politics.

Sir LEONARD TILLEY. Then, perhaps, there is no reason why we should interfere with the gentlemen whom the hon. member is so anxious to serve on this occasion. He would endeavor to make it appear that the object of the Government is to reflect upon the honesty or integrity of the bankers. That is not the case; but we say that depositors—men who do not know the difference between an incorporated bank and a private bank—should know, when they are depositing money, whether or not a bank has been incorporated under authority of Parliament, or whether they are depositing their money with private individuals or not.

Mr. MACKENZIE. Will the hon. gentleman allow me to ask him a question. If the people are so ignorant as not to know which banks are private and which are chartered, how are they to be so well informed as to know that the hon. gentleman has passed an Act prohibiting these things?

Sir LEONARD TILLEY. That has nothing to do with the matter; and, besides, if there was an Act prohibiting it, they would know the difference between individuals engaged in banking and an incorporated company. The object of this Bill is, that the people should understand exactly what kind of an institution they are depositing their hard earnings in. The hon. gentleman has attempted to ridicule us because we have endeavored to take every interest under our care. We do; and we wish to take under our care men and women who deposit their earnings with private individuals, by enabling them to know that they are doing so. That is the sole object of this Bill, and if it is necessary to change any terms, or to otherwise amend the Bill, in order to make it more clear, I am willing that that should be done when we go into Committee. The Bill is no reflection upon those who are engaged in this avocation at all. It might just as well be urged that the oaths required from merchants by the Customs Act are a reflection upon them. We have to deal with honest men sometimes, and every honest man takes the oath cheerfully, because he knows that it is in his interest. The object of this Bill is simply to protect those who are not able to distinguish between an individual and a chartered bank, and I am satisfied it will commend itself to the House.

Mr. LANDERKIN. The hon. Minister of Finance should bear in mind that in many places, which are remote from chartered banks, the private banks are found to be a great convenience to the people. I know a large portion of country, the entire banking business of which is conducted with a great deal of efficiency by private banks; and if this Bill strikes a blow at the respectability or standing of these private banks, it should not be allowed to pass this House. In many places where private banks have been brought into competition with chartered banks, they have succeeded in obtaining a large amount of business. Chartered banks will not discount paper for a less sum than \$100, while private banks will do so, and are thus found to be a great convenience. I do not think it is in the interest of this country that this useful industry, which is managed by men of integrity, intelligence and perseverance, should have a blow struck at it by this House. It would be a great misfortune if gentlemen who have invested a large amount of capital in these institutions, should be forced to withdraw it. If this Bill has that effect, the hon. Minister of Finance will have to consider another question—the establishment

of chartered banks at points where the banking business is now done by private individuals. If private banks do not act fairly and squarely with the people, they will do very little business, because the people will soon discover whether they are dealing with men of standing and character or not. As a rule, they give higher interest than chartered banks, and who will say that they should not do so if they wish? I think that, instead of passing a measure which must have the effect of injuring this large class of the community, who are pursuing their own course, and are not issuing notes or money which has not been paid up, this House, and this Government especially, who are pledged to look after the interests of every class, should see that this Bill is withdrawn or changed, and that these people are protected in their rights.

Bill read the second time.

#### OFFENCES AGAINST THE PERSON.

Mr. CAMERON (Huron) moved that the report of the Committee of the Whole on Bill (No. 7) to amend the Criminal Law, and to extend the provisions of the Act respecting Offences against the Person, be now received and concurred in.

Mr. IVES moved, in amendment, that the said Bill be recommitted to a Committee of the Whole, with instructions that they have power to add the following clause:—

Clause 5.—All trials under this Act shall be private, and no person shall be admitted to be present thereat, except such persons as have duties to perform in connection with the trial, or the defence of the prisoner.

Mr. CAMERON (Huron). I do not know what particular object the hon. member for Richmond has in making this motion, nor what purpose he expects to serve by it. There is no reason that I know of why an amendment of this kind should be added to this Bill, any more than that it should be added to other Bills of a similar character, and we know that no such restrictions are contained in other such Bills. We know that the law makes persons who commit other offences against morality, perhaps not as outrageous as this, for instance rape, liable to be tried, but they are to be tried in the light of day, before a jury and a judge of their country—I can see no reason why the same rule should not apply in this case. These criminals do not escape punishment; they cannot be tried in a hole-and-corner manner. Whatever disgrace and criminality is attached to the act committed, the criminals are tried openly and are bound to appear before their peers and stand their trial. If that be so with the class of cases to which I have referred, there is no earthly reason why the same rule should not prevail in this case. So in another class of cases—perhaps the most abominable known to either the Common or the Statute Law of the country—I refer to the case of sodomy, they are tried in open court before a Judge and jury. There is no reason why the class of cases provided for in this Bill, should be made triable in secret, and the others triable in public. Since the Bill was submitted to the Committee of the Whole, I have received many letters on the subject, urging me to press it, even to a vote of the House if necessary. One clergyman—not of the Province of Ontario—writes that in the neighborhood in which he lives a case occurred, not long ago, which was brought before the courts, but, unfortunately, the courts had no power to deal with it, it being a criminal offence. I have had another letter from a police magistrate in the West, and another from the mayor of a city there—pointing out the importance, the necessity, of a Bill of this kind. I am entirely opposed to this kind of exceptional legislation. There is no reason why this should be made an exceptional case. If the hon. gentleman proposes that all cases of a similar kind be dealt with in this way, he may introduce a Bill to deal with all on the same principle and I shall support

it; but that one case should be specially selected for exceptional legislation is wholly opposed to the spirit of our Legislature.

Mr. IVES. The hon. gentleman desires to know why I should desire that this amendment should be passed, and what particular reason there is why the trial, in a case of this kind, should be secret that does not exist in reference to other crimes of a similar character. I can only say that I think it would be better if trials, in all cases which approximate to the degree of scandal that always attaches to a trial of this kind, were secret. I have heard the presiding Judge on more than one occasion, in my experience as a criminal lawyer, express regret that he was not able to proceed with the trial with closed doors; and I know that on such occasions, as a rule, the audience is much larger than ordinary trials in *nisi prius* cases. I have seen a good many of those clergymen present who seem to take great interest in this Bill and correspond with the hon. gentleman in reference to it. With regard to this matter, we are not dealing with all such cases here; we are dealing with one particular case. The question is whether it would be advisable to add this clause to the Bill. The House have this matter in hand now, and it is entirely beside the question to say they should not deal with it in the sense they desire, because they have it not in their power at present to deal with all other similar cases. There is a reason in this which does not exist in any other case, however repugnant it may be; and that is, that trials of this nature must necessarily be very rare, inasmuch as the offence itself must necessarily, let us hope, be very rarely committed; and if it is necessary—I do not believe it is—to place this blot on our Statute-book, let us not place it there in illuminated letters. Let us put it in small type in some secluded place, and when a trial must take place it should be with as little scandal and notoriety as possible. There will be more harm done in the scandal which attaches to a trial of this character on the community generally, than all the good that possibly can be done by bringing the guilty parties to punishment. Therefore as in other cases—in the case, for instance, of executions of criminals where the law has recognized the advisability of avoiding scandal and public harm—it should be the express and positive law, and should appear in the Act itself, that whenever a trial takes place under this Act, it should take place with as little publicity as possible. The hon. gentleman says, let it take place in the light of day. I do not see anything to be gained by this. The trial can take place before a judge and jury under my proposed amendment, and all persons who have any business in the case will be present, but the court will have to exclude those who go merely out of prurient curiosity.

Mr. BLAKE. Every hon. member must sympathize with a great deal of what the hon. gentleman has said; but the question he has raised is of a very serious character, and deserving of the attention of the Government, and particularly that of the hon. member of the Government who represents the hon. Minister of Justice in this House. I believe that public trials of this description often produce great evils, and that the minute and detailed accounts that appear in the public papers, of preliminary investigations in trials which do not involve the revolting features particular to this class of cases—particulars of brutal murders and other crimes—are of great danger to the public. I believe if greater restraint could be placed by this House on the conductors of the public press with reference to the publishing of these details, much good would be done to the community. The publication of the details is an infinitely greater evil than the open trial, because it is so widely spread. Where you have fifty or a hundred who attend the trials, you have tens of thousands reading the

next morning all the appalling disclosures. What we are face to face with—unless you exclude the reporters—is the knowledge of the great public, of the particulars of the trial, rather than with that portion of the public who attend the trial. You are face to face with two conflicting questions, and these are things which, without at all dogmatizing as to which should prevail, it is important the House should consider for a moment. On the one hand is the question to which the hon. gentleman has referred. It is a degrading thing to our humanity that, as he says, this class of trial should be the class of trial that attracts large audiences and crowds the court rooms, like trials of seduction, adultery and rape, or anything of that description. But, on the other hand, you have the question whether the great principle of the trial of criminals in public, of the public administration of justice, is to be interfered with, and to what extent. Now, it seems to me that there are many cases where it is quite as injurious to have the public present at trials under the Statute Law, as this class of cases. It seems to me the question is one which we might fairly discuss, if the hon. gentlemen opposite are prepared to introduce some general measure applying to all cognate cases, giving some discretion to the Judge to remove the public, or a certain portion of the public, from the trial. I am not now advocating any such measure. I think we would have to consider very carefully before we decided that upon the whole the principle of the public administration of justice should be infringed on. But I express nothing unfavorable to such a measure, for I feel as strongly as the hon. gentleman can the inconveniences which do attend the publicity of these trials. But I do say that we are laying down practically the general principle, if we adopt this clause; and I submit to the hon. gentleman who has moved the amendment, and to the Administration, whether it would not be better that the amendment should not be inserted, that we should not test the sense of the House upon this particular amendment, and whether we should not take into consideration the desirability of some modification in the law as to criminal trials of this character. If it be their determination that the principle of publicity is of such vast consequence and value—and, no doubt, it is of vast consequence and value—that it is not to be infringed on at all, then it ought to be infringed on now; but if it ought to be infringed on in this case, then I think we ought to go much further than this particular clause, and, therefore, that the whole question would be more fitly dealt with by some general measure than by a clause inserted at this stage in this Bill with reference to the trial of these particular offences.

Mr. DESJARDINS. The fact that an hon. member thinks it necessary to depart from the rule of publicity in criminal trials, and to try certain cases out of the presence of the public, justifies, to a certain degree, the position I assumed the other day, when the Bill of the hon. member for West Huron was read the second time. The hon. gentleman says that since that time he has received several letters, urging him to go on with it. Well, I have received letters, too, and from men whose position entitles their opinion to respect, deprecating the passing of a Bill of this kind. I have here a letter written by a gentleman who belonged to the Liberal party, and who now occupies a high magisterial position in the city of Montreal. This is what he says:

"The legislation proposed against incest, adultery, and seduction, had already attracted our attention. In our experience we have never heard any serious complaints of that kind, in any case they have been very few. We see no urgent reasons for the passing of such legislation. There have been here a few cases of criminal assaults upon young girls by their parents. Almost invariably we found at bottom that it arose from a desire of vengeance, especially on the part of the woman who often seemed to use her child as an instrument of gratifying her anger. What would be the consequence if both parties, apparently, were agreed in the commission of the offence, and would be consequently both equally guilty, and if afterwards difficulties should arise between them, and the most shameless of the two should denounce the other to the tribunals?"

Mr. BLAKE.

It would be dangerous, it would be immoral!—and what would be the benefit to society? A little more scandal, and that is all. If this can be said of incest, much more can it be said of adultery and seduction. I observe that it is the man who would most frequently be the victim of such a state of things. A fallen woman sticks at nothing, especially when her shame has been revealed. And how skilful she is in the use of blackmail! And what a fine chance such a law would give her for blackmailing! We find the bill upon adultery and seduction dangerous to the last degree. If we must have legislation in regard to incest, we think that the law ought to be limited to the father and mother with their own children. As magistrates we would be satisfied with the existing law, and we think that sections 49, 50, 51, and 52, as respectively amended, are sufficient for the repression of all the worst cases of the kind which deserve the attention of the legislator. The true principle of criminal law is not so much to punish the guilty as to deter others by example. Some of those offences are the result rather of accident than habit, and it would be better to ignore such cases as long as they do not become dangerous to society. I do not know that incest can be placed in this category. It is a question with me whether the horror this crime inspires, and the paucity of cases of the kind, may not be a better remedy than a stringent law, which would have the effect of accustoming the public mind to look upon it as one of those offences to which humanity is addicted. That, at least, is my opinion."

That is the opinion of a gentleman whose position enables him to speak as to the necessity of such legislation with more authority than some of those gentlemen who support this Bill. I believe, as I have said, that such legislation will be a dead letter, and if it is put into operation the remedy will be worse than the disease.

Mr. BOSSÉ. I will vote for the amendment, but I think it should go further. Such an Act as is proposed, which is not necessary and is not warranted by the present condition of our people, will be conducive of no good, but, on the other hand, will create very great evils. The Bill as it stands makes no distinction between two classes of offences which may come up—where the crime is notorious and is generally known in the community, and where, as will happen in most cases, it is secret, and only accidentally discovered. Speaking merely of the latter class, I say that the convictions under this law will be exceedingly rare. It will be found almost impossible to obtain proof, witnesses will not be had, and it cannot be said that we will be obliged to take the evidence of the accomplice, of one of the perpetrators of the crime. Therefore, in most cases proof will be exceedingly difficult to secure, and, indeed, it will be found almost impossible to obtain it. Out of the very rare cases which will come under the notice of the Attorney-General, suppose there are some cases where that proof is possible, what will be the result? Exceedingly rare as they are, they will have to be dealt with. Why should we pass laws and enact the penalties? Let us bear in mind that laws are not passed merely for the purpose of passing them; let us bear in mind that we do not enact penalties for the mere pleasure of enacting them. Laws have other and higher objects. We pass laws and enact penalties in order to deter others from the commission of crime. They are also enacted in a broader view—for the good of society. Let us see to what results we would come to with this law. There is no offence against the person. The crime has been committed voluntarily by the two parties. There is no damage to property, and in the class of cases of which I have spoken, that is the class where the crime is not notorious, society itself is not in question, and has nothing to gain by an indictment. Let the House bear in mind that I am referring here, not to the notorious, but to the other class of cases. What are we, therefore, going to do? We see there is no offence against the person, against property, or against society, and still, under the pretext of protecting society, we will drag this crime from the secrecy where it was committed—for it is the crime of secrecy, of darkness, and of shame—we will drag it into open daylight, and present its revolting details to the public; and all that for the sake of what? For the sake of exposure. People will come to the courts by hundreds, who before coming there had no idea that such a crime could ever be committed. Their first notions of the crime will be obtained there, and they will

have temptations suggested. We will thereby turn our courts justice into scandal-mongers, into disturbers of public of morality, and into aiders and abettors to those crimes. Still worse, such a law would open the door to the very worst kind of blackmailing. Where is the honest woman whose honor is threatened by an indictment of this nature, who would not give away her last cent and sell her last rag in order to save herself from the ignominy of such trial, and the disgrace which would result from it, for she would never again be able to show herself in the streets of her town. She would be lost for ever. It would be the same for every man charged with the offence. This would open the door for the very worst kind of blackmailing; there is, therefore, nothing to be gained by such an Act as is proposed. But I take it that we ought to leave the public good sense and indignation to punish such crimes. One case which came under my notice was in the district of Montmagny. I was then prosecutor for the Crown. It was my lot to be advised, under very peculiar circumstances, to lay an indictment for a crime of this nature. It was laid, of course, in another name. The proof failed, as was expected—the man was set at large; and the day afterwards, under the pressure of public opinion, under the indignation of every honest man, under the shame and contumely he felt, he was obliged to leave with his accomplice—who was known after the trial to be his accomplice—for a country where there is a law to punish this crime. I know another case which occurred, where the parties were obliged to go in consequence of the indignation of their neighbors. In those cases the crime was notorious, and there was no revelation in the court of justice of facts which the people did not know. But we have not been alone in this country, where the morality of our people has generally been held to be good, in being without such a law. In other countries where the law did exist it has been abolished. In Spain, Italy, France, as far back as 1793, and in England, the common sense of the people—the common law of the English people, to use another term—did not find it necessary to make this an indictable offence, and if that is the experience of other people there must be something in it.

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. BOSSE. Before the adjournment took place, Mr. Speaker, I had stated the uselessness of trials which might take place under this Bill, if it ever became law; the uselessness of the public scandals which would inevitably result from those trials, and the danger of blackmail to which it would open the greatest and widest field. I had stated, also, that society was not interested, for the reasons which I had the honor to lay before this House, and that the perpetrators of these crimes were the only ones who were affected by it, and who were degraded and debased by it; all this is applicable more especially to that class of crimes which are not notorious or of public notoriety. As to these last ones, Mr. Speaker, perhaps the objections are not so strong; but still I believe, still I am convinced, that this Bill ought not to be adopted. I have given to this honorable House two cases which had come before me, in which the knowledge of the crime had been notorious and public. The scorn and indignation of the neighbors and the sentiment of public morality, which had been aroused, was amply and more than amply sufficient to do full justice in the matter. I believe, and I trust, that in most, if not in all these cases, such would be the result, when these crimes would come to the knowledge of the neighbors, or of the public, they will do to them the most ample, the most direct and the most substantial justice. But, Sir, if this should not be the case, if it should happen, that in very rare cases indeed, these crimes could be committed with that apparent impunity, then the only thing

I can say is, I pity the community in which they could be so committed; and what I can say and assert, Sir, is, that no law, whatever it may be, can come to the help or rescue of those people, if the sense of public morals, if the sense of self-respect is not sufficient amongst them to enable them to do that justice. No legislation would help them, no testimony coming from that quarter would be available for the ends of justice; and no good would result from any law which we may pass. Surely, Mr. Speaker, in our Dominion of Canada, self-respect and public morals are equal to the self-respect and public morals in other countries. In other countries, in all the countries of Europe, laws of this nature were to be found as relics of barbarism. But in several, I believe in most of these countries, one after another, those laws have been abolished. Let us profit by the experience of others. Men are men everywhere; and the condition of society has led to the abolition of those laws, and to the abolition of those old customs; and surely we cannot say that this does not also exist in Canada. Let us see, Sir, what were the reasons which induced the legislators in France—and those reasons were the same in other countries—to abolish those old customs. I find them given in the theory of the penal code of France by Chauveau Adolphe and Faustin Hélie, two of the best authors who have ever written on the subject; and every one who is familiar with French authors knows with what degree of respect the opinion of these two men is to be received. What do they say, Sir. The author refers, Sir, to the particular crime mentioned in the Bill now under the consideration of the House, and to others of the same nature:

“ Les différents faits que nous venons de parcourir, quelque honteux et coupables qu'ils soient, ont cessé de figurer dans notre législation pénale. Écartés des tribunaux de répression par les lois des 19-22 juillet et 25 septembre-6 octobre 1791, notre code les a légalement rejetés de ses dispositions; le législateur s'est borné à incriminer les actes contraires à la décence qui se produisent en public, les faits de corruption pratiqués par les mineurs, et les violences commises par les personnes.”

In all these cases, the laws actually in force protect society in the most ample way:

“ C'est à ces actes, en effet, que son action doit se restreindre: ceux-là seuls portent à autrui un dommage visible et appréciable; seuls ils se manifestent aussi avec un fait matériel que la justice peut saisir. Les autres, accomplis dans le secret, couverts la plupart d'un voile épais, ne troublent point ouvertement la société qui les ignore, et ne portent dommage qu'à leurs auteurs qu'ils dégradent. La justice, d'ailleurs, pourrait-elle les poursuivre sans péril? Quels scandales ne jailliraient pas de ces poursuites? Où serait le bien de dévoiler tant de turpitudes cachées, tant de honteux mystères? La morale est-elle intéressée à ces infâmes révélations? Le silence de la loi devrait être approuvé, quand il ne serait dicté que par un sentiment de respect pour la pudeur publique; c'est assez que la justice soit forcée de proclamer le délit, en le punissant, quand le scandale a été public, ou quand la liberté des personnes a été atteinte. Et puis, quelles seraient les conséquences de cette intervention de l'action publique? Ne seraient-ce pas consacrer l'inquisition du magistrat dans la vie privée des citoyens, soumettre à ses investigations leurs actions intimes, ouvrir, en un mot, le sanctuaire du foyer domestique? La loi a donc procédé avec sagesse en distinguant, parmi les actes immoraux, ceux qui, tout en révélant des habitudes licencieuses ne produisent pas une offense directe sur autrui, et ceux qui tendent à produire ou qui produisent en effet sur les auteurs un préjudice appréciable. Les premiers ont dû être laissés à la seule réprobation de la conscience et de l'honnêteté publique, et la loi n'a sévi que contre les actes que la société avait un véritable intérêt à punir.”

No words more eloquent can be found to express the ideas which I have the honor to lay before this House. I only wish I could translate them, and render them as Chauveau Adolphe has rendered them. They will, I am sure, convey to every one who hears me the conviction that this Bill ought not to be adopted. We then see, Mr. Speaker, that these questions are far from being new, that, before this day, they have attracted the attention of other legislators, who, confident in the good sense, confident in the self-respect, confident in the force of the public morals of the people whom they represent, have confided in the good sense, and the public morals, and the self-respect of the people, for the punishment of these crimes. In that they have not failed, Mr.

Speaker; in that they ought not to fail; and we ought not to put upon our Statute-book, a law which would declare that our sense of public morality is insufficient to secure the punishment of these crimes; and that our sense of public morality is not such that it can drive them out of our Dominion. Again, Mr. Speaker, such a law would be useless, or next to useless, for another reason: who is the man of experience, who is the man having any knowledge of what criminal trials are, who is the man, acting as Attorney General, with the experience and knowledge of the laws, and the knowledge of human nature, which an Attorney General must possess, or which he is deemed to possess, who would take upon himself the responsibility of making the courts of justice, where he sits now, the vindicators of public morality, but, as I said a moment ago, scandal-mongers and the distributors of immorality. He would think twice before he laid an indictment; and that indictment, if ever prepared, would remain in his desk, and the law would remain useless law. At last, Mr. Speaker, I have finished with this disagreeable subject, other things ought perhaps to be said, but I regret that I have been obliged to say so much. I regret that it has been thought necessary even that a discussion should be raised in this House on a subject of this nature. But I will go no further, and if the worst comes to the worst, if after all the reasons which have been given contra, the majority of this House and of this Parliament should adopt this Bill, then, at any rate, let us take the worst of the sting out of it and adopt the amendment, which has been proposed, by which the horrible and revolting details, necessarily the accompaniment of these trials, will be removed from the public view. And if this is done, one of the main objections to the Bill will have been removed. I will support the amendment.

Mr. FOSTER. I have been a silent but not an uninterested listener since this matter has come up before this Parliament. I have been looking for the reasons of what I saw was quite prominent in this House—I have distinctly noticed the feeling which was evident in this House—namely, the objections to this Bill becoming law; and it has been more easy for me to see that a feeling existed against the Bill, than to get at the reasons why it should exist. I am, however, indebted to my hon. friend for Quebec Centre, who I must say has made a most vigorous, a most pleasing, and most eloquent speech, for his maiden effort in this House—for he has adduced about all the reasons I have heard adduced as to why this Bill should not become law. Let me try, Mr. Speaker, for a moment or two, to gather together the chief objections to the Bill. One of the first is, I think, this: danger will arise from the publicity which will be given to something which otherwise might have remained secret. That was the objection raised the other day when the subject was discussed here to some extent, and it is an objection which has been repeated again to-day. The hon. member for Bellechasse was very much concerned as to the evil effects which would take place if such a law as this should be bound up in the Statute-book—he thought it would have a very bad effect. I do not consider that that argument should have much weight in this House, from this consideration: that that little Bill bound up in the Statute-books of the country would not come before the gaze of any considerable number of our people, and if it did come before the eyes of any it would be our lawyers; and I need not stop long to discuss the question as to the demoralizing effect that such a Statute would have upon the members of that robust and virtuous profession. Then, again, it was stated that the publicity which would be given by means of trials, would be prejudicial to the morals of the country. I am thoroughly in sympathy with that idea. I believe in the Bill, but I believe in the amendment to it; and if that amendment does not go so far as to exclude all reporters of newspapers from those trials, then I hope when it comes before the Committee, such will be done. I

Mr. Bossé,

do believe that the difficulty in these cases arises, not from the fact that there is a known evil existing, and that that evil is punished, but that it arises from the fact that the details of these trials, which never should go to the public, are spread upon the pages of the newspapers and scattered broadcast through the country. I do believe, and am in thorough sympathy with the idea, that these details should be secret—that they should not be made public in that way. We will leave that part of the Bill, that is, the danger of publicity, which, I think, is reduced to a minimum if we take the Bill with the addition proposed by the hon. member for Richmond and Wolfe. The next argument is that there are other countries which have not these laws. Just here—for I am not able to speak by the book—I want to enquire as to whether or not, at least in some of these countries where these laws do not exist, they do not exist simply because they have been allowed to lapse as parts of old ecclesiastical laws which dealt with this matter. I think that is the case in England; but I think that in Scotland laws are strictly enforced yet with reference to this evil. I quite admit that precedent from other countries should have a certain amount of weight with us; I do not acknowledge that they should dominate our legislation, and it would have to be proved to me that Italy, Spain and France had a better state of morality, and that they had a clearer record in this respect than countries where such laws do exist, before I should feel that that argument should have great weight with us. I think we can cite countries where these laws do exist on the Statute-book, and where they are fairly well executed with proportionately good results. The next argument used has only been brought out to-night, and it is that this matter is different from all other matters, and, therefore, we should not make laws with reference to it. It has been stated that this is not an offence against property. Well, we may have different kinds of property, and different ideas of property; but I think there are many crimes that are punished by our laws with regard to property that can not begin to be so heinous or to deserve so great punishment as those committed against what is popularly assumed to be property. I go further, and I say that the manhood and the womanhood of the country is the highest and best species of property that belongs to it, and I consider that this is a crime which offends against what is, in the highest and best sense, the property of the country. It is said that this is not an offence against the person. I take issue on that question. I say that it is an offence against the person. It is an offence against the moral sense—against the very highest, best, and most sensitive conscience of the individual; and when you touch the person in that part you touch it in a very vital part indeed. I say it is an offence against the physical life of the country. We know that science has been bringing this out more and more clearly, until it is read all through our country, that generations are wiser, and healthier, and better in proportion as the degrees of consanguinity become further and further removed from persons contracting marriages. I say that this is a matter which, touching the moral life and the physical life of generations, may fairly be classed as an offence against the person. It has been stated that this is not an offence against society. Again I beg leave to take the opposite side of that statement. I think it is an offence, and a great offence against society. If I read and think correctly, I believe that society is built up upon these two bulwarks especially—the purity of its members and the intelligence of its members; and I believe that this is an offence which obtains among the people in proportion to their ignorance and their impurity. So I think it may properly be classed as an offence against society. It is said that this is a secret matter, and should be left secret. I cannot subscribe to that doctrine. Suppose a man stands among us, having some disease upon him,

and knows it not, is not warned of it, so that he does not avail himself of the appliances which are close by him, and which might give him relief, and does not exercise that watchfulness and care which might prevent the disease from spreading, until it becomes fatal to him. I think there is a complete analogy between the man and society in that respect. It is those vices which are allowed to remain hidden, that grow and eat deeper and deeper into the very vitals and essence of society, that prove its greatest danger. It is said, again, that we should leave this matter to the good sense of the people. To the good sense of what people? To the good sense of the people who are criminals in the matter? They have not that good sense to appeal to, from the very fact that they are the criminals. Shall we leave it to the good sense of the rest of the people? Yes; how can we better deal with this question than by registering the people's condemnation of this vice by the instrumentality of the law, and putting a penalty against it, and thus enabling the good sense of the people to meet and grapple with the evil, and minimize it to the very greatest possible extent? Let me, in closing these few remarks, call your attention to what was very well explained as the double object of the law, by the hon. member for Quebec Centre. Law is for two—I think we may say for three—purposes. It is to punish the person who offends. Will any one say that the person who offends in this respect ought not to be punished? Law is also to deter others, who have not committed an offence, from committing it. The frequent occurrence of an offence which obtains largely in the lower grades of society, can be better prevented by the existence of a penalty against it than by any other possible means. But there is another object of law, and I think it is one of the very highest purposes and uses of law, and that is, to crystallize the sentiment of the people, and to place it as a teaching power on the Statute-book. We have instances of this in history. The time was, in our own fatherland, when slavery was allowed, when it was condoned, when it was upheld; but the sentiment against it began to spread from mind to mind, from heart to heart, until by-and-bye it was registered in the form of a Statute; and the highest concrete sentiment of the people remains there to-day for the world to read, and learn from it the lesson of liberty and equality. So, I think, a high office of the law is to register the best aggregate or concrete sentiment of the people; and I should be sorry indeed, Mr. Speaker, if, after this matter has been brought to the attention of this Parliament and the country, we should fail to rise to the height of this demand, and register our condemnation of such crimes before the people of this country, and before the people of the world in the Statute-book of our Dominion.

Mr. CURRAN (Translation). Mr. Speaker, I undertake to discuss in French the question now before the House, out of sympathy for the large number of persons, speaking that beautiful language, who have in such a striking manner shown me their confidence on the 20th of June last. I do not think it necessary for me to reply at any length to the speech made by the hon. member who has just sat down. The hon. gentleman has altogether misunderstood the arguments adduced by my hon. friend for Quebec Centre (Mr. Bossé), and all the other hon. gentlemen who have spoken on the subject. The question now before this House, Mr. Speaker, is not the enormity of the offence, nor the desire which exists in the heart of every citizen and legislator to prevent such offences. That is not the question. What we have to discuss, and do discuss at present, is to ascertain what would be the best means to preserve public morality. I exceedingly regret that on this occasion I have to employ the language of gallantry, the language of the old chivalry in the discussion of a subject having such unhealthy odor as this. But, Mr. Speaker, I think a few slight reflections will suffice to carry the conviction that such

a law is not necessary. For my part, I do not pretend to have an extensive experience, but I have now been practising in Her Majesty's Courts in the Province of Quebec as a lawyer for twenty years; I have pleaded not only before the civil courts, but also before criminal tribunals both as Crown prosecutor and on behalf of the accused, and during those twenty years no case such as this has ever come to my knowledge. Can the necessity for such a law be proved by articles quoted from the newspapers of the Dominion, whether English or French? Can it be shown that the order of things is such that a law of that nature has become necessary? Have any petitions been presented to Parliament on the subject? No, Sir. Let us examine the charges made by the honorable judges presiding in the Criminal Courts to the Grand Jury from one end of the Dominion to the other; shall we find in them a single instance where any of those honorable judges has alluded to the existence of such a plague in our community? Nothing of the kind has ever taken place. We have been told, Mr. Speaker—and the assertion was just now repeated in terms almost formal—that many persons have very little regard for the high authority quoted by the hon. member. We are told—what has frequently been stated elsewhere: When it shall have been proved that the morals of Italy, that the morals of France, and the morals of Spain are superior to the morals of other countries, then they will agree with them that we do not require such legislation. The hon. member stated that there are countries where morals are pure, where civilization flourishes, where scandal is never heard of, and wherein, nevertheless, laws of that character exist. I am not aware what country that statement may have reference to. Is it in any of the neighboring States where morals are so prominent? As proved by statistics, morals in some of those States are such that their people are disappearing and their place is filled by strangers. These, Mr. Speaker, are the reflections, which present themselves to my mind when I hear allusions made to the morals of Italy, the morals of France and the morals of Spain. I do not think it necessary to dilate further on the subject. I do not think it would be possible to put into our Statute-book a law more prejudicial to the interests of morality. But, Mr. Speaker, there are in all countries, in our own as well as elsewhere, men who have extravagant ideas, who are afflicted with a kind of mania for such legislation as this. Fortunately, they are not numerous. Until now those odious crimes have not prevailed in families; the population has been free from their baneful influence, and families increase and grow in good morals. We do not want such a law, not only because of the scandal resulting from those trials—for the trials are not the only thing made public—but there is moreover the arrest of the accused, which is also a source of scandal. You know that we have in this country as elsewhere sensational papers making capital out of such scandals, and the character of citizens is at their mercy; and even with the amendment proposed by the hon. member for Richmond and Wolfe (Mr. Ives), will the morality of our youth—of our boys and girls—be in less danger from reading in the newspapers of the arrest of certain parties for crimes of this nature? If parties who can commit such crimes exist, which I really do not believe, there are none in our Province, none in the district of Montreal. Such crimes have never come to my knowledge, and I do not believe that they are ever committed in any part of our Dominion. The few isolated instances mentioned by the hon. member for Huron (Mr. Cameron), are not sufficient to induce us to imprint this stain on our Statute-books, to blight our criminal law by the introduction of such a measure as this. I will vote in favor of the amendment moved by the hon. member for Richmond and Wolfe, because I consider it as a means of putting an end to our present embarrassment, and such as will facilitate the disappearance of this Bill which is no credit to the Dominion of Canada.

Mr. CAMERON (Huron). I think we ought to have some declaration from the Government as to what course they propose to pursue upon this question. This is a criminal Bill and ought to be in the hands of the Government or receive their sanction. So far as I am concerned, I do not object to the amendment; but I would like to see it extended to all crimes of the same character. Of course, if the Government see no objection to it, I see none, except as already indicated.

Amendment (Mr. Ives) agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. IVES moved that the amendment be inserted in the Bill as clause five.

Mr. RYKERT moved that the Committee do now rise.

Mr. CAMERON (Huron). Let me explain the effect of that motion. It is to defeat the Bill.

Some hon. MEMBERS. Hear, hear.

Mr. CAMERON. If hon. gentlemen are prepared to defeat the Bill, on their own head rests the responsibility. I care nothing personally, but I think this is a crime that ought to be punishable. I move that the Committee rise and report the Bill as amended.

Mr. AMYOT. I rise to a question of order. This is an amendment to the amendment, and is out of order.

Some hon. MEMBERS. No, no.

Mr. IVES. My motion was that the Committee should adopt a certain amendment. As I understand, the motion of the hon. member for Lincoln (Mr. Rykert) is an amendment to that motion.

The CHAIRMAN. The Chair is of opinion that Mr. Rykert's motion is not an amendment, but is something of the character of a motion for adjournment.

Mr. BLAKE. My hon. friend for Huron says that he wants the responsibility to be on the heads of the hon. members who want to defeat the Bill. My hon. friend says they want to defeat the Bill without taking the responsibility, because they do not choose to have their names recorded in the Journals and brought before the public as hostile to it.

Mr. RYKERT. I would like to know why the hon. member did not take a vote on the original motion to go into Committee.

Mr. BLAKE. To go into Committee for the purpose of considering a particular amendment. Many hon. gentlemen who are friends of this Bill—take the hon. member from New Brunswick who spoke, for instance—are friends also of the amendment. It would be very good policy to divide the friends of the Bill on the amendment.

Mr. FOSTER. I want to know just how this thing is—what we are voting and what the effect will be. I took it upon myself to call out "lost." I do not know if I was right or not.

Mr. MACKENZIE. If the Committee rose without making a report, that would end the Bill. That is the intention.

Mr. IVES. Are you putting the amendment to the motion?

The CHAIRMAN. I am putting the amendment of the hon. member for Huron.

An hon. MEMBER. We are entitled to have the amendment read.

The CHAIRMAN. The hon. member had better put his motion in writing.

Mr. CURRAN.

Mr. FOSTER. I would be very glad to have an answer to my question.

The CHAIRMAN. The motion will be put in writing. I will read it.

Mr. CAMERON (Huron). Do I understand that the amendment of the hon. member for Richmond and Wolfe, put as an addition to the Bill that the trial be secret, is carried.

The CHAIRMAN. No.

Mr. CAMERON (Huron). I understand that was carried.

Mr. IVES. If that amendment has not been carried, surely the amendment of the hon. member for Huron is an amendment to the amendment. I made a motion that the amendment should be added to the Bill. The next motion was a motion made by the hon. member for Lincoln that the Committee rise, and the third was the motion of the hon. member for Huron that the Committee do now rise and report the Bill with amendment. Surely the amendment of the hon. member for Huron is an amendment to the amendment proposed by the hon. member for Lincoln, and is out of order.

Mr. BLAKE. I think you were correct in saying that the motion of the hon. member for Lincoln is a motion which is not an amendment at all. It is in order at any stage of the question in Committee, that the Committee do rise. I do not know what the motion of the hon. member for Huron in amendment to that is, nor am I prepared to say whether any amendment can be made to a motion to rise. But I think it quite clear that the motion of the hon. member for Lincoln is not an amendment to that of the hon. member for Richmond and Wolfe, but is a different motion.

Sir HECTOR LANGEVIN. I must say, in corroboration of the opinion of the hon. leader of the Opposition, that when a motion is made that the Committee do rise, I have never known, during the twenty-five years I have been in Parliament, an amendment to have been made to such motion. It is always considered a motion which must be voted upon at once. It is the same as a motion to adjourn the debate.

Mr. COSTIGAN. The motion of the hon. member for Lincoln that the Committee do rise, is, in this case, a motion for adjournment.

The CHAIRMAN. I was first under the impression that this motion, being regarded as a substantive motion and not an amendment, an amendment to it might be received; but on hearing the remarks from much older Parliamentarians than myself, and on giving the matter a second consideration, I am of opinion no amendment can properly be moved to the motion made by the hon. member for Lincoln. The motion before the House is that made by the hon. member for Lincoln, that the Committee do now rise.

On the members being counted, a tie was declared, and the Chairman gave his casting vote in the negative.

Motion negatived.

Mr. DESJARDINS (Translation). I opposed the amendment moved by the hon. member for Richmond and Wolfe (Mr. Ives), because it would, if adopted, deprive the accused of a great means of defense; for, even if he be acquitted, a certain stigma will always remain upon him, and if he is not allowed to bring to the knowledge of the public the evidence which will clear him of the charges brought against him, he has no other means left to wash off the stain which will forever blight him in the eyes of his fellow citizens. Well, Mr. Speaker, as I said when the amendment was moved, the fact that we are obliged to depart from the rules of criminal procedure, observed in our courts of justice, is of itself proof that such legislation ought

not to appear in our Statute-books. Were this amendment carried, a person wishing to have revenge against any one could with impunity attach to his name the brand of infamy, and the victim of such an infamous charge would not even have an opportunity to defend himself as publicly as he was accused. This is unjust, Mr. Speaker, and such a clause ought not to be inserted in the law. Should this House declare that we must vote on such a law, which I consider as a stain on our Statute-book, I trust it will be made public; that the defence which the accused will be bound to make against such accusation will be as public as the charge itself. Under those circumstances, Mr. Speaker, I would request hon. members to vote against the amendment, so that the Bill remain unchanged and be voted on upon its merits.

Mr. BOSSÉ moved that the Committee do now rise.

Sir JOHN A. MACDONALD. I have grave doubts, under the circumstances, whether a motion for the Committee to rise, be in order. This Bill was in Committee of the Whole before, and the Committee rose and reported progress. The House then sent it back to the Committee of the Whole with instructions to do one thing—to adopt the amendment of my hon. friend for Richmond and Wolfe (Mr. Ives). That was all they were charged with, and that is all they had power to do. It is not mandatory. Formerly the instruction was supposed to be absolute, but latterly it has been held that the Committee is not deprived of discretion to reject the amendment. The instruction that was given, and the only power given to go back to the Committee of the Whole, is for the purpose of considering whether that shall be adopted or not. All the other portions of the Bill were considered in Committee, were reported in Committee, and belong to the House. It seems to me very much like an anomaly that we have already passed upon this Bill in Committee of the Whole, we have risen and reported the Bill, and it was sent back to the Committee of the Whole; and the only thing they were enabled to do was to consider whether they would adopt the resolution of my hon. friend. It seems to me like an absurdity that, having previously reported the Bill and having got liberty only to consider the amendment, we should be at liberty here, of our own accord, to disobey the order of the House and destroy the Bill.

Mr. BLAKE. I might say further that whatever latitude we may have had at an earlier stage, we have already obeyed the instruction of the House as a Committee. We have considered the amendment which we had power to consider, and we have adopted the amendment that we were instructed to consider, and there is nothing more for this Committee to do except to get the Bill back to the House.

Mr. IVES. Of course I would not put my opinion against that of the leader of the House and the leader of the Opposition, but I had supposed that when the House is in Committee, the Committee could do what they liked with the Bill. If the Committee has not power to rise without reporting, whence the necessity of the Committee reporting at all? Will the House take the Bill and read it the third time without report from the Committee? If the House is competent to receive the Bill back from the Committee as a report, then surely we have jurisdiction; and if we have jurisdiction we can do what we like with it. Moreover, the motion that the Committee rise, like the motion for the adjournment of the House, can be made at any time, and is always in order.

Amendment (Mr. Ives) agreed to; and Bill reported.

Mr. CAMERON (Huron) moved that the Bill, as amended, be now taken into consideration.

Mr. BOSSÉ moved in amendment that the Bill, as amended, be taken into consideration this day six months.

Amendment (Mr. Bossé) negatived on the following division:—

YEAS :

Messieurs

Amyot,	Dodd,	McMillan (Vaudreuil),
Baker (Missisquoi),	Dugas,	McCallum,
Benoit,	Dundas,	McDougald,
Benson,	Dupont,	Massue,
Bergeron,	Farrow,	Méthot,
Bergin,	Fréchette,	Montplaisir,
Billy,	Gagné,	Orton,
Biondeau,	Gigault,	Pinsonneault,
Bolduc,	Girouard (Jac. Cartier),	Riopel,
Bossé,	Grandbois,	Royal,
Carling,	Guilbault,	Rykert,
Caron,	Hackett,	Scott,
Cimon,	Haggart,	Small,
Costigan,	Hawkins,	Sproule,
Coughlin,	Hurteau,	Tassé,
Coursol,	Ives,	Tyrwhitt,
Curran,	Jamieson,	Valin,
Cuthbert,	Labrosse,	Vanasse,
Daoust,	Langevin,	Wallace (York),
Dawson,	Lesage,	White (Cardwell),
De Beaujeu,	McDonald (C. Breton),	Williams,
Desaulniers,	Mackintosh,	Woodworth.—67.
Desjardins,		

NAYS :

Messieurs

Allen,	Gillmor,	Paterson (Brant),
Allison,	Gordon,	Pickard,
Armstrong,	Guillet,	Platt,
Auger,	Gunn,	Pope,
Bain,	Harley,	Ray,
Beaty,	Hay,	Richey,
Bécharde,	Hesson,	Rinfret,
Bell,	Hickey,	Robertson (Shelburne),
Berrier,	Hilliard,	Ross (Middlesex),
Blake,	Holton,	Scriver,
Bourassa,	Homer,	Smyth,
Bowell,	Irvine,	Somerville (Brant),
Burnham,	Jackson,	Somerville (Bruce),
Burns,	Keefer,	Springer,
Burpee (St. John),	King,	Sutherland (Oxford),
Burpee (Sunbury),	Kinney,	Sutherland (Selkirk),
Cameron (Huron),	Kirk,	Taylor,
Campbell (Renfrew),	Kranz,	Tilley,
Casey,	Laurier,	Trow,
Casgrain,	Lister,	Tupper (Cumberland),
Castudal,	Livingstone,	Tupper (Pictou),
Charlton,	Macdonald (Sir John),	Wallace (Albert),
Cochrane,	Mackenzie,	Watson,
Cook,	McMillan (Huron),	Weldon,
Daly,	McCraney,	Wells,
Davies,	McIntyre,	Wheler,
Dickinson,	McIsaac,	White (Hastings),
Fairbank,	McLellan,	White (Renfrew),
Ferguson (Leeds & Gren),	McMullen,	Wigle,
Fisher,	McNeill,	Wilson,
Fleming,	Moffat,	Wood (Brockville),
Forbes,	Mulock,	Wood (Westmoreland),
Foster,	O'Brien,	Yeo.—101.
Geoffrion,	Paint,	

Mr. CAMERON (Huron) moved that the Bill, as amended, be now taken into consideration.

Mr. ROYAL moved that the following be added to the amendment, as reported from the Committee of the Whole:—

That no reporter, journalist, newspaper correspondent, or member of the press, not being a practising barrister, shall be admitted to the court-room during trials of all the offences mentioned in this Act.

Mr. SPEAKER. The question is upon the consideration of the Bill as amended. This motion will properly come in, therefore, when the Bill is being read the third time.

Mr. BLAKE. I understand that the motion of my hon. friend for West Huron was that the amendment be now considered. The motion of the hon. member for Quebec Centre was, in amendment, that it be not now considered but that it be considered this day six months. That amendment has been lost and we are now on the main motion.

Sir JOHN A. MACDONALD. I would suggest to my hon. friend who moved this, that the amendment be considered now and stand for its third reading; and then that

there should be a vote taken to-morrow, or whenever the Bill is finally disposed of. There is no use having half a dozen divisions on it.

Motion agreed to on a division.

#### CARRIERS BY LAND.

Mr. McCARTHY moved that the House resolve itself into Committee of the Whole on Bill (No. 14) respecting Carriers by Land.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the second clause,

Mr. MACKENZIE. I should like to know if the hon. gentleman intends to send this Bill to the Banking and Commerce Committee. I can imagine no Bill more requiring the attention of that Committee than a Bill relating to carriers' duties.

Mr. McCARTHY. I do not propose to move such a motion. I am opposed to sending Bills of this kind to such Committees, which are struck for the purpose of dealing with Private Bill legislation.

Mr. MACKENZIE. I think the hon. gentleman will find that similar Bills have been sent there.

Mr. McCARTHY. I do not mean to say that such has not been done, but I do not intend to move such a motion.

Mr. McCALLUM. I think this Bill should go to the Committee. Some very important changes are proposed which will effect the interests of all shippers.

Mr. McCARTHY. Not shippers.

Mr. McCALLUM. Yes, shippers, and railway companies as well, because it relieves them from being responsible for damage they may do to any man's property.

Mr. McCARTHY. That is not the object of the Bill.

Mr. McCALLUM. It will have this result: that on every bill of lading there will be a contract, and unless that contract is signed, goods will not be shipped. In regard to carriers by water the case is different, because there is competition in that case; but in a village the shipper of goods or cattle must sign a contract on every bill of lading, or he cannot ship at all, therefore the companies will get rid of their liability. Under these circumstances I hope the Bill will be referred to the Committee on Banking and Commerce.

Mr. McCARTHY. My hon. friend is wrong in his view of the Bill. The object is in a contrary direction, to make railway companies and other carriers responsible, unless the contract they enter into with shippers is decided by the courts to be just and reasonable. As the law stands now carriers can and do insist upon any regulations and any conditions which they please, whether these are just or unjust; and they are able to set them up as a defence against the consignor or consignee, whose goods are lost or destroyed. The object of the Bill is to provide that these conditions are not to be binding or tenable, unless signed by the consignor, or shipper, and not then unless they are just and reasonable, and if it is so decided by the court or Judge. The object, therefore, of the legislation I propose, is to impose additional liability on carriers, or rather to take away some of the provisions on which they now insist to protect themselves against all possible liability in any event.

Mr. McCALLUM. This House, I think, should say what is just and right, and it should not be left to any court at all, as far as the responsibility of the carrier is concerned.

Sir JOHN A. MACDONALD.

Mr. CASGRAIN. I think, Mr. Chairman, that the views of the hon. member for Simcoe, as to the duties of the courts, are rather anomalous. Courts of justice are not created to make contracts for parties, but only to construe contracts as the parties intended to make them. I do not think our courts would be greatly delighted in having to interpret contracts, as to whether they are reasonable or not. When a contract is made it is binding on both parties. I think that the object of the Bill might be better attained, if these regulations were made by Statute and not left to the discretion of the courts; and that the suggestion of the hon. member for Monck ought to be adopted. The Bill could be sifted in the Committee of Banking and Commerce. For instance, take the meaning my hon. friend (Mr. McCarthy) gives to the word, "common carrier." He applies it only to carriers by land. Now, I will ask my hon. friend whether carriers could not get rid of these provisions, in case they sent goods by ferry during a part of the trip, as between Detroit and Sandwich. Their liability would then cease, according to the letter of this Bill, which ought to be referred to a Committee, especially as it affects the rights of so many persons.

Sir JOHN A. MACDONALD. As I understand from my hon. friend, this Bill is an exact transcription of the English Carrier's Act, which was there fully considered in Committee, and there, as my hon. friend Mr. Casgrain must know, all the vested rights of railway companies and of all kinds are fully protected and discussed in Committee; therefore, I think we have *prima facie* evidence that this is a good Bill. On looking over the Bill itself, I am of that opinion. Still, if it be the general sense of the House that it ought to be referred either to the Committee on Railways or to the Committee on Banking and Commerce, I have no doubt that my hon. friend will yield, and will consent to this step. From its clauses it might either go to the one or to the other Committee, but Banking and Commerce is perhaps the one most appropriate, inasmuch as this Bill refers to other carriers by land than railway companies. The hon. gentleman will see that the Bill is limited to carriers by land and does not affect the common law or the statutory obligations of shippers.

Mr. McCARTHY. This is already provided for by the Statutes.

Mr. CASGRAIN. I do not think that it can interfere with carriers by land.

Mr. McCARTHY. Oh, yes.

Mr. CASGRAIN. The moment they cease, *de facto*, to be carriers by land, and become carriers by water, the contract under this Bill is not binding, but lapses. This would break the contract *in toto*, exactly as in the case of the deviation of a ship from its course. The point I make is very simple.

Mr. MACKENZIE. Do I understand the hon. gentleman to say that the twelfth section is in the English Act, which allows Judges to decide whether a contract is reasonable or not.

Mr. McCARTHY. Yes; and that is really the best section of the Bill.

Mr. BLAKE. That is the old section which we had years ago.

Mr. McCARTHY. This is really the important part of the Bill; and what we have been trying to get here for some time. At present there is no check on carriers—no limitation at all. If any person reads a shipping bill, and all the conditions imposed on carriers, and which they are compelled to sign, or their goods will not be shipped, he will find the necessity which exists for such a Bill as this. The objection to it, I understand, is that it ought to go further, and say, that no limitation and no conditions imposed on carriers, shall be held just, and legal, and binding; but

whether the House is prepared to go to that length, I am not prepared to say.

Mr. SPROULE. I think that the Bill is a step in the right direction; and any person who is engaged in trade, will recognise that fact. The conditions now imposed on carriers are almost impossible of fulfilment; and if any loss be sustained, damages can scarcely at all be recovered. I think that the Bill should, however, include all classes of articles—such as animals and cattle.

Mr. McCARTHY. It does do so.

Mr. SPROULE. For instance, last summer in the case of shipping cattle and horses to the North-West, an agreement was entered into by shippers, who had to sign it. The cars, containing cattle and horses were shunted off on a siding. No provision was made for feeding them and a number died. An attempt was made to get redress through the courts, but it was impossible to obtain it. The conditions seemed to be binding all on one side, and not on the other at all. I think it is necessary that this Bill should go before a Committee and sifted a little further, in order that it may be carried a good deal further and be made to include all classes of articles shipped.

Mr. WELDON. I think it is well to follow the English Act, which will be a great guide to us and to the public. I must say I agree with the last speaker, some interference is required, for the conditions imposed by the railways carrying goods practically throw the whole of the responsibility on the sender; and as my hon. friend from Simcoe says, this is a step in the right direction, and it does not place undue responsibility upon the carriers.

Mr. WHITE (Renfrew). I see it is provided in the third clause, that carriers are not required to take certain articles, over and above a certain value, unless an increased rate is paid; and the fourth clause provides that they are bound to take these articles, if an increased charge is paid. It would be well to consider what this charge should be; for the railway companies might raise the rate, until they made it prohibitory. The promoter of the Bill might well consider whether the rate should not be fixed.

Mr. MACKENZIE. I would like to ask the right hon. gentleman at the head of the Government, who has announced his approval of the Bill in general terms, whether this Bill will apply to Government railways. If we are to continue in the business of common carriers, as a nation, I presume that we must necessarily be brought under the provisions of that part of the Act which regulates carriers.

Sir JOHN A. MACDONALD. I do not think that the Government can be considered to be a common carrier.

Mr. MACKENZIE. Well, then, an uncommon carrier.

On the fourth clause,

Sir JOHN A. MACDONALD. I would ask my hon. friend (Mr. McCarthy) whether he considers that this clause giving the right to put an increased rate on valuable goods, is subject to the general control of railways, and of railway carriage, and of rates, under the Railway Acts. It may conflict in that regard; and if there be any question on this point, the Bill should go to the Committee on Railways.

Mr. WHITE (Renfrew). I think, Mr. Chairman, that there should be some limitation at all events, as to the increased rate to be charged by carriers on these articles.

Mr. WELDON. I think that if a carrier should make an excessive charge the party injured would have remedy without this Act, and could recover back the over-charge. Still, it might be well to guard this section, in order that railway companies might not have the power to impose

exorbitant rates. The difficulty is that in a great many cases, where exorbitant charges were collected the parties concerned would pay them, and not seek to recover. This is an objection that undoubtedly, if a carrier charges unreasonably, the excess can be recovered back. I have done so myself.

Mr. BLAKE. I do not see why the tariff of express rates should not be in the same position, that is, subject to the approval of the Governor in Council.

Mr. WHITE (Renfrew). The plan followed by the railway companies is that when an article is brought to them which they do not care to carry, weighing say eighty or 100 pounds, they will not take it except at the rate of 1,000 or 1,500 pounds.

Mr. McCARTHY. The point made by the hon. First Minister is that this power might enlarge the right of the railway companies to change such tariff as they please, and get rid of the necessity they are now under of having the tariff approved by the Governor in Council. But this is a general law which enacts that all carriers shall have these rights in connection with such goods; and I do not think it will give the railway companies power to charge anything except by law, which must be approved by the Governor in Council, before it becomes operative. My hon. friend for Renfrew (Mr. White) suggests to me that a certain maximum might be fixed, say 20 or 30 per cent., beyond which they should not go.

Mr. WELDON. If you fix 30 per cent. they will always charge that rate.

Mr. McCARTHY. There is danger of that, of course.

Mr. CASGRAIN. I would ask the hon. gentleman if he knows how this law will affect the Province of Quebec, where we have our particular French law on this subject. It seems to me, speaking at the moment, that these provisions will make what I consider a great modification upon our laws.

Sir JOHN A. MACDONALD. I think it would be well for the Committee to rise and report progress. The attention of hon. members has only been called to this Bill to-day, and they have not yet had time to fully consider its provisions. I, therefore, move that the Committee rise and report progress, and ask leave to sit again.

Mr. DAVIES. I did not understand whether the hon. mover of this Bill, in his answer to the hon. member for East York, said that the Bill was intended to apply to the Government railways. I think he intimated that the Government were not common carriers. I think he will find that in the Consolidated Railway Act of 1881, they are made common carriers, both with respect to passengers and goods. In fact, so far as the eastern part of the Dominion is concerned, they do almost all the carrying trade. In Prince Edward Island, it is known the railway is entirely owned by the Government. If the Committee agrees that the Bill is good, I see no reason why it should not apply to the Government railways.

Progress reported, Committee to sit again.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 10:10 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 14th March, 1883.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

## BILL INTRODUCED.

The following Bill was introduced, and read the first time:—

Bill (No. 83) to amend the Acts respecting procedure in Criminal Cases, and other matters relating to Criminal Law.—(Mr. Weldon.)

## GRAND TRUNK RAILWAY RETURNS.

Mr. **MITCHELL** enquired, Whether the Grand Trunk Railway Company of Canada have regularly made the returns required of them by Sections 30 and 31 of the Railway Act of 1879?

Sir **CHARLES TUPPER**. The company made their returns under Section 30, but they did not sign them and, in that respect, the requirement of the law has not been complied with. They have promptly complied with the 31st section, by making their weekly returns of traffic duly signed.

## INSURING GOODS IN BONDED WAREHOUSES.

Mr. **COURSOL** enquired, Have the Collectors of Customs at the Ports of Montreal and Quebec, received instructions from the hon. the Minister of Customs to direct persons to insure all goods placed in a bonded warehouse, at a price sufficient, not only to cover the cost of freight of the articles, but also the amount of duty as well?

Mr. **BOWELL**. No such instructions have been sent from the Department.

## SUPERANNUATION OF PRINCE EDWARD ISLAND JUDGES.

Mr. **DAVIES** enquired, Whether it is the intention of the Government to apply to the Judges of the Supreme Court of Prince Edward Island the Statutes respecting the superannuation and retiring allowances of Judges of the Superior Courts of the Dominion?

Sir **HECTOR LANGEVIN**. It is the intention of the Government to submit a measure to Parliament directly.

## VACANT COMMISSIONS IN THE ARTILLERY.

Mr. **WELDON** enquired, Is it the intention of the Government to fill up the vacant Commissions in "A" and "B" Batteries of Artillery with graduates of the Royal Military College?

Mr. **CARON**. The matter is now under consideration of the Government.

## OFFICIAL REPORTING OF THE DEBATES.

Mr. **WHITE** (Cardwell) moved, that the first report of the Select Committee appointed to supervise the Official Reports of the Debates of this House, during the present Session, be concurred in.

Mr. **DESJARDINS**. It appears there are some facts that it is desirable the Committee should have an opportunity to consider in relation to the subject mentioned in the report; and if that opportunity was afforded, the Committee would very likely modify the conclusion at which they had

Sir **JOHN A. MACDONALD**.

arrived, or offer some suggestions as to what mode should be adopted for the translation of the Debates hereafter. In view of these facts, I beg to move that the report be referred back to the Committee for reconsideration.

Motion agreed to.

## MURRAY CANAL.

Mr. **PLATT**, in moving for copies of all reports not already brought down by Government engineers, relative to the several proposed routes for the Murray Canal, with estimated cost of construction by adopted route and other proposed routes; also, Orders in Council, correspondence, petitions from mariners, vessel owners and others, and recommendations of master-sailors and others, relative to the selection of a route, the construction of the canal, or the character of the harbors afforded by Presqu'Isle and Weller's Bay; also, a list of tenders, with names and amounts, received in response to Government advertisement, and all offers made by tender or otherwise to construct the canal by any other than the adopted route, together with such reports as to progress made in work of construction as may be in possession of the Government, said: These reports are asked for in order that the people may be furnished with the reasons which induced the Government to select the route chosen for the Murray Canal. So far the people in that section have not been made aware of the reasons, and there is an almost unanimous expression of opinion that a preferable route was discovered and should have been selected, and, in the opinion of vessel owners, what is known as No. 4 route, or the route opening into Weller's Bay would be more advantageous, especially to the marine interests of the country. It is simply for the sake of satisfying the public that this information is asked. I presume the Government have acted upon the reports of their engineers, but those reports have not been officially published. I find, in the report of the hon. the Minister of Railways and Canals, the engineer refers to a special report, but I cannot find it in the hon. Minister's report. I trust the reasons which induced the Government to select the adopted route, and the other information asked for in the motion, will be brought down.

Sir **CHARLES TUPPER**. There is no objection to bringing down the information which the hon. gentleman has asked for, but a similar motion has already been made in the other branch of Parliament, and the return has been granted and will be brought down and go to the Printing Committee; and I presume it will not be necessary to duplicate it here, as all that the hon. gentleman wishes will be attained by the information asked for being submitted to Parliament. If the hon. gentleman will allow the motion to drop, the information required will all be furnished under the Orders of the Senate, and when sent to the Printing Committee it will be available to the members of this House as well as to the other branch of Parliament.

Mr. **BLAKE**. Has the hon. gentleman compared the motions?

Sir **CHARLES TUPPER**. I have—yes; at least when I say that, I may add I sent a copy of this motion to the hon. Minister of Justice, who stated that it was similar to one moved for in the Senate; but if I find anything in this motion which is not embraced in the other, the whole will be sent down.

Mr. **BLAKE**. All right.

Motion withdrawn.

## RICHMOND FIELD BATTERY.

Mr. **IVES**, in moving for a return of all petitions for, and correspondence with respect to new guns for the Richmond Field Battery, said: Shortly after the ter-

mination of the Crimean war, a number of great guns were brought to this country; and our Government, with a degree of liberality which was somewhat unusual, presented these guns to different cities and towns throughout the Dominion, for the purpose of ornamenting parks and public places. There were, however, a few that were so ponderous that the different cities and towns did not like to take the responsibility of receiving them; and out of this residuum, afterwards, a field battery was organized. These guns, I think, have been mostly fortification or siege guns, captured from the Russians. I think it was the custom of the predecessors of the hon. gentleman who is now Minister of Militia and Defence to pass this ponderous battery around to all the junior batteries as fast as they were gazetted. As a rule, when a new battery was gazetted they got those great guns; but unfortunately for them the Richmond Field Battery, although it was gazetted several years ago, it is still the baby battery or the last battery organized; and, for that reason, they have had to undertake to drill with these guns for an inordinately long period of time. We have waited with very great patience, hoping that the hon. Minister would either give us new guns of a suitable character or gazette another battery, when we would expect that the same practice, which has hitherto been followed, would be continued. Now, I have only to call the attention of the hon. gentleman to the report of his own officer, the Deputy Adjutant General, upon this subject. He says upon page 25 of the Militia Report of this year, speaking of Field Batteries:

"The Richmond Field Battery, Major Aylmer, in camp at Richmond, did excellent work, and worked their heavy and obsolete weapons (which I trust the Department will soon be able to change), with a desire to excel, though they turned out weak, and in consequence, the work was heavy."

I can only say, that if they had turned out strong the work would have been very heavy. Although the Eastern Townships, I think, are famed for their muscular men and horses, I must say that this battery has been a severe trial both to horses and men. I can quite understand that, during last summer, the hon. Ministers were engaged in the duty or task of spiking great guns, in different parts of the country; but as that time has passed, they can now give their attention to this subject. I must ask the hon. Minister to give this matter his earnest attention, and, if possible, either to gazette a new battery, or to pass these guns along, or to place this year in the Estimates a sum sufficient to purchase suitable guns for these men; and considering the pay which the volunteers receive at the present time, it is enough to ask them to perform their duties with suitable equipment. Now, this battery, when they turn out, cannot fairly be asked to enter into competition with other batteries which are properly served. It is impossible for them to go through their evolutions with that degree of credit to themselves, which would be possible if they had suitable guns, and were put on fair terms of competition with other batteries. I have asked, for one or two years, that this matter should be looked into; and I am quite sure that the Minister, this year, with his usual liberality, will do what we consider to be justice to the Richmond Field Battery.

Mr. CARON. Mr. Speaker, the battery to which the hon. gentleman has just called the attention of the Government and the House, has already had my attention on several occasions. The hon. gentleman and the gallant officer commanding the Richmond Battery, have applied to me to provide the battery with guns. I know perfectly well what is contained in the report of the Deputy Adjutant General in reference to this battery, but it also applies to several other batteries, which are not armed with proper guns, to make them as efficient as they should be. But I must say, Mr. Speaker, that the change would involve the expendi-

ture of £1,699 sterling per battery; and, however anxious I have been, and am at present, to give to these different batteries improved and lighter guns, which would be more useful and which would contribute so much towards their efficiency, I must say that the great expenditure which would be involved in the purchase of guns to arm them, has, so far, prevented me making the change which I would like to have made. I hope, but I cannot say when—but before very long—that it may be possible to carry out the changes which would make such a very great improvement in these different batteries. For the present I have found it impossible to order the guns which have been required; and I may add, that the Richmond Battery would only obtain such equipment after three others—who would be entitled, from their seniority, to get the first improved guns at the disposal of the Department for the purpose of arming these batteries—had secured the benefit of such change.

Mr. O'BRIEN. I would like to take advantage of this opportunity to bring the attention of the hon. the Minister of Militia to the condition of the officers commanding these field batteries; and I hope that, when the Militia Estimates come down, he will make some change in regard to them. I think it is a very great injustice that these officers in the active force, commanding batteries and under very great responsibility, not only in caring for valuable stores, but in having to learn much more in the shape of drill, should only hold the position of captains of infantry companies, with the same pay and rank. I would ask, whether either in the Bill about to be brought down, or in some measure with reference to the Militia, placed before the House this Session, or through the Estimates, officers commanding field batteries should be given the same position that majors of infantry regiments hold. This would be only fair, for it is exceedingly unfair that an officer commanding a field battery, with seventy or eighty men, and in charge of valuable property, and of duties requiring a much larger amount of technical knowledge than infantry officers possess, should only have the position held by an officer commanding forty-two men, and receive a captain's pay. It is simply a matter of fairness that the change should be made. As an officer who has attended a great many inspections and reviews, I may say, I think it a very great credit to our force, that it is not only relatively, but absolutely, so thoroughly efficient and deserving of every encouragement, as is the case in connection with the field batteries of the Dominion of Canada.

Motion agreed to.

#### PILOTAGE AUTHORITY, BRITISH COLUMBIA.

Mr. BAKER (Victoria), in moving for copies of all correspondence and papers between the Government and the pilotage authorities of British Columbia, or any other parties on the subject of pilots and pilotage, said: I might state that I have several reasons for calling for this correspondence. The first is that I may ascertain the names of the persons with whom this correspondence has been had, and the reasons given by them for having been the means of altering what was at one time a very good system of pilotage in British Columbia—the system which was embodied in the Pilotage Act of 1873, and made applicable to the Province of British Columbia on the 5th of May, 1875. I wish also, if possible, to show what has been the effect of that change upon the trade and commerce of the Province; and last, but by no means least, I wish to show the injustice which has been inflicted upon the pilots of British Columbia. By the Act of 1873 it was provided that the Governor General in Council should have power to appoint a certain number of persons—not less than three or more than five—who should constitute the pilotage authority in any particular portion of the Dominion

which they might see fit to provide for. On the 5th of May, 1875, a board of five Commissioners was appointed, under an Order in Council, to whom jurisdiction was given over the whole of the waters of British Columbia, from the shores of Washington Territory to the northern boundaries of the Province. Subsequently—I think on the 15th of April, 1879—an Order in Council was passed splitting up that board, so to speak, and substituting therefor three separate and distinct pilotage authorities. There is in British Columbia an interim port called the Royal Roads, which all vessels from foreign parts, and even coasters, make for. The reason of their doing so is obvious, because at that particular point they are in a position to negotiate charters with the coal loading port of Nanaimo and Departure Bay, the lumber loading ports of Port Moody and Hastings at Burrard Inlet, the lumbering mills of Puget Sound, and the wheat market of Portland in Oregon, while they can also, at very slight expense, run down to San Francisco, where they can easily secure charters. I believe I would be justified in saying that nine-tenths of the vessels arriving in British Columbia anchor in the Royal Roads previous to going to the loading ports of British Columbia, or effecting charters in any of the neighboring ports which I have mentioned. In a recent visit made by the hon. Minister of Railways and Canals to British Columbia, this matter was brought very forcibly to his notice by an address which was presented by the Board of Trade of British Columbia, which Board consists of many of the most prominent merchants, not merely in Victoria, but in all parts of the Province. I shall read to the House some extracts from that address:

"The present system of pilotage districts leads to a great deal of dissatisfaction on the part of masters of vessels, owing to the conflict of authorities which at present exists in having special pilots for each district. Vessels, as a rule, call at this port on their way down to Burrard Inlet and Nanaimo, and the pilots of these ports are put to much unnecessary expense in consequence of their having to maintain an additional number of pilot vessels. We recommend that some arrangement be made by which pilot licenses shall extend over the three districts, reserving to the different boards their local authority. We have already endeavored to arrange such a scheme, but without success."

Later on, when His Excellency the Governor General visited British Columbia, this matter was again brought forward in the following words:—

"The subject of pilots and pilotage is another matter which urgently requires reorganization, from the fact that vessels as a rule call at Royal Roads (i.e. port of Victoria) on their way to Nanaimo, Burrard Inlet, and New Westminster, and naturally expect to find pilots at or below Race Rocks, ready and competent to take them to any port in the Province, instead of being met with a conflict of authorities and rates for three separate and distinct districts, the same as though they represented an equal number of foreign ports. This existing system of electoral pilotage districts is at variance with the requirements of trade and commerce, is unnecessarily expensive to a small number of pilots, enhances very materially the port charges of merchant vessels and has a tendency to influence them to prefer Puget Sound to British Columbia. We would respectfully submit, therefore, that some steps should be taken not only to amalgamate the three British Columbia districts, but also to make the licenses held by all pilots effective for the whole of the navigable waters of British Columbia, and a maximum rate established that may be fairly chargeable to vessels loading at the several ports, irrespective of the number that may happen to call at during their stay in British Columbia waters."

I do not find any part of the world where the pilotage arrangements are so peculiar as in British Columbia. If we go to Great Britain we find that the pilotage authority consists of the Trinity House, having jurisdiction from the River Thames to longitude 11° west, or several leagues to the west of the Scilly Islands, although there are several classes of pilots, each having specific certificates, namely, from the Thames to Gravesend, from Gravesend to South Foreland, and from Foreland through the English channel, including Spithead, Portsmouth, Plymouth, &c. Coming a little nearer home let us take the St. Lawrence River, and we find that though it forms the boundary of no less than twelve or fourteen electoral districts, there are only two pilotage authorities, namely, the Montreal Harbor Commissioners and Trinity House, Quebec.

Mr. BAKER.

The pilotage district of Quebec, as defined by the Act, comprises "the River St. Lawrence, from the basin of Portneuf, inclusively, to an imaginary line drawn from the eastern anchorage ground, off Barnaby Island, to the eastern anchorage ground, under Cape Columbia, on the north shore, together with all rivers, waters, creeks, bays and coves, within the said limits, where the tide ebbs and flows." The pilotage district of Montreal comprises the river from Portneuf to the Province line. Now, if it is not necessary that the pilotage districts in the St. Lawrence and other rivers should be assimilated to the electoral districts, why should that be the case in a new Province like British Columbia, where there are very few persons conversant enough with nautical matters to be competent to sit on so many boards. If we could obtain a sufficient number there to compose one board, I think that is all we could reasonably expect. I am aware of one case in which a Commissioner, who was conducting an examination, knew so little of nautical matters as to ask a pilot, whom he was examining, what he meant by a binnacle and where it was situated. I mention this case to show that, however competent men may be as merchants to transact ordinary business relating to shipping, it by no means follows that they are fitted to deal with all matters connected with pilotage and navigation. Instead of having three separate pilotage boards, I think it would be better to establish one general pilotage board for the Province, composed of one Commissioner each from Nanaimo, Esquimaux, Victoria, Departure Bay, Port Moody, Port Hastings, and New Westminster, making seven in all. But that is a minor matter compared with the injustice which the present system inflicts upon pilots who have certain vested rights under licenses issued them by the British Columbia pilotage authority, constituted by the Pilotage Act of 1873, which licenses gave to those pilots the right to pilot in any port of British Columbia, and all the navigable waters leading thereto. In a case which was taken before the Supreme Court of the Province to test the validity of these licenses, the judgment given says that nothing but clear and express words will give a retrospective and retroactive effect to the Statute, and however much the present tense may be used in it, it must be construed as applying only to future matters. The pilots who received licenses in British Columbia were given to understand, not only verbally by the Commissioners, but by the Act under which the licenses were issued, that they were to be pilots during good behaviour, until the age of sixty-five. Now, I maintain that the change in the jurisdiction of the pilotage authority issuing said licenses, does not and should not in any way interfere with the validity of the licences held by these pilots. The effect of the Order in Council of the 15th of April, 1879, was absolutely to destroy the whole pilotage system of British Columbia then in existence, which was working admirably, and to create in lieu thereof three distinct but imperfect systems, at great loss to the pilots of the Province. They had to give up their vessels at a loss of \$4,000 or \$5,000, they had to abandon their pilot stations, and in many other ways they were deprived of the rights they possessed under the old British Columbia license. My main object in addressing the House on this subject is to induce the Government, if possible, to pass such legislation as will restore to these pilots the rights which they have been unjustly deprived of. If it is thought desirable that there should be one board to each port, I would suggest that there should be one general board to which appeals might be made from the decisions of the local board. I will conclude by asking that some departmental or legislative action be taken, so that if there cannot be one board for the whole of the Province, a sort of reciprocity may be established among the several local boards, so that they would act as one board, and by which the rates of pilotage

might be lessened, and the rights of the pilots preserved and the charges on vessels lessened.

Mr. McLELAN. I think the hon. member should amend the motion by restricting the return to correspondence in British Columbia; otherwise it would call for all the correspondence which the Department has had respecting pilots and pilotage.

Mr. BLAKE. I shall have much pleasure in amending it in that way.

Mr. HOMER. After the time and labor spent in establishing different pilotage districts in British Columbia, I think we should be very cautious about changing it; and I wish to say that, so far as the district of New Westminster is concerned, which I have the honor to represent, I believe the system is satisfactory—so much so that, previous to my leaving, the city of New Westminster expressed a very strong opinion in opposition to any change being made at the present time. At present each pilotage district has its own board, which makes its own laws and regulations; and any attempt to take away that power and concentrate it in one body will always meet with strong opposition. Any attempt to concentrate that power at one common point would always meet with very strong opposition on their part.

Mr. GORDON. With reference to Nanaimo, I am here to ask for the continuation of the system that is now in force. While I should have no objection to the correspondence asked for, I am sure this Government can have none. I cannot agree with the contention of my hon. friend, that any considerable amount of shipping wait in the Royal Roads seeking charters. Nearly all the shipping that frequent the port of Nanaimo, which this last year took away some 240,000 tons of coal, were contract ships. Therefore, any attempt to interfere with the pilotage authorities at this time, even at the solicitation of what is termed the British Columbia Board of Trade, would be disapproved of by the people of Nanaimo, above all by those companies who contend that nothing should happen that would interfere with the freedom of their shipping. The proposition to have a board of Pilot Commissioners for the whole of British Columbia, comprised of one commissioner at New Westminster, and one at every other port, would be a failure. It would only result in the detention of shipping, on any dispute arising between the pilots and captains. The present system is approved of, and I am here to state that the district I have the honor to represent will disapprove of any attempt to interfere with it.

Mr. SHAKESPEARE. I have simply to endorse what the hon. member for Victoria has so well said, and I sincerely trust the suggestions he has made will be carried out.

Mr. BAKER. I did not notice, in the remarks of either of the hon. gentlemen who have spoken, whether they advocated the cause of the old pilots having justice done to them, or not, or whether their original rights under their old licenses, up to sixty-five years of age, were to be reserved.

Motion agreed to.

#### AGRICULTURAL FERTILIZERS.

Mr. MASSUE, in moving for a Select Committee to enquire as to the necessity of passing a law to prevent fraud in the manufacture of agricultural fertilizers, the said Committee to consist of Messrs. White (Renfrew), Williams, Bourbeau, Farrow, Guilbault, Scriver, Béchard, Trow, and the mover, said: The object in presenting this motion is to protect the farmers in helping them to buy a genuine article instead of the spurious ones offered everywhere for sale. In many instances, perhaps more so near large cities, farmers have been selling hay without keeping stock to im-

prove their lands; in some other instances, they have kept the necessary stock to keep their farms in good condition. But even in this last case they still want something more to increase their crops, and they find it impossible, if they have no law, to prevent frauds in the manufacture of agricultural fertilizers. It is a notorious fact that, both in Europe and the United States, until a similar law was introduced, the greatest fraud was practised which had the effect of checking for some time the introduction of mineral and other prepared fertilizers. While this proposed law is to protect the farmer from being imposed upon by the sale of spurious articles which he has no means of detecting, it will also be a protection to the honest manufacturer, who will be obliged to put a label on every bag, pack, or barrel, stating the quality and percentage of fertilizing principles contained in the article he offers for sale. It is the only way to induce farmers to buy and use fertilizers, so that they may improve their lands. Another important consideration is the impetus it will give to the development of our phosphate mines by making a market for the apatite, the exportation of which has been almost abandoned on account of the low prices in the European market. No inspection or other Government machinery is necessary to put this law in operation.

Mr. BOURBEAU (Translation). Mr. Speaker, I believe the hon. gentleman has done well in moving, as he did, in this matter. I think I am in a position to prove to this House how necessary it is that inspectors should be appointed by Government to inspect the various kinds of fertilizers that are now offered on the market. It is, to my knowledge, that, in the electoral division which I have the honor to represent here, experiments have been made towards the cultivation of beet roots. Artificial fertilizers had to be bought for that purpose, most of which were imported; I do not mean those fertilizers imported by the Local Government of Quebec, but such other fertilizers as were imported from elsewhere. Those fertilizers were fully tried, without, however, producing such results as were anticipated; they were not even worth as much as the common ashes taken from our stoves and spread over the ground to fertilize it. I may mention, as an instance in point, the case of a farmer of my county who, not having the means to purchase all the phosphate he required to fertilize his farm for beet-root culture, determined on using phosphate on one half of his land, and run the risk of spreading ashes on the other half as a fertilizer. Well, Mr. Speaker, beet roots grew splendidly on the part whereon the ashes had been deposited, whereas the other part on which phosphates had been used barely produced anything. Therefore the hon. gentleman deserves to be congratulated for this motion, and I hope the Special Committee which will be appointed will give the subject its most careful attention.

Motion agreed to.

#### EXPORT DUTY ON SPRUCE LOGS.

Mr. IVES, in moving that, in the opinion of the House, it is expedient to consider the question of an increase of the export duty on spruce logs of all lengths and sizes exported from the Provinces of Ontario and Quebec, said: I presume that the hon. Finance Minister will agree with me in several of the propositions which I have to state. In the first place, I presume he will agree with me that the settled policy of his Government is Canada for the Canadians, and that that policy has already led Parliament, as a protection to Canadian manufactures, to levy Customs duties on manufactured goods imported into Canada; and, in order still further to protect the Canadian manufacturer, his Government has, in some cases, admitted free of duty the raw material which goes into the construction of those articles here. He has gone farther than that, and, in the article of spruce saw logs, in order to encourage the manufacture of

lumber on our own side of the border, he has placed an export duty of \$1 per 1,000 feet upon spruce logs. His Government have gone even further than that, because in some cases they have actually given bounties to assist and promote Canadian manufactures. Now, Sir, the motion before the Chair proposes that this duty already existing, so far as it refers to spruce saw logs, should be increased. There is nothing new in principle in it, it is only part of our settled policy, and the only question possible arising is, whether it is expedient that that duty should be increased. If I were to-day, for the first time, rising to propose to the hon. Minister of Finance to levy an export duty upon spruce saw logs, there might be a division as to the principle, but as there is already a duty of \$1 per thousand, I claim that there is no occasion for discussing principles, and that the question solely is as to the expediency of increasing the duty in the interests of our own manufacturers. Now, we have hitherto, in discussing questions similar to this, considered the relative positions of Canadians and Americans upon the matter in question. We have hitherto been in the habit of asking how the Americans treat the articles in question when imported from Canada into the United States. Now, the Americans charge \$2 per 1,000 feet upon the roughest sawn lumber. If it is dressed, or if the process of manufacture has gone further, the duty is very much increased, as in the case of clap-boards, shingles and tongued and grooved boards. The roughest lumber is obliged to pay \$2 per 1,000 feet, and as our market for such lumber is largely the United States, our manufacturers have to pay \$2 per 1,000 feet in order to get their lumber into the American market. Now, the House can easily see the result of that duty as applied to us when our own export duty is \$1 per 1,000. As a matter of fact, as it now works, there is a bounty of \$1 a 1,000 in favor of taking logs across the line and manufacturing them there. It may be said that the transport of the slabs would more than make up for this dollar; but it has been found, by actual experience, that such is not the case. The American brings over this lumber in large quantities in logs to mills built just across the line, to escape the duty, and they manufacture it there. They loose nothing in transporting the slabs, because they work them up into staves, lathing, box timber, and even sawdust for fuel for the purpose of getting power with which to manufacture the rest of the lumber; so that as an actual fact, as the law now stands, there is a bounty of \$1 a 1,000 feet in favor of carrying our lumber across the lines and sawing it in the United States. There is, at least, one case where Canadians have gone to the other side of the line, have built mills there, and taken lumber over from this side for the purpose of obtaining the advantage which the difference in duty gives them. Now, if it is our policy to protect our people, and if it be true that they have not protection here, but that there is a discrimination against us, what possible objection can there be to increasing the duty upon this particular article? To my certain knowledge, at the present moment, thousands of logs are being carried from our country across the line and manufactured in the United States, simply because it is cheaper to do it there and pay one dollar export duty, than to manufacture them on our side and pay \$2 a 1,000 import duty. I have talked with a large number of members of the House, and I find an almost unanimous opinion that the Government should give this matter their attention. I have found a great number of members who believe that it should be extended farther than spruce logs; that it should also be extended to pulp wood of all kinds. In the case of pulp wood there is a peculiar hardship, because the Canadian product has to pay 20 per cent., and every pound that is carried over in the log is available for the purpose of manufacturing pulp, except the bark itself, so that actually there is a discrimination against

Mr. IVES.

our pulp manufacturers of 20 per cent., as the law now stands, because there is no export duty at all upon pulp wood. In order to escape the dollar per thousand, the Americans have been in the habit of sawing the logs into short lengths, so that they might pass them over the line as pulp wood, when they were really intended for board and box wood. I think, therefore, it is time that the hon. Minister of Finance, who has always been so ready to protect Canadian interests, and who has gone so far in that direction, should enquire as to whether there is not a claim on the part of manufacturers of lumber in the Provinces of Ontario and Quebec to a greater degree of protection against their American competitors.

Mr. BOLDUC (Translation). I am happy to be able to give my support to the motion just made by my hon. friend the member for Richmond and Wolfe (Mr. Ives). I hope the Government will grant this request, by imposing on logs an export duty equivalent to the duty imposed on sawn lumber exported to the United States. We have already a large number of our people engaged in the industry of the forest. They have a large capital invested in this industry, and have built saw mills on the frontier which divides Canada from the United States; and if the Government does not impose an export duty of at least \$2 per 1,000 feet on logs brought here by the Americans, I am convinced that, before many years, the proprietors of those mills will be forced to close them up, and will be completely ruined. In order that those engaged in the lumbering business on the frontier shall be placed on an equal footing with the Americans, an export duty of at least \$2 should be imposed on logs brought by our American cousins on this side of the line. Whenever a Canadian wants to sell lumber in the United States, he is made to pay a duty of \$2 per 1,000 feet on sawn lumber of whatever quality, whereas logs are admitted free by the Americans. Our neighbors have, like practical men, constructed saw mills quite close to the line, and thus enter into competition with those of our people who deal in lumber. They can pay a higher price for the logs, because the duty on such is only \$1 per 1,000 feet. I hope that the Government will increase to \$2 the export duty already existing on spruce logs; and I believe it would be a wise course to pursue to impose that duty, not merely on spruce logs, but also on all logs exported to the United States; for apart from those who deal in lumber and own mills near the frontier, there are also others who are engaged in the manufacture of pulp. During the last few years costly manufactories have been erected, and if we allow Americans thus to come and ruin our industry, the consequence will be that we will soon have to close up those manufactories. All along the Quebec Central and the International Railways, Americans are seen buying logs which they send home; now, if we impose upon those logs the same duty as our sawn lumber, these gentlemen will construct mills in Canada, thus giving employment to our agricultural classes; and this business which is now ruinous to the Dominion, will become a bountiful source of revenue. For all these reasons, Mr. Speaker, I hope that the hon. Minister of Finance, who has already shown his desire to encourage the new industries of the Dominion, will accede to the wishes of the hon. member for Richmond and Wolfe (Mr. Ives), and impose an export duty of at least \$2 per 1,000 feet, not only on spruce logs, but also on all logs of whatever description exported to the United States.

Mr. BENSON. Mr. Speaker, I am very glad that the hon. member for Richmond and Wolfe, has brought forward his resolution, and I should wish that it were made even more comprehensive, so as to include logs of all sorts, bolts and cedars, for the land along our lakes and the St. Lawrence is fast becoming stripped of all its timber; and very soon our manufacturers of barrel-staves, heading, shingles, laths, hoops and lumber will be compelled to give

up the business, and all the money at present spent in their manufacture will be entirely lost to the Province.

Sir LEONARD TILLEY. I take it for granted that the object which the mover has in view is to bring the matter under the notice of the Government in the most formidable way it is possible for him to do, namely, by resolution. If that is his intention, I would suggest that he allow the motion to stand, or withdraw it, as he has succeeded in accomplishing his object by the speeches already delivered, as well as by the notice given. I would simply say, however, that the Government will give the matter their most serious consideration, and they are now considering it. It has been brought formally under the notice of the Government by the mover of this resolution, who has made his efforts more emphatic by eliciting expressions of opinion from those who followed him on this subject. I may point out to him that there is one difficulty. Suppose we were entirely in accord with his proposition, it must be remembered that parties have made contracts under which they have cut logs during the winter for delivery in the spring, and if a duty were imposed, to go into immediate effect, a loss would accrue to them, and it is therefore worthy of consideration, as to how far such a proposition could be made applicable to the operations of the present season. This matter was pressed on the consideration of the Government last Session, with respect to stave bolts and everything of that kind from the Dominion to the other side, which are practically shut out by the high duty imposed there. But the Government will give the matter their most serious consideration, and see how far they would be justified in coming to the House and asking their support to a proposition of this kind. There is a great deal in what has been said by the hon. mover, but there is still the difficulty, which I take the liberty of pointing out, with respect to contracts which may have been made for logs cut during the present season.

Mr. CHARLTON. I do not wish the present discussion to close without offering some remarks with respect to the proposition to increase the duty on spruce logs. The present duty is most unjust, and a higher rate of duty would be a greater injustice perpetrated by the Government. My hon. friend from Richmond and Wolfe (Mr. Ives) started out in his speech, by saying that he believed Canada should be for the Canadians. The hon. gentleman believes that a duty should be imposed on the great bulk of Canadians for the benefit of a few. Saw-mill men desire a tax to be imposed for their special benefit, although it would detract from the value of the product held by a great many individuals. The hon. gentleman proceeded to tell the House that the Americans imposed a duty of \$2 per 1,000 feet on the roughest lumber; they impose that duty on all grades of lumber, rough or smooth, culls or clear. We impose a duty of 20 per cent., this being a higher duty than that of the United States. We impose an export duty, and the American Government does not. Suppose they took the notion at Washington to levy an export duty on timber going from Maine into New Brunswick to be manufactured at St. John, would my hon. friend the Finance Minister see anything unjust in that proposition? Yet, this kind of legislation is of a nature to provoke retaliation by the American Government. The export duty is calculated simply to reduce the value of saw-logs to the extent of that duty for the benefit of the saw-mill men who wish to buy those logs, and to the loss of the farmers who have them to sell. There may be a hundred farmers where there is one saw-mill man; and such a duty as my hon. friend suggests would operate to the detriment of a hundred, while it would benefit only one. There is no duty which can be more unjust than this, and so unjust in its character is an export duty considered, that, in the United States, it is prohibited by a provision of the Constitution. I have

had some experience of the operation of an export duty. I know in my own county the imposition of this duty has been productive of the very greatest mischief. It obliged several firms with large capitals to abandon their business in Canada and remove to Michigan. The imposition of a tax of \$1 per 1,000 feet on lumber, without conferring the slightest benefit to the saw-mill interest, lowered the price of logs to the extent of the duty. The operation of that duty compelled farmers to burn much of their wood, suitable for shingle bolts and stave bolts, because the duty was equal to its value. The operation of the law, so far as that county was concerned, was most obnoxious and most unjust, and it only required the law to be extended over a broader field to have created a great deal of trouble. The House is told by the hon. member for Richmond and Wolfe, that an enormous business is done in the exportation of spruce logs, and that already many millions of feet are exported; and he asks for an increased duty so that the business of exporting logs may be brought to an end. If many millions are exported they must evade payment of the duty, because the amount collected for export duty on spruce logs, pine logs and stave bolts, last year, was only \$8,000. \$8,000 from saw logs at \$1 per 1,000 feet would be a tax on 8,000,000 feet, of logs, or about one-half a season's stock for a good sized saw-mill. That is the total amount of business in Canada last year from the exportation of such logs. The operation of the duty at the present moment is to afford to the Michigan long timber interest a protection by the Canadian Government of \$1 per 1,000 feet. That interest ranges from 1,000,000 to 1,500,000-feet per annum. Under the operation of the export duty persons desirous of entering into the long timber trade on the shores of Georgian Bay and other parts of the Dominion, are prevented from doing so by reason of that duty, which is so levied as to afford a direct protection to an important American industry. If that duty were removed, many firms would commence the business of transporting timber in rafts down the lakes to the markets at Toledo, Cleveland, Buffalo, and other ports. As it is now, the entire business is monopolized by Michigan lumbermen. I would ask the hon. the Minister of Finance, and I would request his attention to this proposal, what he would think of a proposition to impose an export duty of 20 cents per bushel on wheat, in order to cheapen the article to that extent, the reason being that the Americans imposed a duty on flour, and in order to enable our millers to compete with the Americans, it was necessary to levy such a duty on wheat, in order to cheapen the raw material to the miller. Does he suppose—and the 20 cents would stand in about the same proportion as \$1 per 1,000 feet does in the case of this lumber—that such a proposal would be received with favor by the farmers, or rather that it would not result in very serious difficulty to the Government; and yet that proposal would not be one which is more unjust in principle than the proposal to reduce the value of spruce logs by increasing the export duty. I say we should allow every man to sell his raw material of any character where he can obtain the best market for it, and export it, without hampering and restricting his business by an export duty. If a man has saw-logs to sell, he has the right to seek the best market for them; and to impose a duty on them simply to benefit some saw-mill man, and to enable them to make a profit out of the reduction in price, do is highly unjust. I hope the hon. Finance Minister will consider this matter very carefully before he increases the injustice already perpetrated by the imposition of a higher duty. And I can tell the hon. Finance Minister another thing: We had hopes not long ago, that the duty on Canadian lumber would be removed by the action of the American Congress; and I would ask that hon. gentleman if he supposes that when knowledge is brought to that Congress of the fact of an export duty being

imposed by the Canadian Government to reduce the price of new material to Canadians, and to increase it to Americans, that it would have any beneficial effect in securing the abrogation of that duty. I tell him that this may be done; and this paltry, insignificant item of \$8,000, derived from this scandalous imposition, on a certain class of the people of this country, may mean the deprivation of this country, of the removal of the duties on lumber, and it would be poetic justice if it did. I have stood up in my place in this House, time and again, to protest against this robbery, for it is an act of robbery, and a worse imposition than any other duty which this Government imposes. It is a duty levied on an article admittedly for the bare purpose of reducing the price of a staple furnished by the poor man, in order that the rich man and manufacturer may get it cheaper. I hope, that the hon. gentleman will consider this matter fully, and will see, as I see clearly, that he will make a great mistake if he takes the step which he proposes to take, judging from the tenor of his remarks, and will, perhaps, greatly prejudice our interests in the next agitation, which may take place at Washington, to obtain a reduction, or the abrogation of the duties on Canadian lumber.

Mr. IVES. Mr. Speaker, I was quite prepared to hear the hon. member for North Norfolk give us his speech on Free Trade and Protection. I believe that this is the first opportunity during the present Session he has had of giving us his speech and his views on this subject; and I think I am to be awarded a certain amount of credit for having furnished him with that opportunity. I think we have heard the words "robbery" and "robbery of the farmer" very frequently from this hon. gentleman, but all I want to say to that is that the farmer is not robbed in this case at all. In the first place, very little lumber is now in the hands of farmers, who, as a rule, have no saw-logs to sell. Lumber is now chiefly in the hands of limit owners and speculators, and of men who stand very much in the position in which the hon. gentleman wishes to put manufacturers and saw-mill owners. Even as to the lumber which is in the hands of farmers, I say that the imposition or the increase of this export duty on saw-logs would not decrease the price one iota. The only difference would be, that the lumber would be manufactured on this side of the line, by our own people here, instead of on the other side of the line, by our own people, who go there for the purpose of manufacturing it. I am quite prepared for this argument of the hon. gentleman, as to taking so much out of the pockets of the farmer. Even if this were so, I appeal to the members of the House, who belong to the Conservative party, whether we have not adopted the policy of Protection, under which we have been told by hon. gentlemen on this side of the House, that, for a time at least, the price of manufactured articles as a rule would be increased. We have adopted protective duties, even when we had reason to believe that they would increase prices; and why? For the purpose of furnishing work to our own people; of creating a labor market here, and increasing the home consumption of the products of the farmer, with the idea that the matter would very soon regulate itself; and that in a very short time, indeed, if prices were a little increased at first, they would, in the long run, be decreased. In fact, hon. gentlemen tell us they will soon be decreased; and that an unhealthy competition among manufacturers will very soon make articles protected cheaper than they have ever been before. But with regard to this item of lumber, I undertake to say that the effect would not be to decrease the value of the logs to the seller, the effect would be simply this: that the manufacturer on this side could afford to pay \$1 a 1,000 feet more for saw logs than he pays at present. As the law now stands, a discrimination of \$1 a 1,000 feet exists, against the Canadian manufacturer; and the American manufacturer is able, if

Mr. CHARLTON.

willing, to pay \$1 more per 1,000 feet for lumber than the Canadian does; but he does not do it. He comes in here and simply offers, in some cases, to raise the price a little on the Canadian manufacturer, because he has a margin of \$1 a 1,000 feet to enable him to do so; and the Canadian log seller does not get any more than he would if the export duty were increased \$1 a 1,000 feet. The result would be the same, and our people could afford to pay more for logs than they do at the present moment; but that is not all. What else would be the result? Whereas now, these logs are being taken to the United States, and our people are going there to work in their mills, and in many cases new mills are being built just across the line, and within a stone's throw of it, our people would remain at home, and American capitalists would come here with machinery to manufacture lumber here. Now, Sir, the hon. gentleman says that the American Government will retaliate. What more can they do than they have done. The hon. gentleman tells us it is possible that they may reduce the duty of \$2, or 20 per cent. now charged on imported lumber. But when they do so, it will be time enough for us to take off our export duty. when they come to us and say: "We are disposed to adopt Free Trade in lumber, and take off our import duty, if you take off this export duty. Then the hon. the Finance Minister would be neglecting his duty, if he did not consult this House with regard to what was best to be done under such circumstances; but not before. The furthest the United States Government have gone in this relation, was this: One branch of the Legislature proposed that the duty on lumber should be taken off; and what was the result? The Michigan lumbermen, and timber limit owners, went to Washington, and, in Congress, defeated the measure, and it is not likely to be adopted until the consumers of lumber in the United States raise a still louder voice than they have yet raised, in favor of allowing our lumber to be imported free. When that time comes, we shall have the opportunity of sending our lumber in there free, no matter what our action on this question of an export duty may be. I ask for this export duty, not because I am afraid that the United States will retaliate—because they cannot do anything worse than they have done in this respect—but because it would put our own people and our own manufacturers simply in a position of equality with the American manufacturer. In answer to the hon. the Finance Minister, who does not ask for—but very strongly hints—that he would like me to withdraw this motion, I may say, I do not desire to press it further. I will be satisfied, if he will allow it to stand and on another occasion, he would hear from a large number of his supporters, both behind and in front of him, an expression of opinion, similar to my own, in regard to this question; the only point of difference being that many desire it should be extended still further than I have requested in this resolution.

Mr. MITCHELL. With regard to the operation of this motion on my constituents, I do not think it would be to them very important; but to some extent, it would interfere with a branch of business carried on there now to a moderate extent. I sent for the motion to see the exact wording of it; and I find that the proposition is to impose a duty on spruce logs of different lengths.

Mr. IVES. In Ontario and Quebec only, however.

Mr. MITCHELL. I did not notice the motion, but if its application is to have the effect of stopping a branch of business—I mean the export of spruce spars—which is carried on to a considerable extent in the ports of New Brunswick and Nova Scotia, it would certainly be detrimental, and would be looked upon with disfavor by the lumbermen of this country. With regard to the policy of this country in connection with the Tariff which has been adopted by the

Government, I must say that I differ with the hon. gentleman entirely with reference to the export of raw material. What would the hon. gentleman say if we were to put an export duty on coal, which is in its natural condition in our country, and reserve that coal for the purpose of encouraging our manufactures? I rather think that hon. gentlemen from Nova Scotia would not like that arrangement. This proposition of my hon. friend, I take it, mainly affects the border line between the Eastern Townships and the United States and the great lakes. My hon. friend says the farmers along the western lakes have little lumber on their farms, and that the speculators own the timber limits. Now there are hundreds of thousands of dollars invested in the pineries of the lumbering country extending from Georgian Bay up to and beyond the head of Lake Superior. Does my hon. friend call the men simply speculators, who have invested these hundreds of thousands of dollars, who have established mills and who may choose to bring out their lumber in its natural state? Is it fair to these men to force them to find a market within the boundaries of Canada when they can get it outside? I am a National Policy man, not because I am a believer in Protection, but because it has been forced upon this country and is necessary for the existence and prosperity of Canada. But I am not a National Policy man who would limit the market when we can get it without any infringement of that policy; and I hold that it would be unfair to the people of this country who have invested their money in this business, unfair to the lumbermen of the west who have hundreds of thousands of dollars in the great pineries of our country, that for the sake of the little business which is transacted across the line from the Eastern Townships—for that is, I believe, the source from which the pressure comes—I say, it would be unfair that we should limit the great trade which should be carried on between the 50,000,000 of people on the one side who want our lumber, and the great source of supply we have on this side. We should place our lumbermen, so far as we can, in as favorable a position to find a market as that which is held by the lumbermen of Michigan. We should not say to these men: "We are going to impose an additional duty on the lumber you export to the United States, and we will force you to give up your Canadian business and take your capital and your teams to the lumber woods of Michigan to carry on your operations there." I differ entirely from the hon. gentleman. I consider it is no part of our National Policy—when I come to look on the burdens which have been placed on our lumbermen already by the National Policy—which I have assented to.

An hon. MEMBER. Hear, hear.

Mr. MITCHELL. I say I have assented to it as a public man with a full knowledge of its effects and with my eyes open, because I find it is necessary in a country like this, with varied interests involved, and extending across a continent for thousands of miles. I say it is impossible in such a country that all its interests can be affected the same by any public measure that can be adopted by this Parliament. I assented to that policy knowing that it was going to affect me injuriously as a public man, and it lost me my election. But I faced the difficulty, and I assented to it then, because it was a necessity, in order that the different interests might be affected, and that we might see what effect the operation of that policy would have. But I may take this opportunity of saying to the hon. Minister of Finance what I said upon the hustings, that I trusted when the opportunity was afforded them, I would find that hon. gentleman and his colleagues in the Government able to meet the difficulties with which the lumbermen of the Maritime Provinces had to contend with in supporting the National Policy—which they have so nobly sustained and supported—and that where he can grant a relief without

any infringement of the policy, without any violation of principle, without any loss of revenue, he should grant that relief out of consideration for these people. I do think my hon. friend is taking a very opportune time to propose that an additional tax should be imposed on lumber, when we should rather have him asking that the duty should be taken off corn meal, taken off pork, taken off those articles which enter into the production of our natural industries, but which we cannot produce ourselves. I shall not enter into the subject at present, because, owing to cold, I cannot speak as freely as I would like, but I will take an opportunity during the Session of endeavoring to press those views upon the hon. the Finance Minister, who is looking so smilingly at me at this moment. I know from the interest which he has always shown in those constituencies which have stood by him so well for thirty years, that he will not refuse to give the subject that consideration which I think the importance of it commands and deserves. He will not pretend to believe that if this duty is imposed, as my hon. friend desires it to be imposed, it will help the lumbering interests of the country. I do not believe that it will help the farming interests, and I think that whenever we can do so without interfering with that National Policy which has done so much good to the country, which I am prepared to sustain, we should endeavor not to limit the market for our products which the producers of lumber find on the other side of the line. I want that policy let up upon wherever it can be done without sacrifice of principle or interest, with justice to every section of the country, and when business interests call for a free intercourse with our neighbors.

Mr. COOK. By the proposition which has been made it has been attempted to strike at one of the fundamental interests of this country, for not only will the lumbermen suffer by it, but those who have timbered lands and are not engaged in the lumbering trade. I was surprised to hear the hon. gentleman speak of the limit holders as speculators, for I was not aware that those who held limits and were engaged *bona fide* in the manufacture of lumber were speculators. On reflection, however, my surprise is not so great, for the whole North-West Territory has been put under license by hon. gentlemen opposite. The speculators in that country embrace all classes, lawyers, doctors, and even clergymen, and these licenses have been disposed of for a trifling sum and without public competition. I would like to ask the hon. member for South Grenville (Mr. Benson) what he would think if the American Government were to put a duty on corn which he manufactures to a large extent. I trow he would not be found rising in his place and applauding the Government of the United States for putting a duty which, though it goes into the consumption of the country, benefits him individually. I would like to refer to a motion which was made a few days ago by one of the members from the Province of Manitoba, when he asked for the reduction of duties on lumber going into Manitoba from the United States. What did the hon. Minister of Customs say on that occasion? He said there were large quantities brought from the other side of the line into Manitoba and manufactured there. What would be the result in that case if the American Government retaliated by imposing an export duty not of \$2, but of \$5 a 1,000? Why, Sir, it would be a case of the tail wagging the dog, which has been the effect of this National Policy in other respects. What would the hon. Minister of Customs say if the Government imposed an export duty upon iron ore, such large quantities of which are taken out of the earth in his constituency and sent to the United States? I am sure, that in the interests of his constituents, he would not tolerate that for a single moment. I do not think, Sir, that the common sense of this House, I do not believe that the common sense of the Government, would permit an increase of this duty.

I do not believe that the hon. Minister of Finance, who represents a Province that imports a large quantity of lumber from the State of Maine, not alone for consumption in that Province but also for export, would permit such an act of injustice to be done to his Province. The remarks made by my hon. friend from Norfolk (Mr. Charlton), are true in every sense. I know firms in the Georgian Bay section who have large quantities of coarse lumber that is fit only for export to the United States. I wish it to be distinctly understood that the exportation of wood in the log is not any part or parcel of my business. I manufacture everything into square timber or sawn lumber; the square timber goes to Great Britain, and the lumber to the United States. I have not shipped a single board to Manitoba country, nor do I expect to do so. In my circumstances, the American market is much better suited to me than the Manitoba market. I hope the Government, instead of increasing the export duty upon saw logs, will entirely remove that obnoxious tax.

Mr. VALIN. Mr. Speaker, I am rather pleased at the motion of the hon. member for Richmond and Wolfe. A good deal has been said about protection; but I say that the country which does not protect itself cannot succeed very well. When we impose an export duty on timber, we are imposing it on the Americans themselves. It is said that the Americans have bought timber extensively in this country, and that they have large establishments for its manufacture. These people take this timber to their own country because the market there is better. A very common quality of spruce boards, what we call the fourth quality, are sold to-day at New York for \$22 or \$23 a 1,000. What is the effect of this exportation? It is to destroy the export trade by the St. Lawrence. The Americans export the timber again to the Phillipian Islands, the West Indies, Buenos Ayres, and San Juan, where we sent large cargoes ourselves a few years ago. There are American companies engaged, too, in getting out our lumber. There is in Montreal a lumber company composed entirely of Americans. It may be said that they spend their money here. Yes; but they also raise the price, and thus prevent our own people from trading direct with those places. I say we ought not only to put an export duty on lumber, but impose a license on these people, who come here and take the trade from the Canadian people. They destroy not only the woods, but the bark, which is not protected by an export duty, and is becoming a very scarce article. The consequence is, that our tanners are unable to compete with Americans, who manufacture cheaper than we do. I think the Government should put an export duty on both the woods and the bark.

Mr. SPROULE. However much the hon. member for Northumberland (Mr. Mitchell) may be entitled to speak on behalf of the East, when he arrogates to himself the authority to speak on behalf of the West, he is unacquainted with the circumstances that exist there. I am pretty well acquainted around the Georgian Bay, and I have scarcely ever known any spruce logs to have been sent out of that part of the country. It is generally pine, oak, and elm that we send away, and it is usually manufactured either into lumber or square timber. The hon. member for East Simcoe (Mr. Cook) takes exception to the export duty, because he says it is a direct blow to the timber interest, and yet he acknowledges in the next breath that he does not send any of that kind of timber out of the country. Whatever he has said in reference to speculation in timber limits, he sought to apply to the operations of the present Government. I think such remarks come with very bad grace from one who is generally supposed, in our county, to be connected with one of the most extensive speculators in that line. It is known that of late years it is almost impossible to get any pine timber around Georgian Bay,

Mr. Cook.

because it is held by a few speculators. I know an instance of a contractor who had a contract to build some wharves and a bridge in pine timber, and who, after enquiry at the twenty-seven mills around Georgian Bay, found that not one was in a free position to sell him a board. The answer was that they were controlled in their operations by a man named Dymond, formerly a member of this House, a very extensive speculator, or a firm named Cook Brothers. Those who say a great injustice will be done to the farmers in that country, do not understand the position of things there. With regard to reducing the price of timber, that would be in the interest of the farmers who are paying much higher prices on account of the competition of the American market for our timber. Few farmers have any to sell. These men, to whom I referred, have control of all the timber, and the farmers are restricted from cutting and selling even any on the land they are clearing. Where the timber is most extensive is around Georgian Bay. Further west there is but little timber; it is brought in instead of being sent out. If this proposed law affects lumbermen, it can affect them but little in our part of the country, since it applies only to spruce logs, and those logs are very scarce there. It cannot affect the farmers, and if it affects lumbermen, it will only affect a class of speculators who have become very extensive in the past few years in our part of the country, and who, under a very strange rumor about the late Government, have obtained the control of almost all the timber around the Georgian Bay. Some years ago timber limits were put up by the Ontario Government for sale. It was decided, in some way or other, that these limits should be bought in by Government supporters at a price at which the fair honest competitor could not pay; the understanding being that, after a time, an appeal would be made for a reduction of price on account of the decline of trade. The limits nearly all fell into the hands of these men, and in a few years representations were made to the Government that they could not carry on operations successfully owing to the high prices of the limits, and the Government reduced the price to what they considered a paying figure. In consequence of this, the farmers or others who desire to get this timber, cannot get it, because it is controlled by these speculators. The timber is principally pine, with hardly any spruce at all.

Mr. BOURBEAU (Translation). Mr. Speaker, after having heard the arguments of several hon. gentlemen who have spoken on this question, and who, to a certain extent, have thought fit to connect the National Policy with this proposition, I feel bound to support the motion of the hon. member for Richmond and Wolfe (Mr. Ives). I believe that if we wish to have a Reciprocity Treaty with the United States, we should impose as heavy duties as possible. Now, I believe that the imposition of a duty on logs will not be detrimental either to farmers or lumber dealers in the Provinces of Quebec and Ontario; for it must be remarked that it is an inducement to the lumber manufacturer, who builds his mill on the other side of the line, gets his logs free of duty in this country, manufactures it, and sells it in the States much cheaper than the Canadian dealer, who has to pay a heavy duty when importing lumber from American markets, can sell it. The hon. Minister of Finance is afraid less the imposing of such a duty might be detrimental to the interests of those who already have a stock of logs on hand, and who did not expect that a duty would be imposed on them. Now, could not some kind of arrangement be made which would exempt all logs already cut from duty, with the understanding that all those buying logs for export to the United States would have to pay the duty? If we desire to protect the interests of those who have a stock ready for export, I believe the thing could easily be managed. The hon. member from Montmorency (Mr. Valin) has also alluded to the quantity of hemlock bark which is being ruined to

the detriment of tanners in this country. I believe proposals have been made to the hon. the Finance Minister for the imposition of an export duty on such bark; and, Mr. Speaker, I believe it is important that this question should be settled. The time has come for us to think on the matter and see whether the interests of leather manufacturers in this country do not demand the imposing of a duty on hemlock bark exported to the United States. However, I believe it would be unjust to impose a duty on bark ready for export, for those who manufactured the bark being ignorant that such a duty would be imposed, would not likely be prepared to accept such a proposal, although they would not object to the imposition of the duty for the future. The hon. member for Simcoe (Mr. Cook) stated that the hon. Minister of Finance having such interests to protect as those of his constituents in New Brunswick, would not be prepared to carry out the policy of imposing an export duty on logs. He says that although the Government impose duties that are ruinous to private interests, they are not prepared to endorse the motion of the hon. member for Richmond and Wolfe. Now, I would like to know, Mr. Speaker, in what way the prosperity of this country has been ruined by the National Policy; I would like to be shown how the interests of farmers, manufacturers, tradesmen, &c., have been ruined by the National Policy; I would like the hon. member for Simcoe (Mr. Cook) to point out what interests have been jeopardized branch by that policy. For I look in vain for any particular of trade which has not been benefitted by the National Policy adopted by the Government. Have farmers any reason to complain to-day? They sell their products dearer than ever. This is an undisputed fact, Mr. Speaker. Since an export duty was imposed on corn, the price of oats has considerably increased in this country. This is the kind of protection given to farmers; the prices of all the products of the farm—pork, lard, cattle of every description, horses, &c. are 25 and even 50 per cent. higher than before the adoption of the National Policy. Manufacturers in this country are fully employed, and up to the present there has not been any overstocking of the different articles manufactured. Therefore, the conclusion I have arrived at from these facts is, that the motion of my hon. friend, the member for Richmond and Wolfe is one which deserves the consideration of this House, and especially of the hon. the Minister of Finance, who, I hope, will before long, modify his views on the subject and acknowledge that the hon. member has moved justly in this matter.

Mr. SCRIVER. Before this discussion is brought to a close, I desire to make a few remarks. The hon. member for Richmond and Wolfe has said that the policy indicated by his motion, if adopted, would not affect, to any considerable extent, the agricultural classes. That, I think, is hardly true. It is not true at all events, to the extent that it would be true if his motion had referred to fuel. I know that in that part of the frontier near the boundary line where I live, the spruce timber generally is held by farmers, who are in the habit of drawing the greater portion of what they cut across the frontier. This they are compelled to do owing to the want of water power on the Canadian side, and consequently the very small number of mills there for the manufacture of lumber. Any such taxation, therefore, as that indicated by the hon. member for Richmond and Wolfe, would be a great hardship to those people; and it would be idle to tell them, after the experience they have had, in paying the \$1 per 1,000 feet duty which they have been compelled to pay for some time, that this proposed taxation would not come out of their pockets, but out of the pockets of the American mill owners. They know too well the contrary, and that this proposed increase of export duty would come out of their pockets and go into those of a few mill owners. As far as I can judge, this motion is made in the interest of a few mill owners in the

Eastern Townships; and if the policy indicated by it should be adopted by the Government, the effect would be to benefit those mill owners at the expense of the large class of agriculturists. I do not propose now to enter into any discussion of the policy of export duties. I think the impolicy of any such system has been clearly shown by the hon. member for North Norfolk; and I mistake very much the sentiment of this House, if, whatever be the view of hon. members with regard to the National Policy, they should be led to enlarge to any extent the measure of export duties which exists now. I sincerely trust the result of the deliberations of the Government will not be to increase the export duty on any class of our national products.

Sir LEONARD TILLEY. Do I understand the hon. member to press his resolution?

Mr. IVES. No; I ask leave to withdraw the motion.  
Motion withdrawn.

#### SALE OF INTOXICATING LIQUORS IN THE PROVINCE OF QUÉBEC.

Mr. GIGAULT, in moving for copies of any petitions from the Province of Quebec on the subject of proposed legislation as to the sale of intoxicating liquors, said: In asking for these papers, I desire to make a few remarks about the liquor traffic in the Province of Quebec. There is a good deal of dissatisfaction with the License Law at present in force there, and I have received letters from some clergymen who make strong complaints against the working of that law. In regulating the sale of liquors we all desire to promote temperance, but we do not agree upon the measures to be adopted for that purpose. Some persons favor prohibition, but I am not ready to accept such a measure. I am not ready to prohibit the sale of all kinds of liquors. This measure has not always produced the good effect which its advocates claim for it. Last summer I happened to be in the State of Maine on a Sunday, and I saw there more drunken people than I ever saw on any Sunday in Canada—which shows that to enact a law, is one thing, and to enforce it, is another. I was told that in the city of Portland there were hundreds of places where one could get a glass of brandy or whiskey by simply asking for a cup of tea or coffee. To evade such a law almost all kinds of devices are successfully resorted to. I confess that a good deal may be said in favor of prohibition, but I think it is too radical a measure. The opponents of prohibition contend that a good License Law would advance the interests of sobriety more than a prohibitory measure. But until to-day have we had a good License Act. Our License Law in the Province of Quebec, I am sorry to say has not worked in a satisfactory manner to the friends of temperance. Under the operation of that law we have too many taverns and too many liquor shops. In other trades it is the demand which creates the traffic; but I believe that in the liquor trade it is the supply which creates the demand, so that the more facilities we give to procure liquors by increasing the number of licensed shops and taverns, the more liability there will be to excess on the part of many persons. If we have too many licenses for the sale of liquor in the Province of Quebec, I think it is due to the licensing authority we have there, and I hope that the licensing authority shall be transferred from the local councils to persons freer and more independent of the influence of liquor sellers. We know that in municipal elections the liquor sellers are most active canvassers, and always try to elect as councillors men who are favorable to their views. I think we ought to adopt that clause of the Ontario License Act which limits the number of licenses according to the population. We should place some limitation, not only upon the number of taverns and hotels, as is the case in

Ontario, but also with respect to liquor shops. Another defect in our License Act is the sale of liquor in stores where other goods are sold; and I hope that, in the measure that is to be proposed to this House, some provision will be inserted prohibiting the sale of liquor in such shops. I know, from experience, that when a trader gets a license his brothers in trade want to get one too, because they think it is necessary, in order to keep a certain class of customers whom they would otherwise lose. A great number of these liquor shops are opened, not because they are required for the public interest, but because the private interest of individuals demand them. Every tradesman has an interest in extending his business and increasing the number of his customers, and thus every public house has a direct interest in promoting intemperance, and tends to do so. If we have too large a number of liquor sellers, as is the case in the Province of Quebec in many places, a keen competition springs up and the liquor seller, in order to earn his living, will incite people to drink to excess. For this reason, it is very important to limit the number of licensed taverns and shops to the legitimate wants of the population. I may add that I would like to retain in the hands of the Councils the right of prohibiting the sale of liquors, and the right of limiting the number of licenses to a point below the number which might be fixed by the proposed Licensing Bill in this House. I will go further, and say that in my opinion hotel keepers should be allowed only to sell beer and wine. As for alcohol, it is far from being necessary. It was discovered only in the eleventh century, and for three or four centuries afterwards it was used only for medicinal purposes. It was only in the fifteenth century that it began to be sold in hotels and liquor shops, and that people began to use in excess that poison called alcohol. Only one person in every rural place should be licensed to sell alcoholic liquors, and with respect to distilled alcoholic liquors, we might adopt one clause of the Scott Act, which says, that such liquors shall be sold only for medical or mechanical purposes. It is not necessary for me to speak of the harm alcohol has done to society. Every hon. member of the House is convinced of the great evils which have been so inflicted. But I may cite the opinion of an able authority as to the use of alcohol. My authority says:

"Une substance aussi dangereuse n'aurait jamais dû sortir des officines des pharmaciens; mais l'homme est avide de jouissance et n'a reculé ni devant la nicotine, ni devant le trois-six. L'alcool cessa, vers la fin du xve siècle, d'être une substance uniquement réservée à la médecine; les peuples trempèrent leurs lèvres dans l'eau de feu, et, à la fin du xviiè siècle, l'usage de l'eau-de-vie, comme boisson, s'était répandu dans la plupart des contrées de l'Europe. On en fait de nos jours une consommation véritablement effrayante, au grand préjudice de la santé, de la moralité et du bien-être des populations. L'alcool peuple tous les hôpitaux de l'Europe, il amène avec lui la plus affligeante de toutes les maladies, l'aliénation mentale, il porte au suicide, il enfante la misère. Mais, l'alcool, comme le tabac, est pour les gouvernements une source de revenus considérables, et l'Etat favorise les distilleries à l'égal des industries les plus indispensables à la prospérité publique.

"L'excès du mal a provoqué, heureusement, une réaction énergique et généreuse. Des hommes, animés d'un saint amour de l'humanité, ont entrepris d'éteindre au milieu des peuples la flamme qui les dévore, et de là, les Sociétés de tempérance, qui déjà ont rendu tant de services à l'Amérique et à la Grande-Bretagne."

We cannot place too many restrictions on the sale of alcoholic liquors, and why should we favor and sanction that trade? Is it conducive to the well-being of society? Does it add to the welfare, the prosperity, and the happiness of the community? Does it advance the interests of morality? Is it a legitimate source of national revenue? No; it is the very reverse in each case. I hold that a Government which tries to derive its revenue from duties on alcoholic liquors is speculating upon the vices of the people. To use the words of Mr. Gladstone, "it is the duty of every Government to make it easy for every man to do right, and difficult for him to do wrong." If we open everywhere taverns and hotels where men may become drunkards, I say we are making it easy for every man to

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do wrong, and difficult for him to do right; we are establishing a means to lead sober men from the paths of sobriety to those of intemperance and vice. We would be guilty of moral assassination if we contributed, by a bad License Act, to increase intemperance and drunkenness in our country, because an increase in drunkenness means an increase in pauperism, vice, crime, and degradations of all kinds. I am glad to observe that a Committee will be appointed to study this social question, which we will have to settle. I hope the result of the investigation of that Committee will be the introduction of a good License Law, which will tend to bring about a reduction in the number of licenses, and great diminution in the consumption of alcoholic liquors. The Government have done a good deal for the material progress of this country; but there is a progress which is far more important than material progress—it is the moral progress of the population; and I hope the Government will use all its weight to give us a good law, a law which will satisfy the friends of temperance, and which will help to check the vice of intemperance.

Mr. CASEY. It is highly gratifying to many hon. members to hear, from a French Conservative, such a hearty, well considered, and evidently intelligent approval of the license system at present in vogue in the Province of Ontario. We have heard many an attack on that system of late, but the hon. gentleman's remarks on the subject show deep study and careful consideration of the question, and an intelligent conviction that that license system is the best at present in vogue any where in the Dominion of Canada; and I commend the remarks to the careful consideration of hon. Ministers and their supporters, who, a few weeks ago, were endeavoring to persuade the electors of Ontario to give up the present licensing system and return to one which the hon. gentleman thoroughly condemns, as against the interests of sobriety and morality.

Mr. LAURIER. I agree almost entirely with what has been said by the mover of this resolution. I differ only on one point. I think that we, in the Province of Quebec, have all the legislation we require to deal with, and grapple with this question. We have a Prohibition Law which has been in force since 1866. The hon. gentleman knows that the municipal and local councils have power to pass a Prohibition Law within the limits of their municipalities, and that this power is largely used in the Province. In the county where I live, out of eighteen municipalities there have been for the last ten years, at least, sixteen prohibitory by-laws. In the present year liquor is sold in only two of those municipalities. In the neighboring county of Megantic, composed of fourteen municipalities, there are prohibitory by-laws in twelve of them, and I remember a time, not far distant, when in all the fourteen municipalities, prohibitory by-laws prevailed. With such legislation we do not require to go further, nor is it advisable to go further. The only thing we have to do towards checking the evil of intemperance, which I know exists to an alarming degree, is not in the direction of legislation, but is simply in the way of the moral education of the people. Let us educate the people; let us educate them to take advantage of the weapons already in their hands, and we have already all the weapons to grapple with this evil. We cannot require more than the power already vested in the municipal councils to deal with the question. They have that power to-day, and I hope any legislation introduced into this Parliament will not deprive them of it.

Mr. AMYOT. The hon. gentleman forgets that the courts of Quebec have declared that the by-laws are illegal. I quote the case of the parish of Beauport.

Mr. LAURIER. I will quote the case of *Sulte vs. the Corporation of the city of Three Rivers*, where the Court

of Appeal, the highest court in the Province, decided that such by-laws are valid.

Mr. BLAKE. Have any petitions been received from the Province of Quebec on the subject of the License Laws? If there has been no such petitions received, it is useless to pass the motion.

Sir HECTOR LANGEVIN. I do not know, but they will be brought down.

Mr. BLAKE. If any.

Sir HECTOR LANGEVIN. Yes; of course, if any, Motion agreed to.

#### SUMMERSIDE HARBOR.

Mr. HACKETT, in moving for a copy of the Engineer's report of survey made at Summerside Harbor, Prince County, Prince Edward Island, during the past summer, with a view to improving the navigation of said harbor, said: Mr. Speaker, I wish to say, in moving for these papers, that for some years past the people of Summerside have been endeavoring to secure the improvement of their harbor. About one year ago, a large and influential meeting of the residents of this town was held for the purpose of suggesting some means whereby the improvements required might be carried out; and as the result of it, a petition was sent to the Department of Public Works, asking for certain improvements. I may say that, in this connection, the difficulty which exists is, that the depth of water is not sufficient; and the entrance to it being very wide in the fall of the year, during the prevalence of permanent heavy north-west winds, shipping lying at the wharves in this harbor is very much exposed. It is the belief of practical gentlemen, down there, that if a breakwater were built inside of the outside bar, from Indian Point almost to the channel, it would present a sufficient barrier to the waves and afford sufficient protection. The exposed condition of the harbor, has been very detrimental, not only to Summerside, but also to all the Dominion of Canada. About two years since, a large vessel, which was about to cross the Atlantic with a valuable cargo, was totally wrecked in this harbor, entailing great loss on the owners and underwriters. About one year ago, a vessel owned in New Brunswick was also totally wrecked by being dashed against the railway wharf at Summerside; and not only was the vessel lost, but also Government property was very much damaged—owing to the fact that the vessel lay alongside of the wharf—a very valuable coal shed filled with coal being destroyed. It, therefore, becomes necessary to afford the protection demanded, not only in the interest of the shipping, but also of the Government works on the wharf itself. Moreover, this is a very important harbor. It is the place where connection is made in summer with the mainland, the mails and passengers being daily landed; and, consequently, it is of great importance, not only to the people in that section of the Island, but to the whole Dominion as well, that this breakwater should be built. For some years past the exports from this quarter of the country have been largely increased. I say this, however, with considerable diffidence, for fear lest it may irritate the hon. members of the Opposition, who declare in this House that the National Policy is ruining Prince Edward Island. In 1879, the exports from Summerside, amounted, in value, to \$454,731; and, in 1882, to \$815,370, showing an increase of almost 100 per cent. Now, it will be plain to hon. gentlemen that, in view of the fact that these exports have so largely increased during the last three years, it becomes necessary to afford some protection and accommodation to the shipping which frequents this very important harbor; and I trust that, when this report is laid before the House, I will find a suggestion made as to the manner in which this harbor may be improved; and

that the hon. gentleman who now administers the affairs of the Department of Public Works with so much ability, will see his way clear to placing in the Estimates a sum sufficient to carry the recommendations into effect.

Mr. YEO moved the adjournment of the debate.

Motion agreed to.

#### MOTION FOR RETURN.

Motion for the following return was agreed to:—

Copies of all reports made up to this date, respecting the movements of the ice at the wharf at River du Loup and the wharf at River Ouelle.—(Mr. Grandbois.)

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

#### CRÉDIT FONCIER FRANCO-CANADIEN.

Mr. DESJARDINS moved the third reading of Bill (No. 22) respecting the Crédit Foncier Franco-Canadien.

Mr. AUGER. I have the honor to move that this Bill be read the third time this day six months. As I remarked the other day in Committee, this Bill is not what it appears to be on its face. The pretension of its promoters is that they wish this company to be placed on the same footing with other companies of the same nature; and they desire to obtain authority to charge interest up to the figure of 8 per cent. In the present condition of affairs I do not think that the company should request this change, money is plentiful and cheap; from everything I can hear and read, it appears that prosperity is general in this country at the present time, and prosperity means abundance of money. The banks are well supplied with funds; our farmers have lots of money, and consequently money must be cheap; and if so, I do not see why Parliament should be asked at the present time to amend the Act of incorporation of this company in the manner desired. But the change in the interest rate is not all; it is true it is all that appears in the Bill, but I wish the hon. members of the House to note this sentence:

"The Act of the Parliament of Canada, 44 Victoria, chapter 58, intitled: 'An Act to enlarge and extend the powers of the Credit Foncier Franco-Canadien,' is hereby repealed."

I will refer to a few of the provisions of the Act. They give this company certain rights, which are accompanied by certain obligations and restrictions: one relates to the rate of interest, which can only be 6 per cent., and another states that debtors of the corporation shall have the right to discharge debts coming due, whether in whole or in part, on the payment of not more than three months' interest, at the rate charged in the loan. If this Act, however, is repealed, as is intended by this Bill, what will be the consequence? And what is the law in Quebec about this matter? It is as follows:—

"Les débiteurs ont le droit de se libérer par anticipation, en tout ou en partie.

"Les remboursements anticipés donnent lieu, au profit de la société, à une indemnité qui ne peut dépasser trois pour cent du capital remboursé par anticipation."

Then if we repeal this law by the present measure, we will have the right only to charge three months' interest on money which is paid before it is due. If we repeal it, the Act of the Quebec Legislature comes into effect, and by it we have a right to charge 3 per cent. If a man owes \$1,000 and wishes to pay it, at 3 per cent he will have to pay \$30, while, under this Act, he would have to pay \$5, which is \$15 difference. If he lent it at 8 per cent. he would have to pay back \$30, while, under the present law, he would only have to pay \$20, or, in other words, he would be paying 8 per cent. in the one case, and 9 per cent.

in the other. I think hon. members have rather been taken by surprise, for I do not think the Bill has been distributed. so that hon. members could scrutinize it and ascertain what would be the result of repealing this Act.

"The corporation shall transmit, on or before the first day of March in each year, to the Minister of Finance, a statement in duplicate to the thirty-first day of December inclusive of the previous year, verified by the oath of the President, Vice-President or Managing director, setting out the capital stock of the corporation and the proportion thereof paid up, the number of shares to order and the number to bearer, the assets and liabilities of the corporation, the amount and nature of the investments and the average rate of interest derived therefrom. The extent and value of the real estate held, the amount and nature of the obligations, &c."

If the present Bill passes, that provision will be repealed. I have nothing to say against these parties privately; they may all be gentlemen, but we know that corporations have no souls, and I do not wish them to be allowed to go without restraint, as is now proposed. Then the Quebec Act might be changed so that we would have no control over them at all. For these reasons I think I have good ground for moving that the Bill be not now read the third time, but that it be read the third time this day six months. It may be said that, of course you speak about having the rights in Quebec to charge 10 per cent., they may say there is a general law passed which will stop that. Well, the law passed here may stop it, for any money that is lent for over five years, but it will not have that effect in regard to money which is lent for a shorter period. By 43 Vic., chap. 42, there is a provision that if the money is lent for over five years—after the five years elapse after the money is to be paid—all they have to pay is three months interest; but if the period is less than five years they would have to fall back on the Quebec Statute, and they would have a right to charge 3 per cent. I think that at present, when money is so plentiful and so cheap, there is no need to pass such a law, and especially in its present shape.

Mr. CASGRAIN. A charter has been granted to this company by the Legislature of the Province of Quebec on one special condition, and that condition is this—that they should not lend money at a rate above 6 per cent. interest; and whatever legislation we may pass in this House cannot affect the charter under which they operate in the Province of Quebec, or elsewhere. I look upon the Bill, as it is at present, as a perfect nullity, and I do not say this because I desire to oppose the Bill, but on account of the interest I have in good legislation. The question will come up before the courts of justice, because parties will take advantage of the Quebec charter to diminish the rate of interest from 8 per cent. to 6; and we may anticipate that the courts of justice will be bound to decide that the only charter under which they can operate is the one granted by the Province of Quebec.

Mr. DESJARDINS. I wish to make a few remarks in reply to the two hon. gentlemen who have just spoken, and I will first refer to the hon. member for L'Islet. The hon. gentleman has probably overlooked the fact that by the charter the company obtained from the Legislature of Quebec, the limit of 6 per cent. was fixed, on account of the monopoly they obtained for fifty years. They have abandoned that monopoly, and last year the Quebec Legislature amended their charter so as to extend their rights and remove that limit; and the proclamation of the Lieutenant Governor has been published so that the public might be informed of the fact. The objections of the hon. member for Shefford (Mr. Auger) I think are answered by himself. He asks, why give the Credit Foncier the right of lending at as high a rate as 8 per cent. when money is so cheap and plenty? Well, if money is so cheaply plenty, it would be very easy for borrowers to go to any other company and get money at a lower rate than they can from the Credit Foncier;

Mr. AUGER.

and if the Credit Foncier want to keep to the maximum rate, they will not do any more business than they do now. The main question is this: Are we interested in bringing capital here to compete with the other loan companies, and to give us what the hon. member for Shefford and many others want, namely, cheap money? The more capital you induce to come here, the better for the borrower. It is well known that if the company do not obtain that amendment to their charter, they will be obliged to give up their business; and I am informed that so anxious are other loan companies to get them out of the market, that they have offered to indemnify the company for any expense they have incurred to obtain their charter and to assume their loans. I think that is the best proof that the competition of the Credit Foncier with the other loan companies is giving us what we all desire—cheap money. Under these circumstances, and seeing that the charters they have obtained from the Legislatures of at least four or five of the Provinces, amply protect the public, I do not see why we should hesitate to give them fair play, and place them on the same footing as the other loan companies. If the company should at any time be obliged to increase their rate of interest to 7 or 8 per cent., and money afterwards gets cheaper, the borrower has the power, under every one of the company's charters, to force them, under a smaller indemnity, to reimburse him.

Mr. WELDON. Why do they want the Dominion Act repealed.

Mr. DESJARDINS. Because they are in doubt about the Provincial Legislatures having power to grant charters of that kind. It has been decided by high authorities that the Local Legislatures are the proper authorities to apply to for the incorporation of such companies, but that it is for the Parliament of Canada to decide as to the rate of interest. It is for that reason, and no other, that the company are before this Parliament, and I think it is only fair that they should obtain what they are asking for by this Bill.

Mr. WELDON. I was on the sub-Committee upon the Bill passed for this company two years ago, and the reason the 6 per cent. limit was fixed at that time was that they possessed a monopoly for fifty years. That being now withdrawn, I think it is quite right that we should relieve them from the obligation then imposed. At the same time, I think that, having given them power to extend their business over the whole Dominion, this Parliament should retain control over their affairs.

Mr. ABBOTT. As I understand the question, the company desire to escape from the abnormal and inconvenient position they occupy, and to be placed in the position of other ordinary loan companies. I have no doubt, from what I have seen of their legislation, that they proceeded from the first upon an erroneous idea. They obtained their Act of incorporation in the Province of Quebec, and in this Act they obtained a privilege which is so far from the policy of this House in such matters, that last year they were refused the legislation that would have placed them in the position of other companies. They obtained from the Legislature of Quebec a monopoly of the capital, as it were, of the Republic of France for fifty years. No other company, under that Act, could do business in Quebec during that time, being first organized in France. That was a mistake, I think, they made, and it was a very important one. Then they came to this House, after having obtained a charter in Quebec, and, instead of merely getting their powers extended under that charter, they got a new charter from this House, so that there were two charters, in most respects similar. In the respect of which my hon. friend from Shefford speaks, they are exactly similar. By repealing this Act, the protection which the Dominion Act afforded to the customers of this company will not be repealed,

because it will exist under the Quebec charter. That was the second mistake they made—that of getting another Act of incorporation. It was, therefore, impossible for any man to say whether this was a local or a federal corporation, under which law it was governed, or how it conducted its business. Since then the legislation was still further complicated by local Acts through the Provinces extending the powers of this company, which it had acquired under the Quebec Act—that is the other Provinces, except Manitoba. What the company really wanted, in order to place itself on the same footing as other loan companies, was simply to be permitted to charge the rate of interest that others charged and be deprived of this obnoxious monopoly. That is the position in which, I understand, my hon. friend wishes to put the company now by this legislation. The second Act of incorporation gave no new privileges. With the sole exception of the ordinary privilege of accounting to the Finance Minister, which is imposed on all federal corporations, all the protective clauses which were in the Federal Act remain, because they are in the charter of this company under the Quebec Act. Still it would seem to me improper for us to impose on a local company the obligation of accounting to the Finance Minister of Confederation. It would not, perhaps, be improper in principle, but the obligation does not exist with regard to other local companies, and I do not see why it should be imposed on this one. With regard to the rate of interest, all I understand my hon. friend opposite asks for is that this company be permitted to charge the same rates as others. I do not see why this should be refused. We may be wrong to allow it to others, but we allow it to all, and I do not see why this company should be made an exception. The only distinction I can see between this company and the hundreds of others doing business throughout the country, with the privilege of charging interest over 6 per cent, is, this company is French, and its capital comes from France, and I do not recognize the advantage of excluding from our markets the capital of France, where there is an abundance of money to be had at cheap rates of late years, a portion of which we have some prospect of obtaining. That can be the only ground. As to the policy of allowing these corporations to charge over 6 per cent., I am in favor of allowing them to charge what they please. What they charge will be what they can persuade people to pay them, and if money is cheap no one will be so foolish as to pay this or any other company 8 per cent., if the money can be had at a lower rate elsewhere.

Mr. WHITE (Hastings). As far as this company is concerned, it deserves some credit for the business it has done here. Under their Act of incorporation they have lent money at 6 per cent. to the amount, it was stated here last Session, of \$1,000,000. That is, if I mistake not, in the hands of farmers. If we allow them now to charge a higher rate, those farmers will have to borrow at 8 per cent., so that the increased rate will actually be an increased charge on the \$1,000,000 they have borrowed. If we refuse this privilege to the company, that money will remain in the hands of the farmers at 6 per cent., for the company will not take it back to France, where they can only get 4 or 4½ per cent. It is very well to advocate bringing in capital to this country and placing all companies on an equal footing, but we must not forget that if we allow these parties to draw in the capital they have loaned we will do a great injustice to those who borrowed it, believing implicitly that 6 per cent. was all they would have to pay, and that they would obtain renewals at that rate. So far as this company is concerned they can borrow money at 4 and 4½ per cent. If this Bill is not given the six months' hoist I hope my hon. friend from Centre Wellington will introduce his motion, in order that, at any rate, we may keep the rate at 7 per cent.

Mr. BLAKE. I desire to point out that my hon. friend from Argenteuil has, I think, forgotten exactly what the nature of the Federal Act, which it is proposed to repeal, is. My hon. friend spoke as if it was a double incorporation. It is not so. The Federal Act, rightly or wrongly, is simply the conferring of certain powers and the making of certain prescriptions, coincidental with the conferring of those powers on the corporation incorporated by the Quebec Legislature. It recites the incorporation of the Credit Foncier Franco-Canadien by the Statute of the Province of Quebec. It recites that the company has applied for the extension and enjoyment of its powers so as to allow it to transact business throughout the Dominion, and then declares it shall be lawful for that particular corporation to transact business and prescribe certain rules. Therefore, it is not a double incorporation at all, any more than the granting to this company by various Provincial Legislatures of express powers to do business in other Provinces would be treated as special Acts of incorporation in those Provinces. Whatever be the power this Legislature may have to deal with these questions, in the mode in which it is assumed to deal with them in this Act, there can be no doubt we had the power to give authority to loan in the North-West Territories, and it is effective so far. That is the first observation I have to make. The hon. gentleman stated that all the securities and restrictions which were imposed by this Act, with the exception of the single one limiting the rate of interest—whereas the new Bill will give the company power to loan at 8 per cent.—were secured by the Provincial Act. That is not strictly true.

Mr. ABBOTT. I said that the restrictions in the interest of borrowers, for the protection of borrowers, were copied from the Quebec Act.

Mr. BLAKE. That is where my hon. friend was under a misapprehension, because the Quebec Act proscribes, as my hon. friend from Shefford stated a while ago, that borrowers who are paying money back by anticipation should pay 3 per cent., not at the rate of 3 per cent. for any particular time, but a sum not exceeding 3 per cent.; whereas, this Federal Act, dealing with this subject, which is properly within our powers as relating to the question of interest, provides that debtors to the corporation shall have the right of discharging their debts as they become due; and the anticipated payment shall give rise to an indemnity in favor of the corporation, which shall not exceed three months' interest on the capital paid before becoming due at the rate stipulated in the loan. Now, the rate stipulated in the loan could not exceed 6 per cent. per annum, the maximum charge upon anticipated payments would, therefore, not be more than 1½ per cent. under the Federal Law; but if you repeal the Federal Law in its totality, you throw the corporation back on the Provincial Law, and they will then have power to charge 3 instead of 1½ per cent. as the maximum in the case of anticipated payments. I am not at all clear how far, under this complicated state of things which is now produced, what would be the application of our General Act which we passed a couple of years ago on the subject of interest in this country. I rather think, also, that it would be prudent in any case in which we are granting privileges to any company, to exact returns from that company. It seems to me not unreasonable that when a company comes here for any privilege at all from us we should exact such returns as we exact in the case of many companies who do not come for privileges. In the case of building societies, about whom, in my mind, at any rate, there has always been great doubt whether they come within our jurisdiction at all, we exact these returns. I think the returns are useful, if there is nothing else that will do good, and we ought to have them.

Mr. DESJARDINS. That is very good in words, but the Bill repeals the Act which orders these returns. My hon. friend says: "I don't object to you having returns," but he appeals the law by which the returns are ordered.

Mr. HOUDE moved, in amendment to the amendment:

That the Bill be referred back to the Committee of the Whole with instructions to replace the words, "eight per cent." by the words "seven per cent." in the second clause.

Mr. AMYOT. I am at a loss to know why we should make a difference between that company and other companies. I remember that when that company commenced its operations in this country, the rate of interest went down considerably, and farmers, instead of paying 12, 14 and 15 per cent., began to pay 6 per cent. and less. That Company has loaned nearly \$1,500,000 at 6 per cent. or 5½. Now, if you look at the Statutes you will see that we have treated other companies much more generously than you propose to treat this one, as will be seen by the following statement showing the powers granted to loan companies in Canada since 1876 as to rate of interest:

Thirty-nine Victoria, Chapter fifty-seven.—'The British Canadian Loan and Investment Company,'—eight per cent, amended by forty Victoria, chapter seventy-six to any rate that may be lawfully taken by individuals in the Province of Ontario or by incorporated companies in other Provinces.

Thirty-nine Victoria, Chapter fifty-eight.—'The England and Canada Mortgage Security Company.'—Any rate that may be lawfully taken by individuals.

Thirty-nine Victoria, Chapter fifty-nine.—'The Scottish Canadian Loan Company.'—Eight per cent.

Thirty-nine Victoria, Chapter sixty-one.—'The National Investment Company of Canada.'—Eight per cent.—Amended by forty Victoria, chapter seventy-seven, to any rate that may be lawfully taken by individuals in the Province of Ontario, by incorporated companies in the other Provinces.

Thirty-nine Victoria, Chapter sixty-two.—'The London and Ontario Investment Company.'—Eight per cent.—Amended by forty Victoria, chapter seventy-eight, to any rate that may be lawfully taken by individuals in the Province of Ontario, or by incorporated companies in the other Provinces.

Thirty-nine Victoria, Chapter sixty-six.—'The Maritime Savings and Loan Company.'—Eight per cent.

Forty Victoria, Chapter forty-three.—'Joint Stock Companies Act, 1877.'—Any rate that may be lawfully taken by individuals.

Forty Victoria, Chapter fifty.—'An Act respecting the Building Societies in the Province of Quebec.'—Any rate that may be lawfully taken by individuals.

Forty Victoria, Chapter seventy-four.—'The Manitoba and North-West Loan Company.'—Any rate that may be lawfully taken by individuals.

Forty-one Victoria, Chapter forty-two.—'The Montreal Investment and Building Company.'—Eight per cent.

Forty-two Victoria, Chapter seventy-four.—'The Manitoba and North-West Loan Company.'—Any rate that may be lawfully taken by incorporated companies in the Province of Quebec, or by private individuals in the other Provinces.

Forty-five Victoria, Chapter one hundred and ten.—'The Canada Landed Credit Company.'—Eight per cent.

Forty-five Victoria, Chapter one hundred and eleven.—'The Canada Trust and Loan Company of Canada.'—Any rate of interest as may be lawfully taken by individuals, or in the Province of Quebec by incorporated companies, under like circumstances not exceeding eight per cent."

Now these are some of the companies we have already incorporated. We have given them the right to loan at 8 per cent.—or, at the rate that individuals may loan their money. I would like the mover of the amendment to the amendment to say why the money of the Credit Foncier is so bad, so rotten, so distasteful to him when the company has charged less interest than other companies that he must prohibit it from coming into the country. I would like him to explain to this House wherein consists the difference between the money loaned by the Credit Foncier and that loaned by other companies. If they have any good reasons why that company should pay a special tax for doing business, all right. If it is because it is a French company, all right. But I say that money has no color and belongs to no party. It is in the interest of everybody that we should have as much money in the country as we can get. When money becomes

Mr. BLAKE.

plentiful, then we may be sure the interest will go down. I say that amendment is contrary to our general legislation, contrary to the Acts of incorporation granted to all other companies, contrary to the liberty of commerce, and contrary to the ordinary hospitality which we show other companies when they bring their money here. If it is because that money came from a special source, let us be bold enough to say so, and bear the consequences. The hon. leader of the Opposition spoke of keeping the clause which relates to the present engagements of the company as it is. I understand the mover does not object to that and I am glad to be able to agree with the hon. leader of the Opposition in this regard, as it is not very often I occupy that agreeable position. The legislation which this House is surely going to pass will not disregard vested rights. Those who have borrowed by virtue of the old law will remain under the old conditions; the company will not be in a position to change the rates nor diminish the obligations of borrowers, nor increase them. Those who transacted business with that company will stand, for the future, in the same position under the new as under the old law. It is an elementary principle that laws have no retroactive effect; but if there be any apprehension in that respect, the mover of the Bill will have no objection to add a clause making that clearer. Therefore, those who borrowed at 5½ per cent. for thirty years, will pay only that rate, and the loan will extend over that period, their rights and obligations remaining unaltered; but for future loans the terms and conditions will be different. Men who want money will go where they can obtain it cheapest, and it is the duty of Parliament to provide that we shall get money at cheap rates; and in order to do so we must open our doors and say to the capitalists and bankers of the world: "Come to Canada and you will be welcome. You will find there a general protection, and the same law for everyone; we make no discrimination; we do not limit the French capitalists to seven per cent. and allow others to charge eight." We say to the capitalists that we extend the same rights to all. That is the position which I am satisfied Parliament intends to take. Besides, I understand that the incorporation granted by this Parliament to that company was, and is, illegal, it being beyond our jurisdiction. Some hon. members will be surprised when I thus speak of the jurisdiction of this Parliament. Sooner or later this question will come before the tribunals. And I submit that when an incorporation is for local purposes, the power to incorporate is vested in the Local Legislatures. The regulation of trade and commerce belongs to this Parliament. There is no doubt as to that point, but the incorporation of private companies, of those companies which act like individuals, belongs to the Local Legislatures. Sub-section 11 of section 92 of the British North America Act, gives to Local Legislatures exclusively the power to incorporate companies, for local purposes. We understand very well when a farmer goes to borrow money from one of these companies, he does something that is local, not something that is federal in any sense. Besides, when a company is incorporated in any Province, and seeks to loan money, the rate of interest is regulated by this Parliament. So this company is right in asking only for a clause fixing the rate of interest under these circumstances. I regret that an hon. member has thought fit to propose that a discriminating rate of interest shall be established. I hope we shall grant to this company, which has already done good service, the necessary power to go on with its operations. There can be no objection to the company loaning millions of dollars during coming years. The rate of interest will be fixed, not by law, but by the condition of the money market and the wants of the people, and if the company is able to offer money at low rates it will do so so as to do more business. The interests of the company and of borrowers are the same,

and every one is interested in these corporations obtaining equal liberties.

Mr. BLAKE. This is an important amendment, and our rules provide that no important amendment shall be considered, except on two days' notice. I, therefore, submit that this amendment cannot be proposed.

Mr. SPEAKER. The hon. member for Maskinongé has not given notice of this amendment. I think it is an important amendment, and therefore the motion of the hon. member is not in order. But the hon. member for Centre Wellington has given notice of an amendment of this kind, and if he chooses to move that amendment, it is competent for him to do so.

Mr. ORTON moved, in amendment to the amendment:

That the Bill be amended by striking out the word "eight" and inserting in place thereof the word "seven" in the last line of the Bill.

Mr. HOUDE. The objection raised by the hon. leader of the Opposition seems to be useless, as my amendment is substantially the same as the amendment just read; and as the hon. member was not in the House at the time, I submit I had a perfect right to take his amendment and propose it.

Mr. DAVIES. I have a difficulty in dealing with this question, which I should like to have removed. I am opposed in principle to usury, to an attempt to limit the rates at which money shall be loaned, and I believe in lending money without restriction, as I do in freedom of trade. This company applied to the Legislature of the Province of the Dominion and obtained power to loan money at 6 per cent. In Prince Edward Island it loaned a comparatively large sum, and the mortgages it took are filled with conditions, the violation of any one of which by the borrower would enable the company to foreclose. While limited to 6 per cent. there was no great inducement to foreclose. A large number of persons borrowed money with all the stringent conditions attached, because they got it at 6 per cent. instead of paying 8. If we relieve the company from maintaining the rate at 6 per cent. and allow them to charge 8, the consequence will be that those who borrowed at 6 will have to pay 8 per cent. I do not object to borrowers paying 8 per cent., but it will have a prejudicial effect in respect to those parties who borrowed money at 6 per cent. within the last year or two. And the slightest slip on the part of the borrower, would result in his being compelled to pay 8 per cent., whereas he only imagined he was to pay 6 per cent. If the promoters of the Bill can see their way clear to the removal of this objection, I am sure that my colleagues from the Island will see the force of it at once; and I will be then very glad to support the Bill, but otherwise not.

Mr. BLAKE. From the remarks made in another part of the Chamber, I think by the hon. member for Bellechasse, I understand that the promoters of the Bill are willing to accept some of the suggestions which came from this part of the Chamber—with reference, for example, to the limitation of the amount to be taken on anticipated payments, and the restriction of this in the Act which it is proposed to repeal, which was somewhat lower than that given by the local charter, and if we go into Committee subject to the second day rule, an hon. gentleman or any hon. gentleman can propose an amendment to keep in these parts of the Bill. For my part, I am prepared to vote to go again into Committee with that view, and in the Committee we can make every alteration, it seems to me, which may be made before the measure comes finally before the House for decision.

Mr. ORTON. When the company was incorporated by a former Government, it was stated that they did not intend to charge more than 6 per cent., and if I recollect aright the feeling among the members of the House then, and

more especially among those from the Province of Quebec, was strongly that they were not favorable to the incorporation of the company, without a restriction in the rate of interest. It was thought that this company would have a very beneficial effect throughout the other Provinces on other companies. I had the honor, on a former occasion, to introduce a Bill limiting the rate of interest to 7 per cent., and the principle of this Bill was voted upon in this House, receiving the support of a large portion of the representatives from the Province of Quebec. I trust that they will now vote for the amendment, and I am sure that it will have a very beneficial effect, if carried, throughout the country.

Sir HECTOR LANGEVIN. As the hon. leader of the Opposition has remarked, he would be disposed to vote for the amendment to the amendment with the view of having the Bill amended in Committee in other respects, would it not be better, then, that this motion should be withdrawn, and that we go back into Committee with the view of amending the Bill generally? If we do so, then the suggestions made would be agreed to; but if this cannot be done, I would ask the hon. gentleman to vote against the amendment to the amendment with the view of going into Committee of the Whole.

Mr. BLAKE. I quite agree with that view.

Mr. McCALLUM. Was notice given?

Mr. BLAKE. Notice was given. The hon. member from Wellington gave adequate notice, and when the Bill is in Committee, or out of Committee, amendments may be proposed.

Mr. McCALLUM. Should not the object aimed at be stated in the notice?

Mr. BLAKE. That depends on the importance of the amendment.

Mr. BOWELL. It seems to me that the amendments proposed by hon. gentlemen opposite are very important in their character. They are amendments which were never contemplated when the Bill was introduced by the hon. member for Hochelaga, and they change the complexion of the Bill altogether. If these are not important amendments I am at a loss to know what are important.

Mr. DESJARDINS. If the promoters of the Bill agree to the changes, I do not know what the public has to say in the matter. These are restrictions which are supposed to give greater security to the public.

Mr. BOWELL. I must confess I do not take the same view of the matter as my hon. friend. It may be the promoters of the Bill are prepared to accept suggestions from members not particularly interested in the Bill; but still that makes it none the less an important amendment, and I take it for granted that, in the discussion and disposition of a question of this character, each member of the House has as much to do with it in the interest of his constituents, and of the country, as the gentlemen who are more particularly interested in it. I wish it distinctly understood that I am not opposed to the suggestions thrown out; but as the objection was taken, and, to my mind, a very frivolous one, by the hon. leader of the Opposition, to the course pursued by the hon. member for Montmagny, I do not see why, if the rules of the House are to be strictly adhered to, they should not be adhered to in this particular.

Amendment to the amendment (Mr. Orton) negatived on the following division:—

YEAS :

Messieurs

Bowell,  
Casgrain,  
Cochrane,

Hawkins,  
Houde,  
Landerkin,

Orton,  
Thompson,  
Wallace (York),

Coughlin,                    McCallum,                    White (Hastings),  
Cuthbert,                    McLelan,                    Wigle,  
Ferguson (Leeds & Gren) McNeill,                    Wood (Brockville).—18.

## NAYS:

## Messieurs

Abbott,	Fairbank,	McCraney,
Allen,	Farrow,	McDougald,
Allison,	Ferguson (Welland),	McIntyre,
Amyot,	Fisher,	McIsaac,
Armstrong,	Fleming,	McMullen,
Auger,	Forbes,	Massue,
Bain,	Foster,	Méthot,
Baker (Missisquoi),	Fréchette,	Mitchell,
Baker (Victoria),	Gagné,	Moffatt,
Barnard,	Geoffrion,	Montplaisir,
Beaty,	Gigault,	Mulock,
Béchar, d,	Gillmor,	O'Brien,
Bell,	Girouard (Kent),	Paint,
Benoit,	Gordon,	Paterson (Brant),
Bergeron,	Grandbois,	Pickard,
Bergin,	Guilbault,	Pinsonneault,
Bernier,	Guillet,	Platt,
Billy,	Gunn,	Pope,
Blake,	Hackett,	Ray,
Blondeau,	Hall,	Reid,
Bolduc,	Harley,	Richey,
Bossé,	Hay,	Rinfret,
Bourassa,	Hesson,	Riopel,
Bourdeau,	Hickey,	Ross (Middlesex),
Brecken,	Hilliard,	Royal,
Burnham,	Holton,	Rykert,
Burns,	Homer,	Scott,
Cameron (Huron),	Hurteau,	Scrifer,
Campbell (Renfrew),	Innis,	Small,
Caron,	Irvine,	Smyth,
Casey,	Ives,	Somerville (Brant),
Catual,	Jamieson,	Somerville (Bruce),
Charlton,	Keffer,	Springer,
Cimon,	Kilvert,	Sutherland (Oxford),
Cook,	King,	Taylor,
Costigan,	Kinney,	Trow,
Coursol,	Kirk,	Tyrwhitt,
Daly,	Labrosse,	Vain,
Daoust,	Landry,	Vanasse,
Davies,	Langevin,	Wallace (Albert),
Dawson,	Laurier,	Watson,
De Beaujeu,	Le sage,	Weldon,
Desaulniers,	Lister,	Wells,
Desjardins,	Livingstone,	Wheler,
Dickinson,	Mackintosh,	Williams,
Dodd,	Macmaster,	Wilson,
Dugas,	McMillan (Huron),	Woodworth,
Dundas,	McMillan (Vaudreuil),	Yeo.—144.

Amendment (Mr. Auger). six months hoist, negatived on a division.

On motion for third reading,

Mr. ABBOTT moved, that the Bill be not now read the third time, but that it be recommended to Committee of the Whole, for the purpose of amending the same.

Motion agreed to; and the House resolved itself into Committee.

Bill reported, Committee to sit again.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and (at 9:30 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 15th March, 1883.

The SPEAKER took the Chair at Three o'clock.

## PRAYERS.

## ARBITRATORS' AWARD IN FAVOR OF LUCIEN MORIN.

Mr. CASGRAIN enquired, Have the Government been notified of an award made by the Official Arbitrators  
Mr. BOWELL.

of the Dominion, in favor of Lucien Morin, and if so, when? Has the amount awarded been paid, and if not, why not?

Sir CHARLES TUPPER. The Official Arbitrators reported an award to the Department on the 18th of August, 1882, for \$366.70. The amount has not been paid and there is no appropriation from which payment could be made. It will, I expect, be provided for in the Estimates.

## PUNISHMENT OF ADULTERY AND SEDUCTION.

Mr. CHARLTON, in moving that the House resolve itself into Committee on Bill (No. 13) to provide for the punishment of adultery, seduction, &c., said: I may be permitted, Sir, to make a few remarks in support of its provisions. I am aware, Sir, that the subjects with which this Bill deals are of a delicate nature; nevertheless, Sir, only prudery and a false sense of modesty would forbid their discussion in a proper manner, here or elsewhere; and believing, that the provisions of the Bill which I have submitted, are in the interest of morality and in the public interest, I invoke the considerate judgment of the House upon it. The hon. leader of the Government the other evening, in some remarks upon this question, at the time the second reading was taken, said that he feared I did not draw the line clearly and distinctly between a sin and a crime. Well, Sir, the line of demarcation between what might be properly called a sin, and what might be properly called a crime, may not be very clearly defined in all cases; but I think, Sir, that any offence named in this Bill may be justly characterised as a crime. It is surely a crime, Sir, to blight a home, to ruin a life; to make an innocent person an outcast of society, and to drive her to prostitution, when this is done by the exercise of wiles and false promises. These, Sir, are the crimes provided for in this Bill, and for the punishment of which provision is made. Now, there are, Sir, as we are all aware, cases which have occasionally arisen, where the fact that no penalty is involved is a disgrace to civilization, where the victims are driven out of society, in some cases even driven to suicide, and it is to provide for cases of this kind that this Bill is introduced. The hon. First Minister also, in adverting in his remarks, upon the operation of such a law in the State of New York—to which I had referred—said that the existing law in that State had not prevented licentiousness, and had not prevented the condition of society which existed in other places where this law did not exist. Well, Sir, the hon. gentleman might, with equal truth, have said that the law placed on the Statute-book in that State against murder did not prevent the commission of murder; that the law against theft, and robbery, and burglary, and all crimes known to the calendar, were not so efficient as to prevent the commission of these crimes. The fact that the existence of this law on the Statute book of that State does not prevent licentiousness is surely no argument against the propriety of placing the law there. The law was designed in that State for the punishment of seduction under promise of marriage, and the law has been enforced in that respect, and the penalties inflicted in many instances there and elsewhere. The objection was also raised that under a law of this kind the adventuress would have opportunities which she would not possess if no law of this character existed on the Statute-book. Well, Sir, the Committee that dealt with this Bill have been fully alive to this objection; and every precaution that they could possibly take—to provide against the possibility of the operations of the adventuress being facilitated by it—have been taken in drafting the Bill; and I think that the Bill, in the form in which it is presented to the House, very fully provides against any contingency of this kind. I may say in this connection, that, so far as I know, very few instances have occurred where the attempt of the adventuress has been successful in

seeking to extort blackmail from an intended victim. This law, as I said the other day, Sir,—and as I propose more fully to show now—has been upon the Statute-book of various commonwealths upon this side of the Atlantic for many years. And, as I said the other day, it has been on the Statute-book of New York since 1848. And the fact, Sir, that there has never been any objection made to the operation of the law—the fact that there has never been any attempt to have it repealed, by any respectable number of persons, may surely be taken, Sir, as an argument in favor of the law. When the law has been in practical operation, when it has been on the Statute book for nearly a quarter of a century, and has evidently met with universal approval—if we may judge from the fact that no hostile criticism has been offered—we may fairly infer that its practical operation in that instance has been satisfactory. I propose, with the permission of the House, to give a brief outline of the law as it exists in many of the United States; and I shall show that the provisions of the present Bill are less stringent, and the safeguards against blackmailing are more complete than in any of the Statutes in the American States. In Massachusetts the crime of seduction is a felony. In Ohio, a male over eighteen years of age, who seduces a female under eighteen years of age, under promise of marriage, is guilty of felony, and is liable to imprisonment in the penitentiary for three years, or in the county jail for six months. In Ohio, there is an additional provision with reference to tutors and teachers. It provides that any such teacher or tutor of any public or private school, who is over twenty-one years of age, who has sexual connection with any female under his instruction, shall be liable to imprisonment for a maximum period of ten years, or a minimum period of one year. In that State, corroborative evidence is required to the same extent as is required for the principal witness in the case of perjury. In Rhode Island, seduction under promise of marriage renders the person guilty of the crime liable to a maximum imprisonment of five years, or a fine of \$5,000. In this State, corroborative evidence is also required, and any person guilty of enticing a female to a house of ill-fame for the purpose of prostitution, or aiding and abetting in the same, is liable to imprisonment for five years, or a fine of \$5,000. In New York, seduction under promise of marriage, is punishable by imprisonment for not more than five years, and a fine of not more than \$5,000, at the discretion of the court. In New Jersey, seduction by a married man, representing himself single, under promise of marriage, is punishable by imprisonment for five years, or a fine of \$5,000, or by both imprisonment and fine. In the case of a single man the same punishment may be imposed with the provision, however, that the subsequent marriage of the parties is a bar to conviction. In this State, also, the evidence of the female has to be corroborated. In Arkansas, two years in the penitentiary is the maximum imprisonment, and \$5,000 the maximum fine, and corroborative evidence is required to the extent required of the principal witness in a case of perjury. In Nebraska, the punishment is \$3,000 fine, or imprisonment for five years, and corroborative evidence is required. In Michigan, seduction is punishable by imprisonment for a period not exceeding ten years. In Minnesota, the punishment may be five years in the State prison, or one year in the county jail. Corroborative evidence is required, and subsequent marriage is a bar to conviction; and, in that State, the indictment must be made within two years of the commission of the alleged offence. In Indiana, the female may prosecute in a civil action on her own behalf, or her parents or guardians may take proceedings, and damages may be awarded as assessed. The same law prevails in Illinois, and, in Iowa, seduction is punishable by imprisonment for five years, or a fine of \$1,000, and subsequent marriage is a bar to conviction. In Kansas, seduction, under promise of marriage, is punishable by a

fine of \$3,000, or imprisonment for two years, or both. In South Carolina, the female may take civil action on her own behalf. In Alabama, seduction, under promise of marriage, or by temptation, or deception, or by the use of arts or flattery, is a felony punishable by imprisonment for not less than one year or more than ten years; corroborative evidence is required. In Wisconsin, seduction, under promise of marriage, is punishable by a maximum term of imprisonment of five years in the State prison, or one year in the county jail. No conviction can be secured on the unsupported testimony of the female, and subsequent marriage bars conviction. In Oregon, seduction, under promise of marriage, is punishable by imprisonment in a penitentiary for a period of from one to five years, or in the county jail from three months to one year, or a fine of from \$500 to \$1,000; subsequent marriage is a bar to conviction. In Connecticut, the first offence may be punished by imprisonment for not more than one year, and a fine of not more than \$1,000; the second offence, imprisonment not more than three years, and fine not more than \$2,000. In Pennsylvania, the seduction of a female under twenty-one years of age, under promise of marriage, is punishable by a maximum fine of \$5,000, or a maximum imprisonment of three years, or either, or both, at the discretion of the court. The testimony of the female requires to be corroborated by other evidence, circumstantial or positive. In Virginia, Georgia and North Carolina seduction, under promise of marriage, is made a felony. These are the provisions of the law in the States I have named; but there is scarcely a State in the American Union that does not place seduction on the category of felony. The present Bill, as introduced in the first instance, was more stringent in its provisions than the one now submitted. That Bill was referred to a Special Committee last Session, by which it was essentially modified in its provisions; it was again introduced this Session, and again referred to a Special Committee, who struck out the first clause, providing for the punishment of adultery. As the Bill now stands, there are three offences, and as hon. members may not be familiar with it in its present shape, I take the liberty of reading the clauses. The first section provides that:

“Any man who shall, under promise of marriage, seduce and have illicit connection with any unmarried female of previous chaste character, shall be guilty of a misdemeanor, and shall be punishable as hereinafter mentioned: Provided, in the case of an unmarried man, that subsequent marriage of the parties or a *bonâ fide* offer of marriage on the part of the defendant, may be pleaded in bar of a conviction.”

The second clause is as follows:—

“Any person who is a superintendent, tutor, or teacher in a private or public school, or other public institution of learning attended by females, or who is instructor of any female in music, or any branch of learning of art, who has illicit intercourse at any time or place with any female under his instruction, or attending such school or institution during the term of his engagement as superintendent, tutor, instructor, or teacher, shall be guilty of a misdemeanor, and shall be punishable as hereinafter provided.”

The third clause provides that:

“Any person who shall inveigle or entice any female of virtuous and chaste character, to a house of ill-fame, or assignation, for the purpose of illicit intercourse, or prostitution, or shall knowingly conceal, or inveigle, or aid or abet in concealing any such female so inveigled or enticed for the purpose of prostitution or lewdness, shall be guilty of a misdemeanor, and shall be punishable as hereinafter provided.”

Then follows a provision with regard to the testimony. The two following clauses being for the purpose of guarding against blackmailing, and protecting those who may be exposed to attempts on the part of unscrupulous females, to fasten false charges. These clauses are as follows:—

“In any case arising under section one, two or three of this Act, the testimony of the female in respect of whom the offence is alleged to have been committed, shall not be deemed sufficient to sustain a conviction unless the same is corroborated by other material evidence. In every case arising under this Act the defendant shall be a competent witness in his own behalf.”

The sixth clause provides that no prosecution shall be commenced after the expiration of one year from the time of committing the offence. The seventh clause is as follows:—

“Any person who shall be convicted of an offence declared to be a misdemeanor under this Act, shall be imprisoned for two years in a penitentiary, or for a less term in any other prison or place of confinement.”

It will be seen that almost unlimited discretion, as to the punishment to be imposed is left with the court, the terms mentioned being the maximum periods, and the court having the discretion to impose a smaller punishment. The original Bill provided for the imposition of a fine, but that provision has been struck out, as it was felt by the Committee that a civil action might be taken under our Statutes in that behalf, and it would be unjust to incorporate such a clause in this Bill. The eighth clause provided that:

“No bill of indictment for any of the offences hereinbefore mentioned shall be presented to or found by any grand jury, unless the prosecutor or other person presenting such indictment has been bound by recognizance to prosecute or give evidence against the person accused of such offence, or unless the person accused has been committed to or detained in custody, or has been bound by recognizance to appear to answer to an indictment to be preferred against him for such offence, or unless the indictment for such offence is preferred by the direction of the Attorney-General or Solicitor-General for the Province in which the offence was committed or of a Judge of a court having jurisdiction to give such direction or to try the offence.”

The ninth clause is as follows:—

“Wherever there is reason to believe that any female has been inveigled or enticed to a house of ill-fame or assignation as aforesaid, then upon complaint thereof being made under oath by the parent, master or guardian of such female, or in the event of such female having neither parent, master or guardian in the Province in which the offence was committed, then by any other person, to any justice of the peace, or to a judge of any court authorized to issue warrants in case of alleged offences against the Criminal Law, such justice of the peace or court may issue a warrant to enter, by day or night, such house or houses of ill-fame, or house of assignation, and to search for such female, and bring her, and the person or persons in whose keeping and possession she may be, before such justice or court, who may, on examination, order her to be delivered to her parent, master or guardian, or to be discharged, as law and justice may require.”

These are the provisions of this Bill, which I believe to be in the interests of public morality; and having therefore taken the somewhat unenviable position of its promoter, I move that you do now leave the Chair, and that the House go into Committee to consider the Bill.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the first clause,

Sir JOHN A. MACDONALD. I did not oppose the reference of this Bill to the Committee of the Whole, because there are some clauses in it which I think deserve the consideration of the House. But I really feel, notwithstanding the able argument of the hon. gentleman who presses the Bill, that the first clause is highly objectionable. I think, notwithstanding all the safeguards with which it is surrounded, that it may be held to be a clause enforcing compulsory marriage. It is framed apparently for the purpose of enabling any woman who likes, to force any unmarried man she chooses to marry her. It is all very well to say that there must be corroborative evidence; it is all very well to say that the defendant may come forward and place his oath against the oath of the woman; but there is the scandal, the publicity, which the man is afraid of. We all know—I have had occasion in my practice to know—the agonies that young men have been subjected to by unjust charges of this kind. They have sometimes fled the country to avoid the charge, although knowing themselves to be innocent. Their whole prospects in life have been destroyed because of the horror of being dragged before a jury, and paraded before the public as a seducer of female innocence. A woman comes forward and swears

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that a certain man has seduced her under promise of marriage; and, as the poet says:

“Hell has no fury like a woman’s scorn.”

A man who has broken his promise of marriage to a woman is liable to a civil action at law. Under this Bill, that woman would have a special temptation to swear, perhaps falsely, that the man had seduced her; and the temptation to force him to marry her would be infinitely great. Now, we know that it is an offence against the law to compound a felon. The Bill calls the offence a misdemeanor, but a party guilty of it is liable to all the pains and penalties usually inflicted on felons, and this clause condones the offence, condones immorality by the offer of marriage. It offers an inducement to the woman to come forward and swear, not only that the man had broken his word to her, but that he went further, although he did not go further. What corroborative evidence could there be in that case, unless there are living proofs, or unless there is that kind of detective proof which is so much scorned and abhorred and despised in the older countries of Europe, where there is a preventive detective police—the key-hole business? In the absence of such evidence, what shall we see? We shall see the woman coming into the box and swearing, in the first place, that there has been a promise of marriage. Well, suppose there is corroborative evidence of the promise of marriage; is that the kind of corroborative evidence that the hon. gentleman means? The court would hold, I take it, that this corroborative evidence was one of the main links in the prosecution. The indictment must include two charges—first, that there was a promise of marriage; and, second, that under that promise seduction took place. There may be corroborative evidence of one charge, and not of the other; there is no distinction made in the Bill. In ninety-nine cases out of a hundred, what corroborative evidence can there be of the charge that seduction actually took place? The modest woman who has been really seduced, will never go into court under this Bill. She will submit rather than publish her shame. No; it is the brazen hussy, the disappointed, vindictive woman, who does not mind having her shame blazoned in every newspaper in the country, who will take advantage of this Bill to prosecute a man who has perhaps very good cause for refusing to marry her. The offence of illicit connection is a sin, as well as a crime, and is the woman to be rewarded for it, while the man is to be punished? I have no doubt the hon. gentleman, who is a literary man, has read Hawthorne’s beautiful story of the “Scarlet Letter,” which represents the Puritans to have protected their people from impurity of morals, by making a woman who had lost her virtue, wear for the whole of her life the scarlet letter A, thus proclaiming herself to be an adulteress. Under this Bill you are to promote morality, forsooth, by rewarding the woman who comes forward and confesses that she did commit this sin, while the man is to be punished for years, and to have all his prospects ruined; and the effort is to be made to induce him to say: “I will take this woman to my bed and board, and make her the wife of my bosom under compulsion.” And see the consequences—the misery, the consequent crime, the horror and disgust of the man forced to marry the woman. I am opposed altogether to this clause. The subsequent clauses we can speak of when we reach them, but this clause is a distinct inducement to immorality from the lowest and most sordid of reasons. To advance her prospects in life, to get a good husband, establishment and comfort in life, is to be the reward of a woman for not guarding her own chastity. The reward of giving it away is to force a man to take her to his bosom, and to pledge himself to love, honor, and cherish her for the rest of his life. I give every credit to my hon. friend for the best of motives in introducing this clause. It is a new principle,

not known to the English law. It is a confusion, I think, of right and wrong. It will induce a system of blackmail, and I am sure those hon. gentlemen, who are of the same impression as myself, have known of very many cases in which young men have been forced to marry women under the threat of being dragged before a court in an ordinary civil action for seduction. If this should pass, we will drive a great many young men out of this country. Instead of women being the guardians of their own honor and their own character, it will be made a matter of barter and sale. I move that the first clause be struck out.

Mr. CAMERON (Victoria). I entirely agree with nearly all the remarks of my right hon. friend. I think that this clause, if passed, instead of remedying the evil it is intended to remedy, will have directly the opposite effect. I have, in the course of my professional experience, had occasion to be engaged as counsel in, I suppose, hundreds of actions of seduction. As you are aware, in Ontario a civil action can always be brought by any one for the seduction of an unmarried female. Unfortunately, too many of these cases are brought. We never have an assizes or a court, before which several of these actions are not brought. It has been my disagreeable duty to be engaged as counsel on both sides, and I think I am within the mark when I say hundreds of such actions have been brought. The deliberate conviction I have arrived at in reference to the civil action of seduction, is that it tends far more to increase immorality in the country than to remove it. I do not believe there is one per cent. of the actions for seduction ever brought before the courts, meritorious. By meritorious I mean cases in which the female was not as much to blame as the man. In nine-tenths of the cases, they are more to blame. If it was within our jurisdiction—which it is not—to abolish the Act relating to seduction, we would benefit more the cause of morality and virtue among the females of this Dominion by abolishing it, than by passing any such clause as this. I am quite confident the result of passing this clause, as my right hon. friend the Premier has said, would be to hold out, to the hardened, unscrupulous woman, the means of coercing a man, frequently without any just foundation, by threats of exposure, and the disagreeable consequences of a criminal proceeding. I am quite sure many marriages are forced now by means of the civil action of seduction, and far more would be forced—which it were better for all concerned if it were never entered upon—by the passage of this Act. I, therefore, feel bound to support the amendment of my right hon. friend, that this clause be struck out.

Mr. CHARLTON. Before this clause is struck out, as I suppose it will be, the express desire of the hon. the First Minister being the will of the House, I must express my regret that he does not look on this matter in a different light. The right hon. Premier argues that this Bill is calculated to enable a woman to force a man to marry her under the baring clause. I suggest, therefore, that the bar be dispensed with, and the clause stand with the penalty above. That would remove the right hon. gentleman's objection. The right hon. gentleman also says the Bill does not distinguish between seduction, and seduction under a promise of marriage. It was intended to distinguish between the two. The language is: "any man who shall by virtue of a promise of marriage." The language is intended to convey the idea that an inducement held out was a promise of marriage, and that under that inducement the individual accomplished his purpose. With regard to the fact of the poor man who is made the victim of a woman, I would have more sympathy with him if the same penalties were visited on the man that are visited on the unfortunate wretch who happens to be the victim of his lust. If the man were driven from society, condemned to hang his head in shame, obliged to take refuge in a house of prostitution,

unable to hold up his head afterward among his fellowmen—if the same measure of justice were meted out to him as to the female, I would see the force of the right hon. gentleman's objection. But no such fate befalls him. In the majority of instances, he congratulates himself upon having been able to do what many of his fellows think a very creditable thing. He is rather likely to hold up his head among a certain class of men and boast of his conquest, than otherwise. The fatal result that follows a woman, does not follow in his case. As far as I can see if the clause providing that marriage be a bar to conviction is struck out, the most serious objection of my right hon. friend would be obviated. I suggest, therefore, that the portion providing a bar to conviction be struck out, the penalty to be inflicted remains without any such bar.

Sir JOHN A. MACDONALD. That was one of my objections, but the other objection still remains that unless there be living proof of a marriage, the evil consequences to the woman, the loss of character, will follow when she chooses by coming forward, and being a witness to her own shame, to publish her own shame. The hon. gentleman knows that there exists the Acts to secure compensation for loss of service in consequence of a woman not being able to attend to her duties to her master. The hon. gentleman must see that when it rests upon the woman's own testimony that there has been such a thing, and no one else knows of her sin, it lies between herself and her God, and she will get her punishment for her sin. If the crime is not known there is no shame. There is no evil consequence to her, and she will not publish her shame to the world. If a modest woman has fallen, and she still remains modest, she will repent of her sin and will continue before the world an honest and changed woman. It is only the brazen-faced woman, the woman who is regardless of her character, that will, for the sake of the advantage of getting a husband, or of forcing him to marry her, or perhaps for the purpose of avenging herself for neglect, that would take advantage of this Bill. I do not see any merits in the clause, I must say.

Mr. CHARLTON. From the reports I have looked up of trials under charges of this nature, it is noticeable that charges are never brought, or at least rarely brought, except when the woman's shame cannot be concealed. Then the woman, being placed in that position by the base deception of man, has a remedy that is adequate, and it is only in cases of that kind that she is likely to appeal to the courts. Under the circumstances—and the objection the hon. gentleman raises, aside from cases of that kind, is not likely to apply to any other circumstances—I certainly think that we are sacrificing the essential principle of this Bill, and that we are denying to a class of people who are utterly wronged any redress. That is the opinion I have in this matter. I do not believe we are likely ever to have a trial under these circumstances except in case where visible results follow the commission of the offence.

Mr. IVES. As one of the Committee to which this Bill was referred, I would like to say a word or two before this clause is struck out. I do not think it is betraying any confidence to say that I was opposed to the first clause of the original Bill, for the reason that I considered that where both parties were equally guilty, they should be left to their own punishment, and to such punishment as the community should visit upon them. But it seems to me, with reference to the first clause of the amended Bill as reported by the Committee, that a very different principle should be applied to it. Here there is an offence on the part of one greater than on the part of the other—in other words, there is a deceit, there is a promise; the whole offence consists in the promise, and in something having been done in consequence of that promise. There is no offence unless the promise actually exists, and the Committee took pains, or they intended to take pains, so to

hedge about the case with safeguards as that the offence should not exist at all unless the fact of the promise in virtue of which the connection took place, was clearly proved, and proved not only by the evidence of the prosecutor, but by other corroborative evidence which should satisfy a court and jury. Now it does not seem to me to be any answer to say that it would be difficult to make out the proof; if the proof cannot be made, why, then, of course, there will be no conviction, and no one will suffer from it. The only question we have to discuss is this: does this House desire to enact that it shall hereafter be an offence for a man to seduce a woman under promise of marriage? That is the whole case in a nut shell. If it does not desire to make that an offence, then I can understand the argument that this clause should be struck out; but if the House desires to make it an offence for a man, under the advantage which a promise of marriage believed in and entertained, may give him, then I do not see any reason why this clause should be struck out simply because it may be difficult to prove it. If it cannot be proved the man will not suffer, he will not be condemned, he will not be found guilty by a judge and jury. And if the safe-guard is not sufficient, if it is desirable to require a written promise of marriage, or evidence equivalent to a written promise of marriage, then let us put it in. But I do not think we should strike out this clause on the ground that it is going to be difficult to prove it, when the real reason I presume is that we do not desire to enact that it should hereafter be an offence. If the sense of this House is in the direction that it is an offence by fraud and by deceit, to seduce an unmarried woman, then I say the fact that it is going to be difficult to make out a case is no reason why we should not pass this clause. All the clauses of that Bill, such as the clause with reference to adultery, were struck out by this Special Committee. We believed that where the offence is as much the offence of one as of the other, the law should not make it a crime; but where there is deception, where an advantage is taken, where a teacher takes advantage of his position of influence, or where a man, in virtue of having engaged to marry, or where, as in the third clause of the Bill, there is an inveigling into a house of prostitution—in all these cases we believed the offence should be made a crime. I, for one, should like to stand up in Committee in favor of the clause as it is; of course it is not my Bill, I have no interest in it; and I took pretty strong ground the other day in another Bill against our making it a crime where both parties were consenting. But where they do not, where the offence is committed through deception and fraud, I think there is an offence and that it should be punished.

Mr. CASEY. I think the last speaker has put the case as clearly as it need be put. I understood the objection of the right hon. the First Minister to be that it might be possible to force a man to marry under this clause. Now, I do not see that there can be any objection to that—it would be merely forcing him to carry out what he had promised to do, supposing the promise is clearly proved. Of course care should be taken that the promise is as clearly and positively proven as any contract for the payment of money, or any other contract. I do not think there is any hardship to a man in compelling him to carry out the promise he has *bonâ fide* made—a promise that he has made for the purpose of obtaining what he has obtained. There might, of course, be a hardship to the woman in this case if she were compelled to marry a man who had treated her in this way: that would be in her own hands. I must object very strongly to the proposal of the promoter of this Bill to strike out that part of the clause. I think we must, in justice, allow the fulfilment of the contract under which the consideration was obtained to be a bar to any criminal proceedings on account of it.

Motion agreed to on a division.

Mr. Ivens,

On the eighth clause,

Mr. CAMERON (Huron). My hon. friend enables the defendant to give evidence in his behalf, at the trial, and I do not see why he should not be a competent witness, when the complaint or information is laid before the magistrate. It is only fair that he should be allowed then to tell his own story, as well as upon the occasion of the trial. I know that in the Bill reported by the Select Committee, this provision was made; and I would suggest to my hon. friend the insertion of such a proviso. The hon. First Minister will see that it can most properly come in under section 5.

Sir JOHN A. MACDONALD. Is not that rather introducing a new principle and making the magistrate, in reality, try the case. The ordinary rule, of course, as my hon. friend knows, is that if a *primâ facie* case is made out by the magistrate, while the defendant is there allowed to state his case, committal is ordered; and the defendant can reserve his defence, which he generally does. But if the defendant is to be sworn as well as the complainant, the case is in fact tried before the magistrate.

Mr. CAMERON. It is not a new rule, as it prevails now in cases of assault and battery, where the magistrate may investigate and send a party for trial; and I apprehend that the defendant could be examined before the magistrate.

Sir JOHN A. MACDONALD. The magistrate is not bound to decide against the defendant; of course not.

Mr. CAMERON. Besides, the whole clause is an innovation on the present law. The defendant can give his evidence on the trial in his own behalf in cases arising under this Bill. The Bill makes the offence a misdemeanor of a very grave kind. The whole thing is an innovation of the law, as it now stands; and I really cannot very well see, if my hon. friend's object is to protect as far as possible the defendant from improper prosecution, why he should not allow the defendant to tell his own story before the magistrate.

Mr. CAMERON (Victoria). I agree with my hon. friend from Huron. I think that, in such cases, the person accused should be given the earliest opportunity to purge himself, by his own oath, of the offence; and it is possible, in that event, that the magistrate might not think fit to commit for trial. On the other hand, although the prosecutrix and the defendant might swear the opposite to each other, the magistrate would be quite at liberty to commit on the evidence; but when an offence of this kind is brought before a magistrate, I think it only fair that the defendant, at the earliest opportunity afforded in the case, should be allowed to state in public, under oath, that he was not guilty of the offence charged.

Mr. CAMERON (Huron). I would suggest that, at the end of the fifth section, be inserted the following words:—

Upon any charge or complaint against him, and upon his trial for such offence; and may, upon such complaint, insist upon his evidence being taken.

The CHAIRMAN. Is it the wish of the Committee to go back to the fifth clause?

Sir JOHN A. MACDONALD. I have no objection.

The CHAIRMAN. Shall the motion in amendment be carried?

Amendment (Mr. Cameron, Huron) agreed to.

On the preamble,

Mr. CAMERON (Huron). Mr. Chairman, I would suggest to the hon. the First Minister, whether the trials of cases of this kind should not be secret. I think that the right hon. gentleman and his hon. friends voted the other night that, in cases of a disagreeable character, such as this is, it is not desirable to allow the public to be present, to

gratify a sort of prurient curiosity, as we know is the case on such occasions. My own opinion is very strongly in favor of such trials being disposed of in secret, if the Judge presiding at the trial thinks that this ought to be so. Now, of course, what I consider one of the most important clauses of the Bill, has been eliminated; still enough is left to make the Bill one of considerable importance. No trial can possibly take place under the Bill, without an amount of exposure and scandal of a certain kind, which it is not desirable to have left open to the public and the press. Unfortunately, great publicity now takes place in trials of this kind; and I think that the principle of secrecy ought to be introduced into every Bill of this nature which is passed through the House.

Sir JOHN A. MACDONALD. I may say that I am so strongly opposed to the principle of secret trials, which is so un-English, that when the third reading of the Bill comes up I will ask the House to reconsider it in that regard. I think my hon. friend had better allow this Bill to go as it is.

Bill reported.

#### SUMMERSIDE HARBOR, (P.E.I.)

House resumed the adjourned debate on the proposed motion of Mr. Hackett (March 14th) for an Order of the House for a copy of the engineer's report of survey made at Summerside Harbor, Prince County, (P.E.I.), during the past summer, with a view to improving the navigation of said harbor.

Mr. YEO. I agree with what my colleague has said respecting the necessity of erecting a breakwater at the entrance of Summerside Harbor. Shoals run out from each side, which make navigation difficult, and which cause the harbor to freeze up early in the fall. If breakwaters were constructed on both sides of the harbor, the channel would be narrowed; the water would run more swiftly, and the depth would be greater. Narrowing the channel in this way would both keep the entrance clear of sand, and prevent the drift ice coming in in the early winter. Two very desirable objects would be served by this improvement of the harbor. Navigation would be kept open much later in the fall, and the harbor would be made better and safer for ships lying at the wharves. When a heavy north-west wind blows, vessels at anchor in the harbor and at the wharves are exposed to all its force, and are liable to be driven ashore or to be much damaged by beating against the wharves. Cases of this kind have frequently happened. Property has been lost and the channel obstructed by wrecked vessels. About three years ago a vessel sank alongside the railroad wharf, and it cost the Government a good deal to remove her. Those who have had experience in improving harbors, where sand banks are the chief obstruction, will see at once the benefit of having breakwaters on both side of the channel, so as to keep it secure. In Summerside there would be no difficulty and little additional expense in running breakwaters out from both sides of the harbor, as the bottom is hard, the water shoal, and material is to be had in abundance on the spot. The harbor of Summerside is the second in importance in Prince Edward Island, and it is the principal point of communication in summer between the Island and the mainland. Steamers run daily between it and Point du Chêne, and the greater portion of the travel and traffic by steamer is done on this route. The Government will therefore see the necessity of making the harbor of Summerside as good and as safe as its nature and situation will permit, and I hope they will see their way clear to placing in the Estimates a sum sufficient to make the improvements which I now advocate and which are so urgently required.

Motion agreed to.

#### CRUELTY TO ANIMALS.

Mr. RICHEY, in moving the second reading of Bill (No. 25) to amend the Acts respecting Cruelty to Animals, said: It will doubtless be expected that, in moving the second reading of this Bill, I should explain the reasons which have induced the preparation of this measure, for which, I may say, I take no credit to myself, placed in my hands as it has been, by gentlemen who take a deep interest in matters of this kind, who have drafted the Bill, and at whose desire it is presented to this House. The main object of the Bill is to render somewhat more distinct the different offences which are brought under view in connection with the prevention of cruelty to animals, and to extend them by the use of the generic term "animals," instead of those which are now employed in the Act by which we are governed, so that magistrates in the discharge of their duty, may not experience the difficulties which they seem now to feel, in the administration of the law. I think that every facility should be afforded to those who, under the law, are endeavoring to carry out and promote the object which the Legislature, in originally passing it, had in view. It is one of the characteristics of our present civilization that, instead of finding enjoyment in the cruel contests of animals, we are endeavoring to counteract everything of that kind, and are extending our benevolent care over the lower orders of the brute creation. It is for this reason that I have taken upon myself, at the instance of those gentlemen who are interested in this measure, to bring it before the House, and endeavor, as clearly and succinctly as possible, to set forth its provisions and the necessity that exists for this amendment. I have said that it is intended to cover, by the introduction of the general term "animal," a large number of phrases contained in the present Act. The Act of 32 and 33 Vic., chap. 27, is amended by 43 Vic., chap. 38, as follows:—

"Whosoever wantonly, cruelly or unnecessarily beats, binds, ill-treats, abuses, overdrives, or tortures any horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule, ass, sheep, lamb, pig, or other cattle, or any poultry, or any dog or domestic animal, or bird, or whosoever, driving any cattle or other animal is, by negligence or ill-usage in the driving thereof, the means whereby any mischief, damage or injury is done by any such cattle or other animal, and any person who in any manner encourages, aids or assists at the fighting or baiting of any bull, bear, badger, dog, cock, or other kind of animal, whether of domestic or wild nature, shall, upon being convicted, on summary conviction of any or either of the said offences, before a stipendiary magistrate or police magistrate, or any two justices having jurisdiction in the district, county, or place in which the offence has been committed, for every such offence be punished by imprisonment in any gaol or place of confinement other than a penitentiary, for a term not exceeding three months, and with or without hard labor, or by a fine not exceeding fifty dollars, or by both—such fine and imprisonment being in the discretion of the convicting magistrate or justices."

In place of the names of all these different species of animals we propose to introduce the word "animal," which is the word at present in use in the laws for the prevention of cruelty to animals, both in Great Britain and the United States, and is defined to embrace every living creature, except the human race. But what it is most desirable to call the attention of the House to is the introduction of the terms by which the different offences are enumerated, and by which the scope of the Act seems to be very largely extended, though it is really not so. The English Act, 12 and 13 Vic., chap. 92, uses the word "animal" as it is used in this Bill, and convictions have been had under that Act for every one of the offences named in the amendments proposed in the Bill now submitted. In taking up the report of the Royal Society of England for the Prevention of Cruelty to Animals for the year 1880, I find that, in describing the offences for which there were convictions in that year, every one of the phrases that occur in this Bill is mentioned. There were 1,905 convictions for working in an unfit state; 764 for beating, kicking, stabbing, &c.; 108 for over-driving and over-loading; fifty-three for starving by

withholding food; fifty-one for travelling when lame; thirty-three for setting dogs to worry; fourteen for killing improperly; thirty-seven for over-stocking—which, I understand, is the distension of the udder of a cow in order to make her more profitable to sell, which is the double offence of being a fraud upon the purchaser and an injury to the animal itself; seventeen for marking and wounding to identify; five for gingering and inserting other foreign substances, gingering being, I believe, placing ginger under the tail of a horse in order to make it more spry. I also find convictions for spurring unnecessarily, wounding the mouth with an improper bit, starving by exposure to cold, hobbling improperly, twisting the tail severely. I understand that, not far from where we are now assembled, a very heinous case of that kind occurred not very long ago, in which, by twisting its tail severely in order to impel it forward, because it did not move as desired by its owner, or the person in charge driving it, the tail of the animal was twisted off. This act of cruelty is no doubt one that comes within the purview of the original Act; and the object, I understand, my benevolent friends have in view, is to define these acts so plainly and distinctly, in the Statute-book, that no magistrate can have an excuse for not knowing what is his duty. The first clause provides that:

“Whosoever wantonly, cruelly, or unnecessarily neglects, abandons, binds, abuses, or twists or cuts off the tail of, hobbles, overstocks, marks, brands, wounds or cuts the ears for identification, overdrives, overloads, drives when overloaded, travels when lame, works in an unfit state, torments, tortures, beats, kicks, stabs, gingers, spurs unnecessarily, gags the mouth, wounds with improper bit the mouth of, incites dogs to worry, tail-pipes, incites to fight, stones, burns, scalds, deprives of necessary sustenance, plucks alive, mutilates, kills by bleeding slowly, starves by withholding food, buries alive, or cruelly kills or otherwise treats with cruelty any animal, or causes to be procured any of the acts aforesaid.”

I will now pass to the second sub-section which applies to maliciously wounding, poisoning or killing any animal. An hon. gentleman tells me that will not permit the poisoning of rats. I may say that whatever may be the application of the terms in this section, they are effectually controlled by the first words of the section, which provides that the act must be wantonly, cruelly, or unnecessarily done. There are many of these acts which might very well be made punishable without being qualified by those words, but as they stand in this section they are effectually controlled. With reference to the objection taken that the poisoning of noxious animals would not be permitted, I think no one will seriously pretend that any reasonable construction of the clause will prevent the necessary destruction of those noxious animals. The second sub-section reads:

“2. Whosoever unlawfully or maliciously kills, maims, wounds or injures, or attempts to kill, maim, wound or injure, any animal, or whosoever unlawfully or maliciously administers any poison to any animal, or maliciously exposes any poisonous substance, with intent that the same shall be taken or swallowed by any animal.”

That is for the most part in the Act already amended, with the exception that the word “cattle” is there used, and here we have substituted the word “animal.” For that we have the authority of the Revised Statutes of the State of New York, which, perhaps, I will be allowed to quote. I quote from the seventh edition, 1832:

“Any person who unjustifiably administers any poisonous or noxious drug or substance to an animal, or unjustifiably exposes any such drug or substance, with intent that the same shall be taken by an animal, whether such animal shall be the property of himself or another, is guilty of misdemeanor.”

That word “animal” is defined not to include the human race, but to include every other living creature. Therefore, in the preparation of this Act, whatever may be the objection taken to it on any ground, we have the example of the Legislative Acts of one of the chief Legislatures in the United States. The word there used is “unjustifiably,” instead of the words here used “unlawfully and

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maliciously.” If the House attached importance to that distinction, there would be no difficulty in altering the phraseology so as to make it accord entirely with the precedent. The third clause refers to the failure to provide proper food, drink and shelter from the weather, by those having the charge or custody of any animal. This is to be found in the laws of the State of New York, New Hampshire, Rhode Island, and others, and must, I think, without any argument whatever, commend itself to the judgment and good sense of the House. The fourth clause provides that:

“Whosoever, being the owner, driver, or person having the charge or custody of any animal, leaves disabled, or abandons such animal.”

This is, also, a clause found in the original Statutes. The fifth clause reads:

“Whosoever carries, or causes to be carried, in or upon any vehicle, or otherwise, any animal in a cruel or inhuman manner.”

To this the same remark applies. The sixth section reads:

“Whosoever driving any animal is, by negligence or ill-usage in the driving thereof, the means whereby any mischief, damage or injury is done to any such animal.”

In this the preposition is changed from “by” to “to.” In the original Acts it is “by.” In all the Acts from 1847, these provisions are made, and, therefore, there can be no question as regards them. I must confess to the responsibility for that change. It appears to me that in an Act of this kind the word “to” was the proper word. Of course, the former legislation had another object in view, to punish where injury was done by the animal; and as it would be proper to retain that which is sanctioned by previous legislation, I would like to see both retained. The seventh section is:

“Whosoever in any manner encourages, aids or assists at the fighting or baiting of any animal, whether of domestic, tame, or wild nature.”

The same observations will apply to that clause, namely, that it is substantially a re-enactment of what is already in the section amended. Then I come to the eighth clause, to which I would invite special attention:

“Whosoever keeps or uses any live animal for the purpose of being a target or to be shot at, either for amusement or as a test of skill in marksmanship, and whosoever shoots at such animal, or is present as a party, umpire or judge at any such shooting of any animal, or whosoever keeps or rents any building, shed, room, yard, field or premises, or knowingly suffers or permits the use of any building, shed, room, yard, field or premises for the purpose of shooting any animal as aforesaid.”

The most flagrant cases of the inhumanity and cruelty which it is intended to check by this clause, have been found in that practice which, I regret to say, has prevailed to so large an extent in some countries, and which, I am happy to know the general sentiment of enlightened communities is now subduing—I mean the practice of pigeon shooting. Whatever arguments may be used with reference to the cruelty in connection with pigeon shooting, of course may be used in connection with the same practices regarding other like animals. For this the United States are in advance of us in legislation, as they have been in many cases where the same principle was involved. If the House will permit me, I will read a clause from the Statute of Massachusetts of 1879, with reference to the shooting of pigeons and similar birds:

“Any person who shall keep or use any live pigeon, fowl or other bird for the purpose of a target, or to be shot at either for amusement or for a test of skill in marksmanship; and any person who shall shoot at any bird as aforesaid, or be a party thereto”

is liable to be punished by a fine not exceeding \$50, or by imprisonment in jail for a time not exceeding thirty days, or by both, with the proviso that nothing therein contained shall apply to the shooting of wild game. I am glad to find as I do by recent telegrams from England published in our papers, that a similar Bill has passed its second reading in the British Parliament; so that, in asking the

House to enact this as law, we are not calling upon them to do that which we have evolved from our own inner consciousness, but that for which we have the precedents of two of the most enlightened countries of the world. The ninth clause is one to which, perhaps, I might with most reason expect some opposition :

"Whosoever, in either of the Provinces of Quebec, Ontario, Nova Scotia or New Brunswick, uses any dog or dogs for the purpose of carrying or drawing or helping to draw any cart, carriage, truck, barrow, sleigh, sled or other vehicle shall, upon being convicted on summary conviction of any of the offences aforesaid, be liable to punishment."

Now, that clause is also inserted upon precedent. In England, by the 2nd and 3rd Vic., chap. 47, every person who, within the metropolitan districts, shall use any dogs for the purposes above named is rendered liable to a penalty of 40s. for the first offence, and £5 for the second offence. By the 17th and 18th Vic. passed in 1854, this enactment was extended to the whole of Great Britain, so that throughout the United Kingdom a similar clause has been law since 1854. If it be said that this clause may be applicable in a country like Great Britain, but that it is not applicable in our own country, then I have to refer to the adjoining States where I find similar Acts in force. Without delaying the House by the several references which I might make, I would ask its indulgence to read, from the Revised Statutes of New Jersey, one sweeping clause as indicating the prevalent feeling there, and which clause covers in itself all that is asked for in the present Act :

"That any person or persons who shall overdrive, overload, or drive when overloaded, overwork, torture, torment, deprive of necessary sustenance, or cruelly beat or otherwise abuse or needlessly mutilate or kill, or who shall, by their agents, servants, employes, or otherwise, cause, or procure to be overdriven, overloaded, drive when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, or to be unnecessarily or cruelly beaten, or otherwise abused or needlessly mutilated and killed, any living animal: or any person who shall hereafter use any dog or dogs for the purpose of drawing or helping to draw any cart, carriage, truck, barrow or other vehicle, for business or other purposes, and any person who shall impound or confine in any pound or other place, any living animal or creature, and shall fail or neglect to supply the same during such confinement, a sufficient quantity of good and wholesome food and water, shall forfeit and pay such sum not to exceed one hundred dollars as the court shall determine, &c."

I have thus, Mr. Speaker, reviewed the clauses of this Act, and have shown that they are law in other countries. Those benevolent persons who have organized societies for the prevention of cruelty to animals, believe that their object can be better secured by rendering these offences somewhat more specific. We are not increasing the penalties, we are only rendering the provisions more definite that are already on the Statute-book. But notwithstanding that I have thus endeavored to place the House in possession of the arguments which, I think, may be fairly addressed to it in support of this Bill, I feel that there may be, in some quarters, an impression that we may be going somewhat in advance of public sentiment in some of the particulars embraced in this Bill. As I, myself, believe that it is essential to the success and due administration of the law, and for the objects these gentlemen themselves have in view, that they should be well supported and sustained by public sentiment, I am desirous not to push this Bill forward without due consideration. I have allowed it, after being printed, to remain for some considerable time before bringing it before the House. Should the House, as I cannot for a moment doubt they will, permit this to pass to a second reading, I shall ask that it be referred to a Select Committee, composed of some of the most experienced lawyers in this House, together with a number of other gentlemen, whose knowledge of what may be generally acceptable in their own communities, may enable them so to modify it as to secure the general public approbation of the law. I am desirous that every precaution should be taken in order that the Bill may be thoroughly and fully discussed. I believe there are other desirable clauses which

may be added to the law and render it more easy of execution. I now move the second reading of the Bill.

Mr. CAMERON (Huron). I have no doubt the hon. gentleman who has introduced this Bill, moved its second reading, and asked the sanction of Parliament to its becoming law, is actuated by the most humane motives. I have no doubt the hon. gentleman desires to protect, as far as possible from cruelty, all animals created. The Bill, however, is a curious Bill, it has some very curious features; it is a peculiar Bill, it is an extraordinary Bill. I hope, however, that before the hon. the First Minister lends the sanction of his weight and authority to its second reading, he and the other hon. members of the Government will carefully consider it. It may prove a boomerang to some hon. gentlemen opposite if this Bill is allowed to become law. I hope the hon. gentleman does not intend to sanction the second reading unless he is prepared to meet all the consequences which will naturally flow from the enactment of the various clauses. I have said it is a curious Bill, an extraordinary Bill, with some peculiar and extraordinary clauses. Let us see for a moment the kind of Bill that hon. gentlemen opposite propose to sanction by allowing it to be read a second time, for I saw no indications—and you, Mr. Speaker, were about to declare the motion carried—of any opposition to the Bill from the other side of the House. Let us briefly consider its provisions and see what we are called upon to sanction. The first clause says: "Whosoever wantonly, cruelly, or unnecessarily." If a person commits the acts mentioned in the Bill, wantonly, cruelly, or unnecessarily, he is liable to fine and imprisonment. All three are not necessary for the purpose of securing conviction, but if a man commits any of the acts "unnecessarily," he will be liable, on conviction, to fine and imprisonment. Let us see the things which if a man does unnecessarily he shall be liable to conviction. If he unnecessarily abuses any animal, he is liable to a fine of \$50 and imprisonment for three months. If he has running round the yard a miserable cur of a dog, and does not pet it, feed it, and take care of it, but abandons it, and allows it to get its living in the street, he is liable to imprisonment for three months and a fine of \$50. How would the hon. the Minister of Militia, who is fond of these animals, like that punishment? If you have a cat round your premises which you do not like, and do not take care of, you are liable to fine and imprisonment. It is an animal, and if it is "unnecessarily" abandoned, you are liable to the pains and penalties of this Bill. Another clause makes it a crime to ride a horse when lame. Let me ask the hon. Minister of War what he thinks of this proposition: he is out at a review, riding on his steed and bestriding it jauntily, and on the way home the animal suddenly becomes lame. There is no necessity for the hon. gentleman to ride the animal home; he can get off its back and walk, or leave it at a neighbor's house; but if he rides the animal home lame, he is liable to a fine of \$50 and three months' imprisonment. Does the hon. gentleman like that, and is he prepared to lend his weight, authority and sanction to a clause of that kind, to which he will very likely fall the first victim? Then, if he should unnecessarily spur the horse, he will be liable to fine and imprisonment. There is no necessity for spurring a horse at all, especially for spurring such a gallant steed as the hon. Minister of Militia is doubtless in the habit of bestriding; but perhaps riding homeward and desiring to appear to advantage, as the hon. gentleman always does, desiring that his steed's neck should be a little more curved or its tail a little more twisted, he spurs his horse, and the result is that he is liable to be brought before a police magistrate, sent to prison for three months, and ordered to pay a fine of \$50. He does the spurring "unnecessarily," but the thing is done, and the hon. gentleman would be a vic-

tim to the Bill. I am giving a few specimen bricks of the kind of legislation which the House is asked to sanction. If an animal is "unnecessarily" stoned, the offender is liable to like pains and penalties. The hon. Minister of Agriculture has a fine garden, and, rising in the morning, he goes out to find a pig there eating his cabbages and potatoes. What does he do? It is said of an Indian official that he telegraphed: "a tiger is on the platform; telegraph instructions." The hon. Minister cannot get the pig out, because if he drives it one way it is sure to go another; so he sends down for the chief constable, and while absent the pig eats the cabbages and potatoes. Human nature is very likely to pursue a very different course, and if stones were available, he would be likely to stone the pig; but if he did so, he would be liable to a fine of \$50, and three months' imprisonment. Is the hon. Minister prepared to sanction that law? Then there is the offence of tail-piping. If a man tail-pipes a dog—I did not know what this was until the hon. gentleman explained it—he is liable to pains and penalties. If a miserable cur comes round your premises you cannot shoot it, because you might become liable for a criminal offence, and yet you cannot get rid of it. You tail-pipe the dog and he will never come back, and yet for doing that you will be liable to a fine of \$50, and three months' imprisonment. Then there is cutting the ears for identification. We know that most men who are fond of dogs do this. I do not know whether it is necessary, I do not see that it is necessary, but it is done by those who are lovers of animals of that kind, without objection being raised. I do not see why it should be made a criminal offence. The ears of sheep are constantly cut by our farmers for purposes of identification, and the hon. Minister of Agriculture surely does not propose to make all our farmers liable to punishment under this Bill. Marks and brands are unnecessary. Stock-raisers brand their animals for identification. There is, however, no necessity to do so, because they can keep a man in charge all the time. It is not necessary to do it. There are other ways of identifying besides branding, but if branded, the person offending is liable to a fine of \$50, and to go to gaol for three months. Now, dogs are employed for the purpose of drawing sleighs. I would like to know how the Postmaster General expects to get the mails carried on the North Shore after this Bill passes. Perhaps he may use balloons. There is no necessity for using dogs. Indians, half-breeds or white men can carry the mails; but for the convenience and advantage of the public service, dogs are used; and yet, if the Postmaster General, under this Bill, sees fit to employ dogs in carrying the mails, he will be liable to a fine, and to be sent to jail. Well, all I can say is, that if the Government allow this Bill to pass, I hope that the Postmaster General will be the first victim. Now, there is another extraordinary provision in it; and I want the hon. Minister of Finance to read this Bill carefully. It is worthy of his consideration, as there are in it some extraordinary provisions. I can imagine the hon. gentleman going home weary and overburdened with the cares of State. He retires to a peaceable, quiet and comfortable home; and the first thing after he puts on his slippers and takes his seat in his arm chair, a beautiful Maltese cat jumps on his lap. There is no necessity for the hon. gentleman, or anybody else, to twist that cat's tail; yet if he twists it, though in the most innocent and harmless manner, he is liable to a fine of \$50, and to three months' imprisonment. Whoever twists an animal's tail will have to go to gaol, is the provision. Now, these are some of the provisions of a Bill that we are solemnly asked to sanction in Parliament; and hon. gentlemen opposite are quite willing that the principle of the Bill should be recognized, by allowing it to receive the second reading. I will go as far as any man in favor of any proposition against cruelty to animals; but we have now stringent laws on that subject. We know that humane men—theorists in everything—in

Mr. CAMERON (Huron).

the Old Country and everywhere else, carry this thing to the extreme; and if ever there was an example of it, this Bill is one. The law as it stands, is sufficient for all practical purposes; but to say that a man is guilty of a criminal offence if he unnecessarily spurs a horse, or twists a dog's or cat's tail, and is subject to a fine of \$50 and imprisonment for three months, appears to me to be a travesty of the administration of justice; and it would be a perfect piece of folly for us to sanction. I have read the Bill, and I see nothing in it which can commend it to the attention of the House. Every provision in it worthy of consideration is provided for in other shapes and forms by our present legislation. As far as I am concerned, I am entirely opposed to this Bill, and for many reasons besides the reasons which I have already given to you.

Mr. McNEIL. I had been inclined to make one or two observations with regard to this Bill; but I was not aware that it would come up this evening, and I am not inclined to intrude very crude remarks upon the House when addressing it for the first time. A great deal, however, that I was desirous of saying has been presented in so much better form by the hon. gentleman who has just sat down, that I will not refer to the Bill at any length; but there is one observation which I would like to make in regard to the details of this measure; that, as a farmer, it seems to me, it would be quite impossible and quite incompatible with my duty, if I consented to this Bill passing in its present form. This Bill, Sir, is for the protection of every noxious weed that grows; and I do not think, as an agriculturist, that this is a proposition which ought to commend itself to this House. I find the interpretation clause explains the word "animal," as including every living creature. Now, Sir, there is no question at all that a weed is a creature. The Canadian thistle is certainly a created thing; and we farmers, Sir, know to our cost that they have a great deal of vitality, and, therefore, it certainly comes within the meaning of this clause—which includes every living thing. Now, Sir, with regard to section six of this Bill, I should just like to draw the attention of the House to it for one moment, if, in doing so, I do not trespass too long on the indulgence of hon. members. Sir, this clause enacts that whosoever, in driving any animal is by negligence, or by any means, guilty of anything, whereby any mischief, damage or injury is done to that animal, he shall be subject to imprisonment for three months, and to a fine of \$50; so that if I, or any other hon. gentleman present, were, in driving our horse, or horses, for one moment to slacken our hand, and the horse or horses, in going down a hill should fall and break his or their knees, we would, under the provisions of this clause, and under this Bill, be so liable. There is no question about that whatsoever. It seems to me that this is very likely a covert attempt to put down the use of tobacco in this country. I am not a smoker myself, but I think that if I were I would not be much less inclined to find fault with this Bill; but I can very well understand that a gentleman while driving might, during the moment of lighting his cigar or pipe, be liable to all the penalties accumulated in this clause, were anything to go wrong with his horse while he was so engaged; and remember, that not only imprisonment, but fine and imprisonment are the penalties. Well, Sir, I think that enough has been said already to show that this Bill is, as said by the hon. gentleman opposite, one of the most extraordinary Bills ever presented to any Legislature for acceptance, and I think it would be quite useless to take up the time of the House any longer with regard to its provisions. I sincerely hope that it will not be adopted in its present shape.

Mr. DALY. I would like to say a few words in support of this Bill, having had the pleasure of moving its second reading, in reply to my very facetious and my very hon. friend on the other side of the House, who has endeavored to

turn into ridicule a great many matters which some people consider to be, not only inhuman and cruel, but things which are actually degrading to our common humanity. The hon. gentleman seemed to me to gloat over the idea of practices of such cruelty, as twisting the tail of an animal off its body. Well, if that is his idea of what is right or proper, it certainly is not my own; and if the hon. gentleman himself had such a caudal appendage as is attached to other animals of creation, I do not know how far he would like to have such an operation—which he seems to consider should not be subject to any fine or imprisonment, or to be any wrongdoing whatsoever when committed upon the brute creation—performed upon himself. Mr. Speaker, in entering upon a more serious discussion of the points at issue in this Bill, I would also say that my hon. friend who has just taken his seat, seems to mistake the meaning of the word "creature." Well, now, that an obnoxious weed is an animated creature, I doubt; but a noxious weed may be considered to be a vegetable. It may, however, certainly be considered, Sir, that that is not an animated being in the sense in which this clause is intended to apply; and if he read the clause through he will certainly see that the possibility of inflicting physical pain upon a noxious weed, is rather an act which I do not think he, as an agriculturist, skillful as he may be, would be able to perform. Now, how physical pain is going to be inflicted on a noxious weed I do not know. I think that the objections taken by the hon. gentlemen who have spoken against the Bill do not apply to the extent which they would have us believe; and as so much cruelty is habitually and constantly practiced upon the brute creation, I think we should have further legislation in the direction, not of increasing the penalties, for we are not asking to do that—not in the direction of making the law extend to a greater number of objects than before, but simply to make the law, as it stands, more clear and plain, and more satisfactory to those who have to administer it. This Bill is introduced for that purpose. I believe there are some amendments which should be made in the Bill. I believe, for example, that the clause which prohibits the use of dogs for the purpose of draught is a clause which might very well be modified. I do not think we should pass an Act absolutely prohibiting the harnessing or using dogs for the purpose of draught. I believe some dogs actually take pleasure in drawing toy carts for the amusement of children, and that dogs of a certain kind may even be made use of in drawing heavier loads without cruelty. I think the House should give the Bill a second reading, and allow it to go to a Committee, who can eliminate such clauses as may be objectionable to my facetious friend on the other side, and the other objections which may be made against it.

Mr. WATSON. There is one provision of the Bill to which I wish to refer, and that is the one with regard to the hobbling of horses. Hon. gentlemen should be very careful before passing a law which would prevent that practice, if they ever intend to take a trip out to the North-West, or else they would be almost certain to find themselves in one of the jails of that country. It is the custom of almost everyone who travels there to hobble their horses or oxen, and, if they are not allowed to do so, it will be necessary for the traveller to sit up all night and watch them.

Mr. McNEIL. Might I be allowed, as a young member, to explain what I said in my former remarks. In the interpretation clause of the Bill, it is said that the word "animal" shall be held to include "every living creature," and then it is said that the words "torture," "torment," or "cruelty," shall be held to include every act, omission, or neglect whereby unjustifiable physical pain, suffering, or death is caused or permitted. But clause two says that "whosoever unlawfully or maliciously kills, maims, wounds,

or injures any animal" shall be punished by certain means. Now, according to the interpretation clause, therefore, when I maliciously—as I confess I do—wound or injure a Canadian thistle, or other noxious weed, I fall under the penalties of the Bill.

Bill read the second time; and referred to a Select Committee, composed of Messrs. Ablott, Beaty, Casgrain, Davies, Girouard (Jacques Cartier), Guillet, Mackinintosh, Shakespeare, Thompson, Weldon, and the mover.

#### TIMBER LICENSES.

House resumed the adjourned Debate on the proposed motion of Mr. Blake (February 21st), for an Order of the House for a return showing the total number of timber licenses applied for, and granted or refused, up to first February, 1883, &c.

Mr. CAMERON (Huron). The motion was moved in my absence by the hon. member for West Durham, and I wish to renew it with a view of having the return brought down to which the motion refers. I understand, from the discussion which took place, that there was some slight objection to bringing down the return. Of course, I am aware that a return of this kind cannot be prepared without considerable expense; still I must ask the Government to assent to the passage of the motion, and bring down the return notwithstanding the expense. I do not propose to discuss, at present, the question to which the motion refers, as that can be more conveniently done after the production of the papers, especially as the policy of the Government is to some extent involved. I would like to ask the Government to allow me to amend the motion by adding the word "permits" after the word "licenses," as I was not aware that permission to take timber was granted by means of permits. I should like, also, to get copies of the maps, plans, &c., showing the area and location of each of the licenses granted.

Sir JOHN A. MACDONALD. This is a very large order, and it will take a long time to prepare the return; but if the hon. gentleman takes the responsibility in moving for it, I have no objections.

Mr. CAMERON (Huron). I know it is a large order; but the hon. gentleman must recollect that it is a large question involving important issues. The whole policy of the Government depends upon it—the policy with which we entirely dissented many years ago—but whether right or wrong we can only ascertain after the papers have come down. I know the return will be an expensive one; but I am prepared to take the responsibility of moving for it notwithstanding the expense.

Sir JOHN A. MACDONALD. The hon. gentleman need not have made that remark, as I stated that the return would be brought down.

Mr. COOK. I expect the return will be voluminous, as a great many have been granted these licenses.

Sir JOHN A. MACDONALD. A great many.

Mr. BOWELL. Perhaps the hon. gentleman would like to include those which have been cancelled.

Motion agreed to.

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

#### CANADA CENTRAL RAILWAY.

Mr. BLAKE, in moving for copies of all petitions, correspondence and telegrams, Orders in Council and other papers upon the subject of the assumption by the Government of the payment of the amount granted by the town of Pembroke in aid of the Canada Central Railway, said: It

has been stated in the press that application was made by the corporation of the town of Pembroke as long ago as the year 1879, I believe, to the Government, asking them to undertake the payment of a sum of money which the town of Pembroke had voted as a bonus to the Canada Central Railway, in aid of its construction to that town; that no action was taken upon that application during the two or three Sessions of Parliament succeeding its presentation; that after the close of the last Session of the last Parliament, and after the dissolution, in fact, the Government suddenly came to the conclusion that it was an expedient time to take action, and that they passed an Order in Council to submit, in the Estimates brought down to Parliament this Session, a vote for the relief of the town of Pembroke. So interesting had that topic become at that time to the Government and their supporters that a telegram was sent, by the hon. Minister of Railways, to a gentleman who was actively engaged canvassing the riding, communicating this decision of the Government; which telegram was communicated to the town and county of Pembroke as an instance of their, perhaps a little late, but yet fatherly and assiduous attentions of the Government towards them. It is also said that at campaign meetings in the county, particularly in this town, Mr. Deacon, a prominent supporter of the Conservative candidate, and lately a candidate himself for the riding, announced there was yet one condition essential to be fulfilled, namely, that in order that the good things which were to be reaped by the town of Pembroke might be realized, they should return a supporter of the Government. The hon. gentleman stated that the town of Pembroke, on that occasion, gave an unprecedented majority to the Conservative candidate—forty-three, I think—which has just been reversed on a late occasion. These are interesting circumstances taken altogether. They are not the adding of two and two, but of a number of sums together, from which we may draw the obvious conclusion, I think, that I have said enough to justify me in asking for these papers.

Sir JOHN A. MACDONALD. I do not know what rumors have really reached the hon. gentleman, who seems to keep a watchful eye or ear for rumors; but all I can say in the matter is, that, as far as I know, some of the rumors he mentioned are altogether erroneous. They come from a wrong source; but, of course, the hon. gentleman has heard them, and has a right to move for the papers. In the absence of the hon. Minister of Railways I may say they will be brought down, and no doubt the whole matter will then be ventilated.

Mr. WHITE (Renfrew). As some of the hon. gentleman's remarks appear to have been directed to myself, I may be permitted to say a word or two. So far as my information goes, no announcement was made to the electors, either in the town of Pembroke, or in any other part of the county, that the action of the Government would depend upon the election of its supporter in that riding. No such announcement was made by any other person, as far as I am informed, and was certainly never made by me. Nor do I believe any such announcement was made on behalf of my candidature by any person in the course of the canvass. The statement has been made by the hon. gentleman that the majority which I received in the town of Pembroke during the election in June last, was unprecedented, and has just been reversed. Had the hon. gentleman taken the trouble to analyse the votes taken throughout the different portions of the county during the last elections for the Local Legislature, he would find that the case of Pembroke was not a singular case; that is, that the majority given in the other municipalities, where this action of the Government could have no effect, was reversed in the case of the gentleman who ran in the interest of the Conservative party for the Local Legislature. Were I disposed to retort, I

Mr. BLAKE.

might point out that the cause which brought about this state of things in my riding during the local election, was the lavish expenditure of public moneys—not upon the roads in the county—at the instance and at the will of the gentleman who supports the Local Government in the Province of Ontario. The hon. gentleman himself, just at the particular moment when the election was going on, in June last, was not averse to considering this question of granting relief to the town of Pembroke. On the very eve of the election, a telegram purporting to come from Mr. Blake, and addressed to a prominent gentleman in the Reform party, in the town of Pembroke, was scattered over the town and riding. This is the telegram. It is addressed to the electors of the county in general, the town of Pembroke in particular. It states that as the leaders of the Reform party were alleged to be opposed to giving the claims of Pembroke to a bonus any consideration, Mr. Blake had been interviewed and the following was his reply:—

“TORONTO, 19th June, 1882.

“To WM. MOFFAT.

“SIR,—Not having seen the Order in Council about Pembroke bonus, I cannot judge of details; but rest assured I will always be ready to give every fair consideration and do full justice to the claims of Pembroke. All reports to the contrary are false.

“(Signed) EDWARD BLAKE.”

Mr. Moffat, to whom the telegram is addressed, was a leading member of the Reform party. I ask the hon. gentleman if the telegram was authentic?

Mr. BLAKE. I sent a telegram which, as far as I can remember, was in those words.

Mr. WHITE. I can only say that all the people of the town of Pembroke claim of the leader of the Opposition and of the Government is, that the question shall receive fair consideration at their hands, and we will be perfectly satisfied that after fair consideration has been given to this question, the House should pronounce on its merits.

Mr. BLAKE. I sent the telegram which I believe was in the words quoted. I am quite prepared to abide by them. It was stated to me in the letter which produced this telegram that reports had been circulated by the hon. gentleman's friends which that telegram was intended to contradict, namely, that we had pledged ourselves against giving any assistance to the town of Pembroke. I was not aware, as I said in this telegram, what this Order in Council was, and I made no pledges except that I would give that fair consideration which I am always ready to give to the claims of Pembroke or any other place. What I complain of is not this Order in Council, because, now as then, I am ignorant of the facts; but what I did and do complain of is that the Order in Council should have been passed just at that critical moment accompanied by that telegraphic communication to the hon. gentleman or his friends obviously for electoral use in the contest; accompanied also, as I have reason to believe, though not to the knowledge of the hon. gentleman, by this declaration to which I have referred, on the part of his supporters.

Sir JOHN A. MACDONALD. The hon. gentleman objects to an Order in Council being passed at a critical moment. My hon. friend objects to telegrams being sent at still more critical times.

Motion agreed to.

#### MILITIA BLANKETS.

Mr. BLAKE, in moving for copies of all tenders, advertisements, contracts, letters, accounts, vouchers, warrants, reports and other papers in connection with the purchase of blankets for the Militia during the Recess, said: It is stated that the hon. Minister of Militia found that the interests of those under his particular charge

demand an immediate supply of the articles in question, at a certain period during last Recess. The exigency was pressing and it was impossible for the hon. gentleman to adopt a more proper course, impossible that the exigencies would at all admit of advertising for and procuring tenders in the ordinary way; so pressing was it that the hon. gentleman could not procure any tenders at all, but was obliged to proceed in a direct and summary fashion to buy his blankets. But it is stated, also, that proceeding in that direct and summary fashion, and with that expedition which the emergency required, it did not occur to the hon. gentleman to go to the dry goods houses, and that he went to a land agent in this city and gave the contract to him who effected the purchase through a dry goods house, receiving of course his commission—which looks to me very much like contract broking. I am told that the order for blankets was divided into two parts, one being given to a house in another city, and the other to a person in this city. I think it well that we should have all the papers connected with this transaction.

Mr. CARON. There can be no objection at all to the papers being brought down, and I am perfectly certain that a perusal of these papers will convince the hon. gentleman that his information is not at all correct.

Motion agreed to.

#### RECIPROCAL TRADE WITH HAWAIIAN ISLANDS.

Mr. HOMER, in moving the resolution of which I have given notice, declaring it desirable that the Government take such measures as may seem to them most advisable to bring about reciprocity in trade between the Dominion of Canada and the Hawaiian Islands, said: It is hardly necessary for me to state for the information of the hon. members of this House that a reciprocity treaty has been in operation for several years between the United States and the Hawaiian Islands, which treaty has been the means of giving the United States almost the entire control of the trade of those Islands, a trade which at present amounts to several million dollars annually, and with every prospect of its being increased. Some eight years ago, previous to this treaty going into operation, a comparatively large trade was carried on between British Columbia and those Islands; but since their treaty with the United States, that trade between British Columbia and the Hawaiian Islands has dwindled away to a mere nothing. If we can now succeed in negotiating a reciprocity treaty between the Dominion of Canada and the Hawaiian Islands, we will be placed in a similar position to the United States, and we shall see our trade revived as in former days, of fish, lumber and other produce. When the Canadian Pacific Railway is completed, the North-West will be able to supply their products and the Eastern Provinces will supply them with nearly every description of manufactured goods, including machinery of all kinds, large quantities of which are required in the Hawaiian Islands. In return we will receive their sugar, coffee and other tropical products, which products are of such a nature that they cannot possibly come into competition with the productions of the Dominion of Canada. Therefore, it is extremely necessary that we should, at as early a date as possible, negotiate this treaty, so that on the completion of the Canadian Pacific Railway, this country may be able to reap the benefits of a valuable and important trade, which must necessarily grow up under reciprocity. To bring this matter a little nearer home to some hon. members, I will say that before this American treaty went into operation the trade between British Columbia and those Islands was precisely the same as that which now exists between the Maritime Provinces of Canada and the West India Islands; their imports were the same and their exports were

the same. Now, I would ask, in case a treaty similar to that should deprive the Maritime Provinces of their trade with the West Indies, would those Provinces remain idle and see that trade taken away from them? I think not. I think they would use every means in their power to regain that trade; they would bring such a pressure to bear upon the Government that it would use every means to satisfy the wishes of those Provinces. Taking this view of the question, I believe there is not an hon. member in this House who would not support this resolution, seeing that in the event of a reciprocity treaty being negotiated not only British Columbia but the whole Dominion must be benefited thereby. Upon the completion of the Canadian Pacific Railway, there will be lines of steamers plying between British Columbia and the different countries on the Pacific coast, as well as the Australian Colonies, and on the route between British Columbia and those Colonies lie those important Islands which must be the most important place of call in the whole Pacific, and the great connecting link between the Dominion of Canada and the Britain of the South Pacific. Therefore, it is highly necessary to cultivate the most intimate trade relations with those Islands. As I understand the National Policy it is framed for the purpose of promoting and protecting the interests of all classes in all parts of the Dominion—the manufacturing, the fishing, the mining, the agricultural, the commercial, and more particularly to suit those special cases where foreign innovation of our trade has taken place. That policy has been carried out to its fullest extent in the Eastern Provinces, and I contend that British Columbia is quite entitled to ask that that policy should be applied to secure us a return of this trade, which we have lost through our carelessness and which has passed into foreign hands. If the Government could have seen their way clear some twelve years ago to take action in this matter when this question was introduced into this House by an hon. gentleman who is now a member of the Senate (Senator Nelson), we should not now have to deplore the loss of that trade, but we would in all probability have retained it until now, when it would have grown four fold. In conclusion, I would ask the Government that, while they are endeavoring to secure reciprocity in trade with the different countries on the Atlantic, they should also devote a little time to securing the same benefits to the Pacific Province, more particularly in establishing trade relations with the Hawaiian Islands. More particularly is this the case with respect to the Hawaiian Islands, because, when the great highway from the Atlantic to the Pacific is completed, the people of the Dominion will find it necessary to extend their trade in every possible way to meet the requirements of this young and vigorous country.

Sir JOHN A. MACDONALD. The subject which my hon. friend has brought up in his motion so clearly, is one of the very greatest importance to British Columbia even now, and therefore of importance to the Dominion as a whole. By-and-bye, in a few years, when the Canadian Pacific Railway is completed, it will be still more important, and it will be a matter of extreme advantage to have intimate commercial relations between the Hawaiian Islands and Canada. The subject has not escaped the attention of the Government. I might say that when I was in England, I had communication on the question with, I was going to say, the highest authority in those Islands. I had the pleasure of discussing the whole subject with an illustrious individual connected with the Islands, and it was quite evident that that sovereignty is alive to the question. The hon. gentleman cannot well press the resolution at this time, because, being a matter connected with trade, it must originate in Committee of the Whole; but I hope he will be satisfied, because, after this explanation the Government will, in the language of the resolution, if they think it desirable, "take such measures as may seem to them

most advisable to bring about reciprocity of trade between the Dominion of Canada and the Hawaiian Islands."

Mr. PATERSON (Brant). I think last Session a member from British Columbia brought up the matter, and I agree with the hon. First Minister that it is a matter of some importance. On that occasion it was stated that the subject would receive the consideration of the Government during Recess; and when a question was asked the other day by a member from that Province, whether any steps in that direction had been taken during Recess, he received an emphatic reply in the negative, from the hon. Minister of Railways and Canals, I think. So the Government must not blame the hon. member if he is anxious to bring the matter in a very pointed manner before the House, judging from the success it met with during the past Session.

Mr. HOMER. In reply to the hon. leader of the Government I must say that we received the same answer last Session, but I suppose, owing to the General Elections coming on and the great pressure of business, the Government had not time to give it that attention which it deserves; and I hope when we meet again I may have an opportunity of bringing the matter forward, and will be able to obtain a reply a little more satisfactory than that which we have received to-night. This trade is not only passing out of our hands but there is only the tail end left.

Mr. BLAKE. I am pretty sure the hon. gentleman will have another opportunity next Session.

Mr. HOMER. With your permission, Mr. Speaker, I shall be most happy to reply to the hon. member for West Durham. I am glad to observe that he takes so much interest in the affairs of British Columbia. We have labored under the impression that the hon. gentleman held opinions directly at variance with the interests of that Province. We formed that impression from various speeches delivered by the hon. gentleman and published from time to time. It may be that I have placed a wrong interpretation upon those speeches, or perhaps they were reported incorrectly, or it is possible the hon. gentleman has seen the error of his ways, and intends, for the future, to render assistance to that much abused Province, designated by him a sea of mountains; and who knows but that the hon. gentleman may yet, after eight or ten more years of indefatigable labor as leader of Her Majesty's Loyal Opposition in this House, make up his mind to retire from public life and spend his remaining years in the balmy atmosphere of the Western Province, on the shores of the Pacific. In the meantime we will be prepared to accept the valuable services of the hon. member for West Durham in promoting the true interests of British Columbia and of the Dominion generally.

Motion withdrawn.

#### GRAND TRUNK RAILWAY COMPANY.

Mr. MITCHELL. I beg to make the following motion, and for the same reasons I defer any remarks which I may have to make upon it, until the papers come down, which will enable me, perhaps, to more intelligently place the matter under the consideration of the House. I move for a copy of all correspondence between the Government of Canada or any Department thereof, and the Grand Trunk Railway Company of Canada, or any of its officers, in relation to the subjects stated in the advertisement published in the *Canada Gazette* of 3rd March, inst., of H. W. Tyler, president, and J. B. Benton, secretary of said Company, dated at Dashwood House, 9 New Broad street, London, 28th February last, calling a meeting of the said Company at London, on the 29th March inst., for the consideration amongst other things of the purchasing of bonds and shares of the Wellington, Grey and Bruce Railway; also, the purchase on behalf of the Company of certain stocks and shares of the Hamilton and North-Western Railway Company, and

Sir JOHN A. MACDONALD.

of the St. Lawrence and Ottawa Railway Company; also all copies of the traffic arrangement or correspondence in relation thereto, or if correspondence in relation to the purchase or sale of the North Shore Railway Company by or between the said last named Company and the Grand Trunk Railway Company of Canada, or with the Government of Canada, together with a statement in detail of any liability or obligation which has been created by the said Grand Trunk Railway Company or on their behalf in connection therewith.

Motion agreed to.

Mr. MITCHELL. With the permission of the House, I will make another motion under the same circumstances, and in the same connection, and for the same reasons which I have already stated. I will make no speech, or remark, or explanation about it, unless the House so desire, in order that we may discuss the whole thing when we have the papers before us. I beg to move for a copy of all correspondence between the Grand Trunk Railway Company of Canada, or any of its officers and the Government of Canada, or any of the Departments or members of the Government, in reference to the purchase or sale of the Rivière du Loup branch of the said railway, now owned by the Government of Canada; also, any correspondence showing the manner in which the said Company have expended or proposed to expend the money so received for the said Rivière du Loup branch; and also, all correspondence in reference to their expending the said money or any portion thereof either in purchasing or constructing a railway or railways in the United States, either in their own name or by an associated company, or in any other way, and how much money received for the Rivière du Loup Railway purchase has been so expended; and also, any and all correspondence showing whether the Government lien for the debt of £3,111,500 and accrued interest owing by the said railway attaches upon the said railway or railways so purchased or built in the said United States, with the length and cost of the same.

Motion agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

All correspondence, reports, Orders in Council, and all other documents relating to any claim made by the Provincial Government of Prince Edward Island, for a refund of their expenditure upon public wharves and piers, and also in connection with the maintenance of short term prisoners in that Province since its admission to the Union.—(Mr. Robertson, Shelburne.)

Copies of all correspondence, Orders in Council and papers not already brought down, relating to the grant of permission to cut timber or to mine on lands within the territory now in dispute with Ontario; with a statement of the grants made and the names of the persons to whom they have been made, and the amounts received from the same up to the present time.—(Mr. Jackson.)

Copies of all correspondence, reports, plans, speculations, &c., in connection with the surveys made in 1882, for the construction of a canal between Lake Shushwac and Lake Okanagan, British Columbia.—(Mr. Barnard.)

Copies of all correspondence, memorials, petitions and papers in the hands of the Government on the subject of duties on salt.—(Mr. Wheler.)

Return of all accidents and casualties which have occurred on the Grand Trunk Railway of Canada, and any of its branch railways, or railways associated with it, or under its control, involving either loss of life or injury to person or property; with a statement showing the full extent and particulars of such casualties, the points at which they

occurred, and the causes and nature thereof; with a copy of the by-laws, rules, and regulations of the said railway company, branch railways, associated railways, and railways under its control, as required by the 55th section of the Railway Act of 1879.—(Mr. Mitchell.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 9 o'clock p. m.) the House adjourned.

## HOUSE OF COMMONS,

FRIDAY, 16th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### REPORT.

The following Report was laid on the Table:—

Report of the Minister of Justice as to Penitentiaries in Canada, for the year ended, 30th June, 1882.—(Sir John A. Macdonald.)

### COMMITTEE ON STANDING ORDERS.

Mr. BEATY. A Committee of the Senate has been appointed for the purpose of revising the Rules of the Standing Orders Committee; and it is suggested that a Committee of this House be named to meet the Senate Committee in this relation, especially as it is proposed to form a Joint Committee of both Houses to do the duties of the two Standing Committees of the Senate and House of Commons in this particular. Already an informal meeting, I may say, has been held by hon. gentlemen representing the Senate, and by the Chairman of the Private Bills Committee and myself, in reference to this matter. When certain points were raised and suggestions made with the view of having them discussed and considered by the Committee in connection with the revision of the Rules, one point was whether the present notice requiring two months was not too long, causing unnecessary and great expense to parties seeking legislation, and whether the time could not be limited, say to one month. Some went even further, and questioned whether only one publication should not be made in the *Official Gazette* with regard to Private Bills, as this ought to be only a matter of record, not being generally read—the literature of the *Gazette* is not of that attractive character which commands perusal generally throughout the country—while more strictness should be required with reference to publication in the local papers. It was also urged that the time within which petitions for Private Bills should be presented to the House should be limited to twenty days, and the presentation of Bills to thirty days; and that these times should be fixed periods, not to be departed from unless with the sanction, or under the direction, of the House, and not by the Committee. The appointment of a Joint Committee of both Houses was thought to be very important, for the purpose of passing on these preliminary notices, and the Bills in the first instance, as the double work of the two Committees was quite unnecessary. These matters were not merely informally discussed or talked of, but suggested. The idea was, that we should appoint a Committee to meet a Committee of the Senate on the subject, with the view of revising the Rules, as, with the present facilities for sending communications readily all over the country, the time

might be diminished, and the expense of passing Private Bills might be reduced. I accordingly move:

That a Message be sent to the Senate requesting their Honors to unite with this House in the formation of a Joint Committee for the purpose of revising the Rules relating to the duties of the Committee of Standing Orders in each House, and specially whether one Joint Committee of both Houses should not be named to do the work of the said Committee for both Houses; and also, informing their Honors that Messrs. Daly, Casgrain, Gunn, Dawson and the mover, will act as members of such Committee on the part of this House.

These gentlemen were named by the Standing Orders Committee to represent this House in this connection.

Mr. BLAKE. Mr. Speaker, this motion raises some very important questions. My own opinion is, that this Committee might find their deliberations very much assisted, if some discussion on the part of hon. members, conversant with the defects which interfere with the practical working of the present system, took place on the motion for the appointment of the Committee. I think that there is no such pressing necessity for passing the motion to-day as should overcome these considerations, and that it would be better for the hon. gentleman to give notice. For my own part, unless he convinces me by some other argument, I am of opinion that it would be a retrograde step to enlarge the period for the reception of petitions for Private Bills, or for the introduction of these Bills. I do not say that it might not be a good thing to shorten the time of the notice; but I think it is becoming more and more obvious that it is extremely important to get Bills into the House as soon after the Session opens as possible. One report was made to consolidate what might be the joint business of the two Houses, by a recommendation some Sessions ago from a high authority, to consider the appointment of a joint law clerk department. That report failed after consideration—I do not know whether both parties did not agree, but I know that one of the parties agreed that things were better as they were. That advance having been repelled, it seems to me that we should consider a little whether we should send this Message without being certain that the public interests would be served. My object in rising, however, was to point out the reasons why notice should appear on the paper.

Motion allowed to stand as a notice of motion.

### BILL INTRODUCED.

The following Bill was introduced and read the first time:—

Bill (No. 84) to amend the Law relating to Bills of Lading.—(Mr. McCarthy.)

### DOMINION ELECTIONS ACT OF 1874

Mr. BOLDUC, in introducing Bill (No. 85) to amend the Dominion Elections Act of 1874, said: The only object of this Bill is to amend section No. 109 of the Dominion Elections Act of 1874. By this clause any person can sue for the recovery of the penalties or fines mentioned in the Act. In many cases the persons who sue are irresponsible parties, who are unable to pay one cent of cost when they fail in establishing their case. The object of the present Bill is to oblige any person suing for the recovery of these fines to give security for the costs.

Bill read the first time.

### SPEEDY TRIALS.

Mr. ROBERTSON (Hamilton), in introducing Bill (No. 86) to consolidate and amend the Acts for the more speedy trial of persons charged with felonies and misdemeanors in the Provinces of Ontario, Quebec and Manitoba, said: In introducing this Bill, I should explain that, early in the

Session, I introduced a Bill to amend the Speedy Trials Act, and that Bill has been referred to a Special Committee. Since that time, I have had numerous letters from different County Judges throughout Ontario, giving me data and facts connected with the speedy trial of criminals. The consequence is, that I have made up my mind to introduce this Bill for the consolidation of all the Acts now in force, with reference to speedy trials. In 1869, a short time after the Speedy Trials Act became law, the Judges of the County Courts in Ontario passed rules, regulations, and forms of procedure, with reference to these trials. Some of the Judges adopted them, and others did not. I have had the advantage of having these rules before me, and I have prepared a Bill which embraces the whole of them. I propose that this Bill be allowed to be read the second time—to which I hope there will be no objection—and that it shall be referred, when printed, to the Committee to whom my other Bill was referred. That Committee will take into consideration as well, the question of whether the speedy trials should be encouraged and extended, and this will give us an opportunity of considering the question more satisfactorily than if the Bill was in manuscript.

Bill read the first time.

#### SALE OF INTOXICATING LIQUORS.

Sir JOHN A. MACDONALD moved, that the following paragraph of His Excellency's Speech at the opening of this Session, be read at the Table, that is to say:

"I am advised that the judgment of the Lords of the Judicial Committee of the Privy Council, delivered last June, on the appeal of *Russell vs. The Queen*, goes to show, that in order to prevent the unrestrained sale of intoxicating liquors, and for that purpose to regulate the granting of shop, saloon and tavern licenses, legislation by the Dominion Parliament will be necessary. Your earnest consideration of this important subject is desired."

Motion agreed to.

The Clerk having read the paragraph,

Sir JOHN A. MACDONALD moved:

That the consideration of the subject mentioned in the said paragraph, be referred to a Special Committee of seventeen members, with power to send for persons, papers, and records, and to report by Bill or otherwise.

Mr. CASGRAIN. I desire to raise a question of order. It may appear presumptuous on my part to venture to attack the proceedings of the right hon. leader of the Government, knowing the perfect knowledge that he has of the Rules of this House; but I object to the motion as being out of order, on two grounds: first, that we have already had the consideration of this paragraph before the House; and, second, that the motion of the right hon. gentleman evades one of the fundamental Rules of the House. One of the Rules of this House provides that, after any question or Bill has been considered by the House, it cannot again be brought up in the same shape. Now, Sir, at the opening of the present Session this very paragraph was mentioned in the Speech from the Throne in exactly the same language; the House afterwards proceeded to the consideration of His Excellency's Speech, and, amongst other things, this paragraph was acceded to with thanks to His Excellency for the information contained. Therefore, the House has already pronounced its opinion upon the advisability of adopting this paragraph. I know that in some instances the House can rescind a previous decision; but I do not think this is one of those cases. I do not go so far as to say that that part of the Speech from the Throne cannot be considered; but I mean to say that it cannot be considered in the form in which it is brought forward. Suppose we came to a different conclusion; suppose the Select Committee to which this paragraph is referred, instead of thanking His Excellency for it, do the reverse, shall we accept the report of that Committee? Shall we delegate to

Mr. ROBERTSON (Hamilton).

that Committee our powers to examine, *de novo*, that particular clause? But this is a small point in comparison with the second which I have to submit. One of the Rules of the House, one which lies at the very basis of the privileges of this House and the rights of the people, says:

"No Bill relating to trade, or the alteration of the laws concerning trade, is to be brought into the House, until the proposition shall have been first considered in a Committee of the Whole House and agreed upon by the House."

Now, it may be said, in the first place, that there is no Bill yet before the House. But the object of the motion is purposely to bring in a Bill, and by substituting a Select Committee for the Committee of the Whole House. What is a Committee of the Whole House? It is, in fact, the House of Commons sitting with its larger powers and privileges; where every hon. member has the right to speak as often as he pleases; where every opinion can be expressed and reiterated without restraint. It has always been held, that the moment you propose to tax the people or alter the laws of trade, you have got to come before the Committee of the Whole. This motion tends to defeat that Rule, by the substitution of a Special Committee appointed, not by the House in the larger sense of the word, but by the members of the day for the larger Committee. We ought to be very jealous in guarding our rights and privileges, as they exist under this Rule. I recollect how particular the late and lamented Mr. Holton, when he stood in the place I have the honor to occupy in this House, was, that the fundamental principle should remain undisturbed. Well, if I demonstrate to you in a clear manner that the purpose of this resolution is to affect the laws of trade, I think I shall have gained my point. The resolution purports to restrain the sale of intoxicating liquors. The hon. leader of the Government, in saying that the sale of intoxicating liquor is, at present, completely unrestrained, showed that the intent of the Government in this motion was to bring in some Bill or resolution to restrain that trade. I intend to demonstrate to you what has been the rule followed in England, and what the rule is here that should guide us to-day. I must admit there are some precedents of Bills of this nature, having been introduced unnoticed by the Speaker and the members of the House. I can give you Bills of that category: A Bill in 1860, 23 Vic., chap. 53, to diminish the number of licenses; in 1863, to amend the laws, 27 and 28 Vic., chap. 18; another one to amend the Act respecting taverns, 27 and 28 Vic., chap. 48, 1864. But we must not do, through inadvertence, what has already happened in England. I shall give some precedents in which, it was only at the third reading, objection was taken and sustained. Therefore, the House of Commons in England also omitted sometimes to take immediate cognizance of one of the fundamental rules that govern its deliberations and those of our House, because our Rule, with the exception of two words, is copied from theirs. In referring to the Journals of the 2nd March, 1870, I find that a Bill, dealing with the sale of liquor, was allowed to pass unnoticed. On the 21st March, 1874, on a permissive liquor resolution, it was resolved that the House should go into Committee of the Whole to grant leave to introduce a Bill. It is that privilege of the Committee of the Whole House which I desire to see maintained—the granting of the leave by it to bring forward a measure. That is the very point upon which the whole of this discussion turns. In 1874, a Bill was to be introduced to prevent the sale of intoxicating liquor in Scotland—affecting only a particular portion of the Kingdom—and the resolution was proposed that the House should go at once into Committee of the Whole. The Chairman was then instructed to move that leave be given to bring in the Bill. This has been not only the practice in England, but also in this country. In referring to Speakers' decisions, one appears in our Journals of the 30th April, 1875. As an example of how those things

sometimes pass unnoticed, I will quote the case: On the Order of the Day for the third reading being called, the question of order was raised, and the Speaker ruled that in all cases the Rules of the Parliament of Great Britain would be followed here; and, as in 1772, the Standing Orders of that House declared that Bills relating to trade should not be brought into the House, until the proposition be first considered in a Committee of the Whole House. Therefore, the Speaker ruled, in the case I have mentioned, that the Bill was one relating to trade, and came within the meaning of the Standing Order. He further stated that the practice of the House of Commons had not been uniform, but that when the objection had been taken, the rule had always been enforced. What says May on the point? He says:

“The Standing Order regarding trade, was, for many years, construed as extending to such Bills only as related to foreign commerce, and the import and export of commodities, and was not applied to Bills affecting particular trades, or the internal trade of the country; but of late years the House has reverted to what appears to have been the original intention of the Standing Order, which was probably designed to embrace the same classes of Bills as had formerly been within the province of the Grand Committee for trade.”

Now, Sir, it may be said there is no Bill before the House. It is true the Bill is not before the House; but the resolution says, in so many words, that the Committee to which this paragraph is to be submitted shall report by a Bill or otherwise. Now, I desire to call your attention to this point: Will it not prejudice in advance the question to be brought before the House, when we have a report of this Committee coming before us? I say, in the nature of things, it will. It is the practice of this House, when a report of a Select Committee comes before it, to accept that report, except under very extraordinary circumstances, because this House is always very reluctant to disregard the report of a Special Committee. Now, if this motion is carried it will be an evasion of the Rule which guides us to-day; it will be taking an unusual mode of arriving at the same point. Why not bring forward an ordinary motion at once? Why break the usages and the privileges of this House? I maintain that we are bound to follow the Rule in this case, and I think my right hon. friend the leader of the Government knows enough of the Rules of this House not to violate them. I must say that I do think he is forced by circumstances to take this course, and when I say so I say it in sincerity. The Committee of the Whole House is the organ through which the people speak; it holds the key of the public Treasury. When you want to tax the people you open the Treasury by its leave, and the Ways and Means Committee, in order to replenish it. If you affect the laws of trade by which you deprive the people of the power of replenishing the Treasury, you affect their rights. For my part I view with the greatest concern the violation of this fundamental rule. I would sacrifice anything—I would sacrifice my right hand—in order to preserve this fundamental rule; and if you break it to-day no one knows when or where you may stop. The greatest difficulty, perhaps, Mr. Speaker, that you will find in deciding this point is that the Bill is not yet before the House. But I would desire your most careful and impartial attention to the point—not that we may not refer any question to a Select Committee—but that this is an evasion of the Rule. The point upon which I dwell most emphatically is this: that we have a particular mode prescribed to us by the Rules of the House, and that particular mode ought to be followed in this instance; for this reason the motion, in my humble opinion, is out of order, and ought not to be received.

Mr. SPEAKER. The hon. gentleman has very ably, and quite unnecessarily, I think, elaborated the point upon which there can be no discussion, namely: that no Bill relating to trade can be introduced into this House without having been agreed to by Committee of the Whole. But this is not a Bill relating to trade; this a paragraph of the

Speech delivered by His Excellency at the opening of Parliament. It is quite in order that that should be referred to a Select Committee. We do not know that they will report any measure at all. That must be brought up by resolution; but perhaps they will report no action whatever, and therefore no injury to trade can result by the adoption of this mode. I think the resolution is quite in order.

Mr. BLAKE. Is the right hon. gentleman not going to make any explanation?

Sir JOHN A. MACDONALD. I think that the reasons for the motion are shown in the paragraph which has been read. In the answer to the Speech from the Throne, this House gave His Excellency the following assurance:

“His Excellency may rest assured that our earnest consideration will be given to this important subject.”

We have pledged ourselves to consider this subject; and, after considering the whole matter, we have thought that the best means of giving to the subject the consideration which we have promised, is to refer the matter to a Special Committee elected from representatives of the different Provinces. It might seem, perhaps, at first sight, that we should come down with a measure; and if the proposed legislation were to affect equally, and alter equally, the laws of all the different Provinces, perhaps that would be the proper course. But every one of the Provinces composing the Dominion have different laws on this subject, and, therefore, it has been thought best that a Committee composed of representatives from all the Provinces should consider the situation of each Province, the diversity of laws, the diversity of circumstances, and of the population and habits of each Province; and that, after having thus studied the varying conditions of the several Provinces, a system should be evolved, perhaps not identical in all the Provinces, because, perhaps, a system which would operate beneficially in one Province might not operate so beneficially in another. Therefore, we have thought that all the different laws on the subject should be examined, that the different conditions of the population should be examined, and that a report should be made pointing out the circumstances of the different Provinces and how some wholesome restraint and regulation of the sale of intoxicating liquors could best be devised to meet the varying circumstances of the several Provinces. The Government thought that was the best mode of carrying out the assurance we gave to His Excellency, that we would give full consideration to this important subject. We thought best to submit the matter to a Committee, and, after getting the report from that Committee, the House could deal with the subject more satisfactorily, after having obtained more full information than they possibly could get just now. I listened with great pleasure to the able and clear arguments on the point of order made by my hon. friend opposite, who stated his case with all the acumen and ability which distinguish him. I did not intend in any way to offend against the Rule. This report will be laid before the House. Then it will be for the Government, if they think proper, to move certain resolutions; and if they think, after obtaining this report, and the House is placed in possession of all the information, that a measure for the regulation and restraint of the undue sale of intoxicating liquors is required, of course the Government will be obliged to carry out all the Rules of the House, and as it is a matter of trade, we must commence by resolution. The House may have a report and draft Bill before it, or if the Committee do not choose to submit a draft Bill, the House will have before it the results at which the Committee have arrived, and out of those results the Government, if sanctioned by the House in resolution, can come down with a Bill to Parliament. These are the reasons why I have taken this course. The House is pledged

to consider the subject, and I think the best mode of considering it is, as I have suggested, by means of a Special Committee, formed in the manner I have mentioned.

Mr. BLAKE. I am sure the hon. gentleman's own supporters must have been disappointed that, in introducing a proposal of this description—unprecedented so far as I know in our own legislation, and almost without precedent in the legislative and Parliamentary conduct of the affairs of the country from which we draw our practice—the hon. gentleman should have proposed, first of all, that the House should decide upon the appointment of a Select Committee without any word of explanation whatever. That he should have actually asked the House to vote the appointment of a Select Committee without offering any word of explanation whatever, must have astonished the members; but our surprise was diminished when we found, upon the challenge being extended to him for his explanation, that there was so little explanation to be given. We understand now why the hon. gentleman proposed that the motion should be adopted *sub silentio*. For his reason, when forced to give a reason, is a reason which I think is of no force or validity whatever, even in considering its positive proposals, if we do not consider for a moment the inconveniences which are to result from the adoption of the proposition. The hon. gentleman tells us that the laws of the Provinces vary upon this subject. Well, we knew that, and he knew it. Not merely does he know that they vary, but he knows what they are, and the Government know what they are. This is a Government formed from most of the Provinces at all events. It has machinery ample for acquiring the knowledge which it may not itself possess. The Statute-books of the Provinces are to be found in the Library and in the Departments. There are several lawyers in the Administration. There is the Minister of Justice in the Senate, there is the right hon. gentleman himself, there is also the Minister of Public Works, and the Minister of Militia, and one or two others, I think, who belong to the same profession, so legal advice is not altogether absent from the Cabinet itself. Nor are there absent other means of obtaining information. This is a Government of Commissions. They wanted information about the factories, and they sent Mr. Blackeby and Mr. Lukes to inspect the domestic factories last year; and during the Recess one was despatched into Massachusetts, and the other to Europe, to find out all about the factories there. They wanted information about the Pacific Railway, and they issued a Commission for which, I observe by the Returns, we are paying sweetly to-day. They wanted information about the Intercolonial Railway, and they issued a Commission appointing an officer, and when that officer died they issued a fresh Commission, and it is sitting yet. They wanted a Consolidation of the Statutes, and they appointed Mr. Cockburn a Commissioner to execute the work of consolidation. This is a Government which acts freely and liberally, without thought or hesitation in using the machinery for enquiry in the way of Commission. So that if it were necessary, as the paragraph from the Speech intimates it is, that there should be legislation in this Dominion, in the Session of this Parliament, upon this subject, there was within the Cabinet, composed, as I say it is, of members from most of the Provinces, men with legal knowledge, able to acquire information of what the Statute Laws of the other Provinces are; and by having the machinery at its disposal, if indeed it required a Commissioner to codify the Liquor Laws of the different Provinces, I say to suggest this course, at this stage of this Session, necessary to be adopted in order to carry out the intimation made in the Speech from the Throne, is to state a proposition which requires very much more than the hon. gentleman has said in support of it, by an intelligent House of Commons. Now, the paragraph of the Speech declares that His Excellency

Sir JOHN A. MACDONALD.

has been advised—and, of course, that is by hon. gentlemen opposite:

“That the Judgment of the Lords of the Judicial Committee of the Privy Council, delivered last June, on the appeal of *Russell vs. The Queen*, goes to show, that in order to prevent the unrestricted sale of intoxicating liquors, and for that purpose to regulate the granting of shop, saloon and tavern licenses, legislation by the Dominion Parliament will be necessary.”

The attention of the hon. the First Minister was early directed to this unfortunate state of circumstances, as some concede it to be, and to this happy result, as others concede it to be. It is a long while, he says, since he held that opinion; and the particular decision referred to in the Speech from the Throne took place as long ago as last June. From that period, at least, the attention of the Government was directed to the subject of legislation. They were absorbed in other matters just then, and I do not call on them to state why they were not engaged in culling the laws of the different Provinces, as the cause is well known to themselves. But after the 20th of June, hon. gentlemen were at their ease. It was competent for them then to address themselves to the business—to those duties necessary to provide for the legislation which, by the decision in *Russell vs. The Queen*, and by the verdict of the people—it had devolved upon them to prepare for the consideration of Parliament. But it seems they have not done so. It seems that the hon. gentleman, now in the sixth week of the Session, does not know what the Liquor Laws of the Provinces are. It seems that although the hon. gentleman decided legislation was necessary in order to prevent the evil of absolutely unrestricted sale of liquor all over the Dominion, although that was the inevitable conclusion of the decision in *Russell vs. The Queen* arrived at last June, the first step has not been taken by the Government responsible for the legislation consequent on that decision, as they say, to inform themselves of what are the fundamental propositions on which the measure is to be based. The hon. gentleman says the first thing to be done is to find out what the laws of the other Provinces are; and he admits that the Government have not been able to find out. They say, our present resources, our own sources of knowledge, our facilities for acquiring information, have failed us. We have not thought fit to obtain information from outside. We have not called on the Local Governments, on Commissioners, or on our officers; and although we stand pledged to introduce a License Law, we have waited until Parliament has been six weeks in Session before we propose that—on what is to be the heart of the business of the Session—a Select Committee drawn from all the Provinces, shall be appointed to enter on an enquiry. If legislation is to be perfected this Session, the enquiry must be conducted with great rapidity, in order to inform us as to that question on which during six or nine months the Government were utterly unable to take the first step in acquiring information. If the Government believed, as of course they believed, that legislation was rendered necessary, absolutely inevitable; if they believed, as of course they believed, that the duty of initiating legislation in that regard devolved upon them, I say they condemn themselves of flagrant neglect of duty in not having taken those precautions to inform themselves of what the laws and customs of the Provinces are, which they say it is necessary to know in order to form the basis of this legislation which hon. gentlemen say is so necessary and important. They tell us that legislation is necessary; and yet here we have been more than five weeks waiting for this legislation; and we learn to-day that the first step has yet to be taken, the very first items of information, on law and of fact, have yet to be obtained—that we are to be called upon to assist the Administration in informing them as to what are the laws of the different Provinces upon which they say, to some extent, at all events, that measure is to be

based. For these reasons, he proposes as his course to refer this question to a Select Committee to report by Bill, or otherwise—to report upon necessary legislation. A Committee is therefore to be created upon the theory that legislation by this Parliament is necessary; and if created upon that theory, it is necessary to discharge the duty of framing that legislation; therefore, according to that point of view, a Committee is thought proper, by the hon. gentleman, to be authorized to report a Bill, or resolutions on which a Bill may be founded, for the regulation of a question of trade, or to make a report, which should be the basis of legislation in the opinion of the Committee. I say the hon. gentleman now says: "Let us remit this question to this Committee so chosen." He has also said, in the Speech from the Throne, and in the debate on the Address, that this matter was forced on the attention of the Government; that they have not undertaken it voluntarily; that they reluctantly took up this question only of necessity; that they did not wish to interfere in the Provincial Laws; but were forced to take up the duty of proposing legislation on this subject. Such, however, was not always the language of the hon. gentleman on this topic; such was not the language which he used in a speech delivered in Ontario on the subject of the License Law; and this, before a decision was reached in the case of *Russell vs. The Queen*, and before the necessity—in so far as a necessity was created by that decision—had arisen. In a speech delivered before the judgment was announced, in the case of *Russell vs. The Queen*, the hon. gentleman used these words, speaking in a place which, I believe, was in the neighborhood of Toronto, and which is now a part of Toronto itself—Yorkville:

"If he carried the country, as he would do (cheers), he would tell Mr. Mowat—that little tyrant, who had attempted to control public opinion by taking hold of every little office, from that of a Division Court bailiff to a tavern-keeper—that he would get a Bill passed at Ottawa returning to the municipalities the power taken away from them by the License Act (cheers)."

Remember that at that time, Sir, the judgment of the Privy Council in the case of *Russell vs. The Queen* had not been pronounced, and this was previous to the Federal Elections; and his declaration on that occasion formed one of the planks of the platform on which he appealed for popular favor, and for the support of the licensed victuallers. He then declared that, if he were returned to power, he would have a Bill passed on this subject, which Bill would have a particular complexion—it would restore to the municipalities the power which had been taken away from them by the License Acts of the Local Government. And when the hon. gentleman so spoke, he said distinctly that he would pass a Bill which would restore to the municipalities the powers that had been taken away from them by the Local License Acts; but now he proposes the appointment of a Committee to examine into the question, and to advise the Government as to what legislation is advisable under the circumstances. Later on, the hon. gentleman called a Conservative Convention, in the city of Toronto, in connection with Local affairs, and he attended at the proceedings and closed them. Being chairman, he made the opening speech, and also pronounced the final words.

An hon. MEMBER. The benediction.

Mr. BLAKE. I did not say benediction; but I might term these words, with truth, the malediction, rather than the benediction. At this Convention the policy of the Conservative party on this question was announced; and the leader of the Local Opposition, in the presence of the hon. gentleman, and presumably under his guidance and direction, said:

"He was prepared to say that the present Opposition, if it took office, would be prepared to wipe away the partisan Boards of Commissioners. (Loud cheers.) It was proposed to restore to the people of the Province the rights they formerly exercised. (Cheers.) It pro-

posed to give back to the municipal bodies the rights they formerly enjoyed. (Continued cheering.) He was not afraid that the people would not, or could not, use their powers properly. He was not like the alleged Liberals, who were afraid to entrust the people with the powers belonging to them. (Cheers.) Nor did he suppose in making the announcement, that he would alienate one temperance vote."

These were patriotic words, and they were received with that approbation and enthusiasm which some hon. gentlemen seem disposed to endorse, by repetition, at this hour. The policy of the convention was properly heralded in a resolution, which explained the views of the Conservative party, with the hon. gentleman's assent, for we are told that all the resolutions were unanimously passed, as I believe, on these occasions, resolutions always are. We read the next day what the policy of the Conservative party was on this question. It was as follows:—

"Resolved, that the present system of issuing tavern and shop licenses through Government officials having been instituted and systematically used for the purpose of rendering those engaged in the liquor traffic subservient to the Administration of the day, it is the opinion of this Convention that, without interfering with the laws regulating the liquor traffic and limiting the number of licenses that may be issued, the power of issuing licenses and the fees derived therefrom should be restored to the municipalities."

Once again, Sir, the hon. gentleman was successful, as so often before, in impressing upon the minds, conscience and will of his party, the exact view which he took of public offering. As he put it on the 3rd of June last, he said that his intentions were to restore to the municipalities the power of issuing licenses. On the 14th September last, the Conservative party of Ontario, under his guidance, declared that their policy was to restore to the municipalities the power of issuing licenses; but, as I have said, there was no word at that time of Dominion interference for that purpose. It would not do then; it would not have been right to have pointed it out at that time. *Russell vs. The Queen* had been decided. That decision was known here. The hon. gentleman was possessed of it. He thought then—unless he has changed his opinion since, for he thinks now—he did then, at any rate—that it had been made obvious that the Local Legislature had no power to deal with the matter at all. He thought then—or, at any rate, he thinks now—that under that decision, here, and here only, legislation was to be had. He thought—as is shown by the Speech from the Throne, and by his own utterances early in June—that he was prepared to legislate here, but he did not say so. It would not do; and Mr. Meredith was put to the forefront of the battle to declare what the Conservative party of Ontario would do in this regard, and they agreed to do just what the hon. gentleman designed—restore the power of issuing licenses to the municipalities. But they affirmed impliedly, if not expressly—aye, expressly in Mr. Meredith's speech—that that was to be done at Toronto for the Province of Ontario, and not in Ottawa for the whole Dominion. Now, if, as the hon. gentleman on the 14th of September thought that the Local Legislature had nothing to do with this, could not deal with it, that their License Law which transferred the power to Boards of Commissioners was *pro tanto* void, why did not he say so?—why did not he tell the people of Ontario, gathering his forces together, as he was for the impending conflict, that he was about to remove the question from their jurisdiction? Why did not he tell the Conservative convention that he was going to do this thing? Why did he allow his deputy to announce that he would do this, and that, and the other thing, if he succeeded at the Elections, when he thought he could do nothing at all? Why, Sir, the Conservative party of Ontario was called upon to undergo sufficient humiliation without that. They were called upon at that Convention to abandon the territorial rights of their Province; they were called upon to abandon the legislative rights of their Province; they were called upon to give up the Boundary Award; they were

called upon to give up the question of disallowance; and the hon. gentleman did not choose to ask them at the same time to swallow another abnegation of Provincial rights. He allowed this matter to dangle before the people of Ontario as a toy, which he was about to remove from them at the proper season—this power of dealing with the license question—this great bar to Provincial rights. He allowed his party to say that their leader in the Local Legislature would legislate in a particular direction, because it did not do at the same moment to say: "I have given up the Boundary Award—good; I have given up the question of disallowance—good; but I have yet another sacrifice to ask of your patriotism and your party allegiance, and that is, that you should give up the power of your Province to interfere with the regulation of licenses for taverns, shops and saloons." So the hon. gentleman's friends were allowed to make these statements. Proceeding chronologically, we arrive next at the hon. gentleman himself, in his capacity, not as leader of the party marshalling his forces at Toronto for a Provincial contest, but in his capacity as First Minister of the Dominion. He had excited, by these statements of his in June, the hopes of the licensed victuallers, and they sent a deputation down here to interview him. I moved early in the Session for the papers, but they have not been laid on the Table, so far as I have been able to learn. We do not know all that passed on that occasion, and perhaps we shall not know all that passed even when the papers come down; but we have some account of what passed in a statement made by the deputation in a letter published in the newspapers, which was signed by Messrs. Cosgrave, Hodge, O'Keefe, Mitchell, and O'Shaunnessy:

"The objects of the deputation were to ascertain from Sir John Macdonald whether it was the intention of the Dominion Government to take into its hands the regulation of the License Laws, and if in so doing it was the intention to do away with the marked political character of the existing Crook's Act. In answer to the above, Sir John stated that it was the intention of the Government to take the matter into its hands, as such a course was forced upon it by the late decision of the Privy Council in regard to the Scott Act; and that in the framing of the measure it was the intention to make it strictly non-political."

Well, Sir, they called upon him; they enquired of him—he had announced he was going to do it in June—whether he was going to do it? They did not apparently entirely trust that statement of the hon. gentleman—I am sure I do not know why—but perhaps they recollected that it was made before the elections, and that everything said before the elections might not perhaps be realized exactly to the letter, and circumstances change of course; but whatever the reason, they felt it necessary to reinforce themselves with reference to his statement of June, so they called upon him in October and asked him whether he was going to take the matter into his own hands? He said: "We are going to take this into our hands, and we are going to frame a measure." Well, where is the measure? We have no measure; we have not got the basis of a measure; we have not even got the materials which the hon. gentleman says are necessary even to form a judgment of what the measure should be; he has not got them himself. Yet he tells these gentlemen that the Government have decided to take the matter into their own hands and frame a measure, and he tells them something about the character of the measure. It seems further, from the correspondence which has appeared on the subject, that the victuallers were requested to put on paper their views as to what the measure should be, and that these views were to be laid before the Privy Council. Have we got their views? Perhaps we shall have them presented; but there again it is obvious that the hon. gentleman was taking steps to frame his measure, for he was obtaining information from one sect of persons deeply interested in it, and he asks them if they will lay before the Privy Council what their views are. They promise to do so, and I presume they did so accordingly. That was not

Mr. BLAIR.

all. Naturally enough the Temperance Alliance were a little aroused, and they also approached the hon. gentleman. He answered them on the 14th November, saying:

"Nor does the Dominion Government intend to make any attempt to relax the present restrictions on the sale of liquors in any Province in the Dominion."

We thus get a step further. The hon. gentleman knew by this time that the regulations differ in the different Provinces, and he had decided that he would not make any attempt to relax any of the restrictions in force in any one Province—not as he says, to-day, that we should make a measure which, giving a little here and taking a little there, accommodating itself one way and accommodating itself the other way, and will be pretty nearly right all over—but he says he has no intention of relaxing any of the restrictions which are in force in any of the Provinces. So we see that he was attempting to frame his measure, and he had a portion of the basis laid down in his mind at any rate. He was able to tell the victuallers that he was going to frame it, and that it would be non-political, and he was able to tell the temperance men that he was going to frame it, and that he would not widen any of the restrictions existing in any of the Provinces. Then came the turn of the Local Conservative party, and they brought forward a resolution on this subject in the Local Legislature; and they proposed, on the 24th of January, this resolution, as expressive of their policy under the hon. gentleman's old guidance, if not his then present guidance:

"This House, while recognizing the necessity of maintaining the other provisions of the existing liquor license laws and strictly enforcing them, is of opinion that it is not in the public interests, or calculated to promote the cause of temperance, to continue the mode of appointing boards of license commissioners and license inspectors now in force, and is further of opinion that these boards should in order to remove them as far as possible from the influences of political partisanship, be appointed in counties by the county councils, and in cities and towns separated from counties by the councils thereof, and that the power of appointing one or more license inspectors in each license district should be vested in these boards, and this House regrets that legislation providing for this change in the law, and for handing over to the municipalities the whole of the license fees except a sum sufficient to pay the expenses of the license branch of the Department of the Provincial Secretary, has not been proposed for its consideration by the advisers of His Honor the Lieutenant-Governor."

Time, Sir, had brought a little wisdom to these gentlemen. They had found that their proposal to hand back to the municipalities the powers with which they had been formerly invested, did not take. They found that neither the municipalities themselves nor the people at large were favorable to that change, and they proposed a modification of the hon. gentleman's scheme of June and of September in the Convention—a modification giving a larger power only to the councils of counties, cities and incorporated towns, a very different thing from what they had up to that time proposed. They had also found, I have no doubt, considerable trouble about the hon. gentleman's own pretensions. They found it necessary to say that they were sincere, at any rate, on the third, if not on the first and second subjects of contention upon the question of Provincial rights, and, therefore, the Local Conservative leader felt it necessary, and I suppose he was permitted, to announce a difference of opinion from the hon. gentleman; so, in supporting the resolution to which I have referred, he made a speech, in which he used this language:

"If it was thought that greater powers should be conferred upon the Legislature in the settlement of this question, there was still a remedy to apply for in an amendment to the Constitution. A great deal had been said about the observations made by the leader of the Dominion Government in reference to this subject. He could only understand his position from the reports published of his speeches, and that was that the result of the determination of the highest court in the land, when the question of granting licenses accidentally arose, was that the laws passed by the Provincial Legislatures were null and void so far as they assumed to deal with the granting of tavern and shop licenses. The leader of the Dominion Government seemed to take the view that there must be legislation passed by the Dominion for the purpose of dealing with the question in the interests of temperance. It

was clear that if this House had no power of jurisdiction, everybody was at present free to embark in the liquor traffic. He confessed that his views were that the jurisdiction rested in the Local Legislature, and that the Dominion had no power to deal with the question. He thought that under the power given the Legislature of dealing with municipal institutions, this right was included. It was the duty of the Legislature to assume the exercise of the power, at all events, until the highest court decided the issue, and in this the Government would have the support of the Opposition. Should the decision be that the power rested with the Dominion authorities they must all court that judgment."

There you see, Sir, the hon. gentleman declares himself of opinion that this power rests, not with the Dominion but with the Local Legislature, and he suggests that that position should be maintained at any rate until the highest court of the country should decide to the contrary; and he furthermore suggests that even then there would be a remedy in an amendment to the Constitution, leaving to or giving to the Local Legislature that which it was up to a late period supposed they had the right to deal with this question. Well, there again you see a divergence of view. The hon. gentleman at Ottawa is announcing: "I alone have a right to deal with this question," while Mr. Meredith in Ontario is claiming that they alone have a right to deal with it. The hon. gentleman asks his supporters down here to say that the Local Legislature has no jurisdiction; he asks his supporters up there to say that the Local Legislature has jurisdiction; and between these two wings of his supporters I leave him to settle the difficulty. But next, we come to the Speech from the Throne, and there we find a considerable harking back. I have shown that the hon. gentleman's policy upon the subject of interfering with the traffic in intoxicating liquors was antecedent to the decision in *Russell vs. The Queen*—was announced, in fact, antecedently to that time. I have shown that he declared, several weeks before that decision was pronounced, that he would proceed to Ottawa to legislate in this direction, if he were given the power by the people. Well, he comes down to us with the Speech which he advises His Excellency to make, and puts in His Excellency's mouth words signifying that it is this decision in *Russell vs. The Queen* which forces the Government to initiate legislation in Parliament on this question. But that is not what forces it upon the hon. gentleman. What forces it upon him is the anti-election pledge which he made before the decision in *Russell vs. The Queen* took place at all—the pledge that he would do this thing in order to subvert and defeat the policy of "that little tyrant" Mr. Mowat. Then we find him occupying, in the debate on the Address, still milder ground. He roars now, not as he did in June, when he talked about his power and his intention; he roars like a sucking dove. You find him saying:

"That subject (that is, legislation with regard to liquor licenses) was not willingly undertaken by the present Government. They were quite satisfied that the law as it obtains in the different Provinces should be continued."

Was he satisfied in June, when he declared that he would, if returned, pass a law here to subvert the power of the Local Legislatures, and to restore to the municipalities the power of which they were deprived? These were not expressions of satisfaction, but of dissatisfaction and discontent, and he determined to remove that dissatisfaction by altering the law. Then he says:

"They were quite satisfied that each Province should, so far as the law would allow it to enact such Statutes, deal with the subject on shop, tavern and saloon licenses. Neither the Government nor the Parliament of Canada, I take it, wished to interfere; and it was only when the decision which was given in June last on the Scott Act, a Dominion Act, forced the subject upon them that they thought it their duty to bring it before Parliament. I never had any doubt that when the question was brought before the courts, it would be decided that the different Provincial Legislatures had no right whatever to deal with that subject except for revenue purposes—for the purpose of imposing taxation for Provincial or municipal purposes. I expressed the opinion in Parliament years ago, and last year I expressed it at a public meeting in Toronto or its vicinity. But while that opinion was strongly impressed upon my mind I took no steps, nor did the Government of which I was a member, take any steps

for the purpose of interfering with the legislation of the different Provinces, or forcing Dominion legislation on the country, or trying to centralize such powers in this Parliament. On the contrary, the only centralization on that subject—the only time in which that question was in any way dealt with by the Dominion Parliament—was when the late Government was in power, and when they introduced the Scott Act."

Then the hon. gentleman proceeds to say in reference to the case of *Russell vs. The Queen*:

"It is quite clear to every lawyer, and any man who is not a lawyer, who reads that judgment, will see that the very reasons on which the Privy Council decided that this Parliament had the right to deal with the Scott Act, are the reasons showing that the Provincial Legislature of Ontario had not a right to deal with that subject under the Crooks' Act, except as a matter of revenue for municipal or Provincial purposes. The hon. gentleman says that we should have allowed the matter to stand over until it was finally decided. Sir, if there be any value in that decision, and there is every value in it, because it is the law of the land, there is no check at this moment in the Province of Ontario against the unlimited, unrestrained sale of intoxicating liquors. This is not a matter we can play with. It is not a matter of policy; it is a matter of necessity. If we wish to prevent the unrestrained sale of intoxicating liquors we must legislate immediately; for I take it that any man in this city or in any other part of Ontario can open his saloon and sell liquors, and there is not a court in the world can prevent his doing so."

Now you will observe that a very different line is taken at this early stage of the Session, from what the hon. gentleman took in June last. He was going to do it because he disapproved of the Local legislation, because he thought it should be amended and made better. Then he was clear as to how he should act. Then he was clear that he should restore to the municipalities the powers of which they had been deprived. Now he says it was not a matter of policy at all, but a matter of necessity arising out of the decision in the case of *Russell vs. The Queen* in the Privy Council. The first question is whether that decision does decide that there is no power to restrict the number of licenses issued by the Local Legislatures at all. To that subject the hon. gentleman has not addressed himself to-day at all. In the debate on the Address he disposed of it very summarily. He said that any lawyer, or any other man who is not a lawyer, who chose to read that judgment must see plainly from it that the unavoidable result was no power was left with the Local Legislatures to restrict the number of licenses. Now I do not draw that conclusion from the decision in *Russell vs. The Queen*. In the first place, that judgment does not deal in the slightest degree with, does not touch in any way upon, that very large part of Provincial rights which is comprised in the subject of municipal institutions. The decision is expressly stated to be upon the consideration of whether the power to pass the particular law which was before the Privy Council, viz., the Scott Act was vested in a Local Legislature in either of the then headings: the heading of property and civil rights, the heading of shop, tavern and saloon licenses, or the heading of local and private matters. The Judges expressly say that these were the points which were raised before them, and upon which they judged. They do not say a word about municipal institutions having been suggested or argued. Now, Sir, if hon. gentlemen sitting in this Parliament, if Ministers of the Crown, chosen from all the different Provinces, do not know what are the local laws touching the sale of liquor, what powers have been given to the different municipal bodies in that regard; if we require to-day to take the first step in order to inform our minds upon the mixed question of law and fact as to what are the laws and what mean the laws; can we suppose that the Judicial Committee of the Privy Council was inspired to know all about those municipal institutions and local laws which were not even alluded to in the argument and the judgment? Can it be seriously argued before a Canadian Parliament, that the single decision of four or five men—when the great question of municipal institutions was never even raised or discussed—has so finally concluded this question that it is not further arguable? It is absurd to say so. I maintain that, in the absence of a decision in which the whole ques-

tion of municipal institutions shall have been brought up expressly, in which that mass of statutory learning which is required in order to know what the position of the municipal institutions of each Province was at the time of Confederation was not called for, in which the true construction of this phrase "municipal institutions" was not fully debated and decided—no man, in the absence of such a decision, can say that this question which, in the largest of the Provinces, in the next largest of the Provinces, and in two or three more of them, was dealt with before Confederation, and for years after as a subject of municipal institutions, is not to be found in the Confederation Act. I am not now discussing the meaning of the term "municipal institutions." I am merely pointing out that we have to decide that before we agree that it has been argued finally, and finally decided that the Local legislatures have no power to deal with the question of restricting or regulating the different licenses. It does not at all follow in the reading of our complicated and somewhat obscure Constitution that because this Legislature may do a particular thing, therefore, in the absence—aye, noticeable in some cases in the presence even—of Local Legislation, the Local Legislature shall have no power to legislate at all. The proposition that that will be a *non sequitur* is established in many decisions, and is adverted to in this very decision of *Russell vs. The Queen*, which speaks of the possibility that might arise in absence of Federal legislation. It does not at all follow, because the powers may overlap. We know that many of the powers do overlap, and that, coming under a different heading and having a different object, it is possible there may be an impinging on some of the subjects in one legislature on the action of the other. But it is not a legislating upon the subject; it is an impinging upon the subject. The great question we have to consider is the passage in the Speech from the Throne, and not the question whether the Local Legislatures cannot legislate. The hon. gentleman proposes we should legislate upon the question, not of policy, but of necessity. He says this is a necessity, because the Local Legislature cannot legislate in this direction, and gives as authority *Russell vs. The Queen*, though not a word has been said in that about municipal institutions, or the powers exercised by them, or that have been exercised through their medium in many of the Provinces, many long years before the Confederation Act was passed. I maintain that, however you may construe those words, to whatever powers you may consider them to extend, no man will venture to say that the most important ingredient in determining their true construction, and the extent of their powers, is not this very subject to which I have referred. What was done under it before? What was the *status quo*? What was the municipal legislation of the Provinces? What is the meaning of that term as used in the Confederation Act? It was that which, in the opinion and following the views of the people of the country, at whose instance this Act was passed, was embraced in the term municipal institutions, at the time that Act was passed. Lawyers have said so; jurists have said so; judges have said so, legislators have said so; and I maintain that no man can dispute that proposition. Yet we have not argued it. Yet we have not discussed it. In *Russell vs. The Queen* it has not been discussed. The hon. gentleman does not discuss it, and he proposes to us this day to assume that there is no such power in the Local Legislatures, without discussion and without decision from any authority on the subject. Now, Sir, reflect for a moment upon what was done under municipal institutions in only one Province. In the old Province of Upper Canada, under municipal institutions before the Confederation Act, these institutions had power to grant tavern licenses, certificates and shop licenses. There was a provision that no tavern license should issue, save on a petition of thirty resident ratepayers, and a report of the inspector as to

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accommodation; there was a provision that no licenses whatever should issue on agricultural exhibition days, near the ground on which exhibitions were held. There was a power to declare the conditions of tavern licenses; there was a prescription of the minimum accommodation; there was a provision for security; there was a power to limit the number of tavern licenses; there was a maximum number not to exceed one to 250 souls. There was power to regulate licensed places; power to prohibit retail sales in certain places, and to prohibit wholly sales in shops. There was a provision that such a by-law as that should be approved by the legal electors; a provision that all licensed houses should have signs; that shops licensed should not sell for consumption on the premises; a provision restricting the sale and disposal between 7 o'clock on Saturday night and 8 o'clock on Monday morning, or at any other time when any local by-law should prescribe the closing of the house. There was a power to license, regulate and govern keepers of billiard tables and to fix the license fees; there was power to limit the number and to regulate victualing houses, ordinaries, houses where fruit, oysters, clams and victuals were sold to be eaten therein, and all other places for reception or entertainment of the public. There was power to license and to fix a fine therefor; power to prevent, regulate and license exhibitions of wax work, menageries, circus riding and other like shows usually exhibited by showmen, and to fix a license fee not exceeding \$100. There was a provision that no such licenses should issue on days of agricultural exhibitions near the grounds. There was a power to license, regulate and govern auctioneers and fix their fees. There was power to license, regulate and govern hawkers or petty chapman and others carrying on petty trades, not residents of the municipality, but who go travelling and to fix their license fees. There was a power to establish markets, to regulate markets, to prevent or regulate the sale by retail in streets of meat, vegetables, fruits or beverages; power to prevent or regulate the buying or selling of articles or animals exposed for sale or marketed; to regulate the place and manner of selling and weighing butcher's meat, fish, hay, straw, fodder, wood and lumber. There was power to prevent forestalling and regulating a monopoly of market grains, meats, fish, fruits, roots, vegetables, poultry and dairy products; to prevent and regulate the purchase of such things by hucksters and runners living in or near the municipality; power to regulate the weighing and measuring of cord wood, coal or other fuel. There was a provision regulating penalties for short weight, count or measurement. There was a provision regulating victuals and other things exposed for sale or market; and for regulating the assize of bread, and preventing the use of deleterious materials. There was a provision preventing and regulating the erection of or contamination from slaughter houses, gas works, tanneries, distilleries or other manufactories or trades which may prove to be miasmous; for preventing persons in streets from importuning travellers and regulating persons so employed; for regulating and licensing owners of livery stables, horses, cabs, &c.; for regulating the keeping and exposing of gun powder and other combustible or dangerous materials; for regulating all magazines for powder, &c., for licensing keepers of intelligence offices, regulating the same, prohibiting the same, and fixing certain license fees. Now I have given you a list, some of them, perhaps, now beyond the jurisdiction of the municipalities, some of which are undoubtedly still within their jurisdiction, and as to some of which it may be questionable whether they are within or without their jurisdiction. But I say these things have to be considered by this Parliament before it assumes to arrogate to itself the power of interfering with the recorded view of what was embraced in municipal institutions and conceded by courts, before they give considera-

tion to that clause of our Constitution. I might go to the other Provinces—to Quebec and some of the other Provinces—and point out other like powers, giving other like indications as to what municipal institutions may be construed to mean. Now it may be ultimately decided, as the hon. gentleman suggests. We cannot tell. I deny his construction of the decision in *Russell vs. The Queen*, and the argument in *Russell vs. The Queen*. I have read the stenographer's notes of the whole argument, and it seems to be unfortunate that in a constitutional case of this high consequence, the senior counsel, a man whose knowledge and power and eminence, everybody knows and respects—Mr. Benjamin—should have been absent, and that the brunt of the argument should have been borne by the junior counsel. Mr. Benjamin appears only at the close in delivering a short and concise argument. I say the argument is not satisfactory; and the judgment is not satisfactory, even as far as it goes. But the question is, how far it goes. We are not to take it as far as the hon. gentleman says it is to be taken. The hon. gentleman says no lawyer reading that judgment will come to any other conclusion; he says no layman would come to any other conclusion. But lawyers have come to a different conclusion. Judges have come to a different conclusion, courts have come to a different conclusion; and what the hon. gentleman declares no lawyer would say, some of the highest and most respectable and esteemed Judges of this land have already said. I refer to the case of *Three Rivers against Sulte*, which was heard before the Court of Appeal of the Province of Quebec. Present: Dorion, Chief Justice; Monk, Ramsay, Tessier and Baby, Justices. The question was raised in this case, a case in which the learned Judges held over their judgment for a time in order that they might get the full text of the judgment in *Russell vs. The Queen*, and to see how far it concluded the point which was before them; and with that judgment before them these statements are made. Sub-section 8 to which they refer is that relating to municipal institutions, and this is what they say:

“But we have still to determine another question, whether sub-section 8 does not cover the exercise of the power assumed by the Legislature of Quebec. It may be at once conceded that the prohibitory liquor law is not essential to the existence of municipal institutions, and that consequently, in a very restricted reading of sub-section 8, it would not justify the Local Legislature in passing a prohibitory liquor law. But it may fairly be asked, whether it was the intention of the Imperial Parliament, in an enumeration of this sort, to confine ‘municipal institutions’ to those matters only which are of the essence of municipal institutions? If such was the intention of Parliament, a wide field for speculation was left open, or it was contemplated to restrict municipal institutions within very narrow limits. It would seem, however, we have not to determine what institutions are essential to municipal existence in the abstract, but the meaning of the term at the time of Confederation. In so far as the Province of Quebec is concerned, municipal institutions were the creation of special Statutes. The General Act was passed no longer back than 1855. It was introduced under the title of the *Municipal and Road Act*. Roads and their maintenance, bridges, ferries, fords, prevention of abuses prejudicial to agriculture, police regulations, and many other matters were subjected to municipal control. Among other things, county councils were given the power to make by-laws for prohibiting and preventing the sale of all spirituous, vinous, alcoholic and intoxicating liquors, or to permit such sale subject to such limitations as they consider expedient. ‘For determining under what restrictions and conditions, and in what manner the Revenue Inspector of the district shall grant licenses to shop-keepers, tavern-keepers, or others, to sell such liquors;’ (see *C. S. L. C.*, cap. 24, sect. 26, s. 11 and 12). In 1857, the city of Three Rivers was incorporated, and as the *Municipal and Road Act* was repealed, as far as it affected or might affect Three Rivers, the two sub-sections, 11 and 12, above quoted, were reenacted in precisely the same words for the new incorporation. (See *20 Vic.*, cap. 129, sect. 37, foot of page 493 and 494). These Statutes were in force at the time of Confederation.

“In 1858, an Act was passed styled *An Act respecting the Municipal Institutions of Upper Canada*; and in that Act powers similar to those just enumerated as being accorded to municipalities in Lower Canada, and to Three Rivers particularly, were given to municipalities in Upper Canada. And this legislation was also in force up to the time of Confederation.

“By the municipal system in force in Nova Scotia, prohibitory powers were possessed by the municipal authorities. As to New Brunswick we have not found any Statute conferring such powers; but at any rate we have the two great Provinces of Confederation and one

of the smaller ones persistently including among municipal institutions the right to prohibit the sale of strong drink. We cannot help thinking that this was sufficient to bring prohibitory liquor laws within the powers of local legislation, as forming part of ‘municipal institutions’ within the meaning of the *British North America Act*. With Chief Justice Richards we think that we ought to look ‘at the state of things existing in the Provinces at the time of passing the *British North America Act*, and the legislation then in force in the different Provinces on the subject, and the general scope of Confederation then about to take place,’ when determining the value of indefinite terms in the Act. But in the case of the *City of Fredericton vs. The Queen*, it was decided by the Supreme Court that the Dominion Parliament has alone the power to pass a prohibitory liquor law. It is true this decision goes somewhat beyond the real issue, which is as to the right of the Dominion Parliament to pass a prohibitory liquor law, which is quite a different thing. Still we presume the point was fully argued before the court.”

Then he goes on to say:

“We hold then that under a proper interpretation of sub-section eight, the right to pass a prohibitory liquor law for the purpose of municipal institutions has been reserved to the Local Legislatures by the *British North America Act*.

“We have suspended our judgment in this case for an unusual length of time, awaiting the decision of the Privy Council in the case of *Russell vs. The Queen*, in the hope that we might find some rule authoritatively laid down, which might help us in adjudicating on this case, and in that of *Hamilton vs. The Township of Kingsey*. In this we have been to some extent disappointed. Their lordships have remained strictly within the issue submitted to them, and have held that the *Canada Temperance Act of 1878* does not interfere with sub-sections 9, 13 and 16, of section 92, *British North America Act*; that it is an Act dealing with public wrongs rather than with civil rights, that it is a matter of general and not merely of a local or a private nature in the Province, and that if it affects the revenues of a Province it is only incidentally. We need hardly say that this is only a very brief summary of their lordships' argument, but their reasoning will command general assent, not only owing to the source from which it comes, but also from its cogency. The Judicial Committee then lays down that the Dominion can pass a general prohibitory liquor law; it has specially declined to lay down any rule as to the other sub-sections, than those submitted, and the one alluded to by Chief Justice Ritchie; and therefore it has not either expressly, or by implication, maintained that the Dominion Parliament can alone pass a prohibitory liquor law, or rather a liquor law which is prohibitory, except under certain conditions, as for instance, subject to a license for the purpose of revenue.”

There you find a declaration which goes far beyond this case, because this is a declaration dealing with the judgment of this court as to whether the decision in *Russell vs. The Queen* had settled the question, whether a *Local Legislature* might pass a law allowing municipalities absolutely to prohibit the sale of liquor; while what we have to deal with is, not as to whether the case of *Russell vs. The Queen* had decided that, but whether it had decided, what was not before it, that a *Local Legislature* cannot pass a law empowering municipal institutions to regulate and restrict, though not to prohibit, the sale of alcoholic liquors, and to issue licenses for that purpose. Yet you find a unanimous judgment by the highest court of the neighboring Province, against the proposition of the hon. gentleman, affirmed after an extended deliberation and postponement of the decision, for the express purpose that *Russell vs. The Queen* had decided the larger and *a fortiori* the smaller and narrower point on which this particular controversy turns. Once again, take the highest court of Ontario. I find a decision was reached on 30th June last, after the decision in *Russell vs. The Queen*—though I do not place any stress on that point, for I do not find that the decision of the Privy Council in *Russell vs. The Queen* is alluded to in the judgment, and therefore, I assume the Judges had not the decision before them; but it was given after the decision given in the Supreme Court, which dealt with the whole question—that in a judgment given in a case analogous to this, the Chief Justice of Ontario makes statements which are of the highest consequence in determining whether the hon. leader of the Government is right in the proposition on which he bases this paragraph in the *Speech*, or rather the right which is asserted in that paragraph, that it is established by *Russell vs. The Queen* that no right in any sense exists on the part of *Local Legislatures* to make laws restricting

the sale of intoxicating liquors and regulating the issue of licenses. Chief Justice Spragge says :

"Looking at the classes of subjects, legislation upon which is committed exclusively to the Provinces, it is very apparent that it was intended that their Legislatures should possess very large and ample powers in relation to all subjects of a local and domestic nature. They had possessed plenary powers upon these subjects before Confederation, and the general scheme of Confederation seems to have been to leave to them the plenary control of these subjects. They were, under the Act, legislative in regard to these subjects in the true and full sense of the term. This is the more apparent from the use of the words 'exclusive' and 'exclusively' (and they are used repeatedly) in the Imperial Act. Other legislation upon these classes of subjects is excluded. No alteration, no amendment, no perfecting of any measure falling within these classes of subjects can be made by any authority outside of the Provincial Legislature.

"We have the high authority of Vattel upon the same point. He says, Book 2, Chapter 17, Section 285, 6: 'The most important rule in cases of this nature is, that a constitution of Government does not, and cannot, from its nature, depend in any great degree upon verbal criticism, or upon the import of single words. Such criticism may not be wholly without use; it may sometimes illustrate or unfold the appropriate sense; but unless it stand well with the context and subject matters, it must yield to the latter. While then we may well resort to the meaning of single words to assist our enquiries, we should never forget that it is an instrument of Government we are to construe; and as has already been stated, that must be the truest exposition which best harmonizes with the design, its objects, and its general structure.'

"One other consideration presents itself, which is to my mind conclusive. This matter of licensing, and of the regulation of places, and persons licensed, pertains to municipal institutions, and is moreover of a local nature. Now, the making of laws in relation to both these objects being committed exclusively to the Provincial Legislatures and legislation by any other power being thereby excluded, it follows that the British North America Act operates to withdraw from legislative control by any power or body whatever, the licensing and the regulation of places and persons licensed; powers in regard to which they have therefore unquestionably exercised. The effect in that case would be more and other than a distribution of legislative power, it would be an extinction of legislative power in regard to subjects which up to Confederation had been subjects of Provincial legislation."

Once again he says :

"It is important to bear in mind that the Imperial Parliament in committing to the Provincial Legislatures the making of laws in relation to municipal institutions committed to them as a subject of legislation that which was, as it then stood, and had stood for a number of years, wholly a subject of delegated power from the general Legislature. The power was conferred in as broad and comprehensive terms as possible, 'To make terms in relation to.' That necessarily imported *ex vi termini* power to change the laws in relation to that subject; and as long as the changes made were changes only in municipal institutions they were within the power. In the then Province of Upper Canada at the date of Confederation, township councils, county councils, city councils, and boards of police commissioners, were all parts of the machinery which, to take as an instance the county of York, constituted a municipal institution. Great changes might be made in all these pieces of machinery; their powers and duties might be changed; some parts might be left out *e.g.* township councils, or county councils, or boards of commissioners, as making the machinery too cumbrous or too complicated, or for any other reason; and the powers and duties exercised by those left out might be committed to those remaining, or to some new boards or other pieces of machinery substituted for them. I cannot see how it would be *ultra vires* the Provincial Legislature to make all these changes, provided they were changes only in relation to municipal institutions."

Then, in the other case which was decided at the same time, the same learned Judge says :

"The conviction in this case is for the keeping by the defendant of manufactured liquors at his house in the town of Chatham, for the purpose of bartering, selling or trading therein, in that license; and it appearing that the defendant had been previously convicted of the like offence, the defendant was adjudged for his second offence to be imprisoned at hard labor for three months.

"The Statute under which the defendant was convicted, warrants the conviction and the sentence. This is not disputed, but it is objected that it was *ultra vires* the Legislature of Ontario to pass the Act, under which the defendant was convicted, it being, as is alleged, an Act which deals with trade and commerce, and, further, that assuming the Act not to be objectionable on that ground, it is *ultra vires* in so far as it imposes hard labor in the imprisonment, as the punishment for the offence committed.

"In the court appealed from, the case was argued wholly on the point as to the power of the Legislature to impose hard labor, and in the argument on appeal, the other point was so faintly touched upon by Dr. McMichael that I took him to be rather suggesting whether the provision for breach of which defendant was convicted might not be *ultra vires*, than contending that it was so. I think it quite clearly a matter *intra vires* the Provincial Legislature. It is, I think, clearly so

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as a matter of police regulation, and being so, falls within one of the enumerated classes, viz., 'municipal institutions.'

"With regard to the point made in argument that Clause 9 authorizes legislation in relation to shop, saloon, tavern, auctioneer, and other licenses, only in order to the raising of a revenue, I observe that, in several of the reported cases, it has been assumed that the power to legislate in regard to licenses is limited by the purpose indicated in Clause 9. It does not appear to me that that was the purpose of Clause 9. The power of licensing shops, saloons, taverns and auctioneers, and granting some other licenses, existed in municipal bodies at the date of Confederation, and that power passed to the Provincial Legislatures under Clause 8. If Clause 9 is to be read, as it is assumed that it should be read, it abridges the power conferred by Clause 8 and would limit the power to legislate in relation to these licenses to cases in which they were necessary in order to the raising of revenue, however necessary such legislation might be, in the cases of houses of public entertainment, to the prevention of intemperance and the preservation of order.

"My interpretation of Clause 9 is that it is cumulative to Clause 8, and that it was intended to authorize Provincial legislation (or at least to settle any doubts that might exist upon the point) in relation to the licenses enumerated, for the purpose of raising revenue, as well as for the regulation of matters of police. I have hesitated in placing this construction upon Clause 9, because, so far as I am aware, the more limited construction placed upon it in the earlier cases after Confederation has been generally accepted as the correct interpretation of the clause; but I am unable myself to concur in that construction."

And here, Sir, Mr. Justice Burton, the only other Judge who has delivered judgment in this case, concurring, points out :

"The powers claimed to be exercised by the Provincial Legislature in the present case, must depend upon the construction to be placed on sub-sections 8, 13, and 16, of section 92, for I agree with the learned Chief Justice, that a right to license an employment does not imply a right to charge a license fee therefor, with a view to revenue, unless such seems to be the manifest purpose of the power. The right to restrict parties by requiring a license must be sought for under the sections I have referred to, and not under sub-section 9, which was passed, not for the purpose of conferring the power to issue licenses, but to enable the Provinces by that means to raise a revenue for provincial, local or municipal purposes. The only power of taxation given by that section is that of direct taxation, which section was intended to allow them in this particular, made to raise a revenue by indirect taxation. The other sections vest in them the power to make laws in relation to municipal institutions, property and civil rights, the imposition of punishment in the manner specified for enforcing any law of the Province, made in reference to any of the classes of subjects under section 92, and the general power as to all matters of a merely local or private nature in the Province.

"At the time of Confederation, the Municipal Institutions Act of 1866, was in force, and under it the municipal councils were empowered to pass by-laws and to fix the punishment within certain defined limits for their infraction. To the Police Commissioners had been transferred a power formerly vested in the council to pass by-laws regulating taverns, and to prohibit the sale of liquors without licenses; but no power was given at that time to the commissioners to enforce the performance of these by-laws by fine or otherwise, and by section 129 of the British North America Act, this law was continued in force until repealed or altered by the appropriate legislation.

"It was at that time dealt with by the Parliament of the Province of Canada, as coming within what were known as municipal institutions, the power of dealing with which is now within the exclusive jurisdiction of the Provinces; and it would certainly come within the general clause, which confers exclusive powers on the Provincial Legislature to deal with matters of a merely local or private nature, and does not fall within any of the subjects with which the Dominion Parliament has power to deal, unless perhaps by a general measure affecting the whole Dominion, which has not been done.

"We accordingly find the Local Legislature dealing with it in 1867, and giving power to the commissioners to attach penalties for the infraction of their by-laws in the manner and to the extent that by-laws of the City Council might be enforced under the Municipal Act of 1866, and the same powers and duties as the learned Chief Justice has pointed out have been transferred to the Board of License Commissioners."

And once again, the same learned Judge says :

"I was somewhat surprised that we were again pressed with the argument that the Liquor License Act was *ultra vires* as dealing with trade and commerce, an argument which, if pressed to its logical conclusion, would effectually preclude the Local Legislatures from dealing with any particular trade or business within the Province; and the Privy Council have decided that the words are not to be regarded in any such contracted sense, but to refer to political arrangements in regard to trade, requiring the sanction of Parliament regulation of trade in matters of inter-provincial concern, and possibly general regulations of trade affecting the whole Dominion."

Now, Sir, I have read the language, the latest language, which is given in the two courts of the highest authority in the Provinces; and we learn that while sitting here—while we are deliberating upon the passage in the Speech from the Throne, which declares the interpretation of His

Excellency's advisers as to the true meaning, effect, and extent of the decision in *Russell vs. The Queen*—we learn that close to this Chamber the body composing the judicial department of this Government, that the body authorized finally within this country, at any rate, to decide on this subject, has had the same question before it; and that the expressions of the Judges in the course of the argument have been altogether opposed to the view that the decision in *Russell vs. The Queen* bears any such construction as has been placed upon it by the Government. We have, of course, no decision in that case, and we know not what it may be. As I said the other day, what a Judge says in the course of an argument does not give an inevitable clue to his ultimate judgment; but so far in reading the detached utterances of the Judges, I am told that their utterances the other day were wholly opposed to the view taken by the Government on the question of the judgment in *Russell vs. the Queen*. As I have said, Sir, it may be decided as the hon. gentleman suggests. The hon. gentleman comes not to Parliament upon his own interpretation of the law, but he comes to Parliament basing his whole defence for laying his hand upon this subject of legislation upon the proposition that it has already been decided finally, conclusively, and irrevocably, upon full argument, and after full consideration of all the points, by the Judicial Committee of the Privy Council in the case of *Russell vs. The Queen*. Are we to take the hon. gentleman's word, or the word of the Court of Appeal of the Province of Quebec? Are we to take the hon. gentleman's word for that, without a word of argument, without a statement, without his reasons? Are we to take his *ipse dixit* against the regular and deliberate judgment of the Judges of the law—of those to whom is specially designed the interpretation of legal documents? Their function in interpreting the Constitution, is one which I do not regard myself with quite as high respect as their discharge of their other functions, just because a written Constitution is an instrument which is to be construed in a peculiar manner and with peculiar considerations; but if you come and ask me, where shall I point you to the fittest source of information as to the effect and meaning of judgments of the court, and what they had decided by a judgment, then I would say, go to the courts and Judges and obtain what you want to find through them—what they meant by their judgment. In these countries in which the law is based on decisions reached in the past, and by comparing former decisions, we go to the authorized exponents of judgments if we want to know what their judgments were, and what they decide; and it is by going to the authorized exponents of judgments that we find out the reasons on which their decisions are based. But the hon. First Minister, in reference to this matter of policy, when asked by what authority he has seized upon this question, and brought it here, tells us: "No; I was not willing—I was unwilling to do this; but I am forced to take this step; it is the force of necessity which has compelled me to do so; I am driven to it by the judgment in *Russell vs. The Queen*." But he does not argue, he does not tell, he does not prove to you how the decision in *Russell vs. The Queen* says this. Which way will an intelligent and candid member of Parliament, who is going to give his vote on the merits of the question, decide? Will he decide as the Judges of the courts have decided in these cases, or will he say: "Well, I give great weight and credit to the statement of the hon. First Minister, unsupported by argument—I am prepared to vote with him—though he does not give a word to show why I should support his view of the case." But as it has not been actually decided, will he not rather hold his judgment in suspense until we have a decision in which this great vital question—this question of vast consequence and magnitude—this question of the true interpretation of the clause of the Constitution with reference to our municipal institutions—has been decided in the court of last resort. For myself, I

never will consent that one of the greatest powers given to the Provinces shall be swept away by a court before whom this question of our municipal institutions was not argued or considered, before whom it was not contended that our powers in that respect were in question, and of which they knew no more than the messengers at the Table—  
 —I will not consent that the Parliament of this country shall, without my protest, arrogate to itself the power to take away from the Provinces that great right until we find, on full argument and consideration, that such is the meaning of our Constitution. When I do find that such a power no longer remains to us—if that evil day should come—it will not be the first case in which it has been found that this Constitution—and perhaps in this very instance by virtue of the alteration made in the Quebec resolutions at Westminster—is not answering the expectations and beliefs of the people. It may be found, at the end of fifteen or sixteen years that the Provinces have less power under their municipal institutions than they have been supposed to have up to this time; and a great question will then arise—the question of what are we to do? Is the Constitution unalterable, though it disappoints the expectations of those who framed it—though its interpretation differs from the practices we have been pursuing under it for the past sixteen years? Are we to arrogate this power, or should we now rather propose that the Constitution shall be amended and made conformable to the original understanding with which it was adopted, and according to which we have been practising under it since it was first passed in the different Legislatures? Now, Sir, it is very clear to me that this great question of what is the true interpretation of our Constitution, and the great political question upon which we are to decide during this Session in a very important branch, has not been settled for us. It is very clear to me that we have to decide it for ourselves now, upon argument, if we are going to decide it this Session at all. It is clear to me that we must debate and discuss the hon. gentleman's fundamental proposition—that we cannot give him his axiom—that we cannot allow him his postulate—that we cannot allow that the decision in *Russell vs. The Queen* decides that it is beyond the power of the Local Legislatures to give the municipalities power to regulate the sale of liquor. I say nothing about prohibition, because that is not in question; but I think it is clear that we have to settle the question, if we are going to legislate. The hon. gentleman says, I would not legislate at all unless it was demonstrated by the courts of last resort that it was necessary for us to legislate; and if I have shown you that it was not necessary, then the necessity ends, the case for legislation ends. But if, on the other hand, the hon. gentleman proposes as a matter of policy to bring forward a matter of this kind for the good of the country, then, I say, we have to ascertain what the meaning of our Constitution is—whether we have the power to act legislatively in this matter, or whether that power is with the Local Legislatures. Shall we remit to a Select Committee struck by this House the decision of the question as to what the meaning and true interpretation of our Constitution is? Shall we send up stairs to a Committee for a decision of that great question, and the decision of that other great political question which is involved, namely, if the Constitution means so-and-so, will you act upon the interpretation, or propose an amendment to it? Will you propose a change in accordance with the general understanding of that Constitution and the practices which have been followed many years under it, or will you assume to continue the power, which, according to your view of the Constitution, is vested in you now? These are grave and serious questions—questions eminently fitted for discussion, and deliberation, and argument here, in the full Parliament, where every member of Parliament can attend to it, and form his own judgment as to the meaning of the Constitution, and

as to what should be the policy of Parliament with reference to that Constitution. What are you to go to a Committee for? Have we not got members in the Cabinet competent to deal with all sides of this question? Have we not a Minister of Finance able to present to the Privy Council the temperance view of the question? Have we not in him one who has identified himself zealously and ardently with that question for many years, to point out in the Privy Council what the interests of morality and temperance require? Have we not a Postmaster General, a member of a benevolent association, a member of the Licensed Victuallers Association, to see fair play between the conflicting interests, from his side of the question? Cannot he point out to the right hon. gentleman who sits above him all the arguments that go to support his side of the case, so that he may see every side of it; and have we not got others in the Cabinet able to take a large and impartial view of the question? Some of them no doubt would be apt to say of these two great interests:

“How happy would I be with either,  
Were t’other dear charmer away;”

while others, taking a more philosophic view of the question, would say to the licensed victuallars: “Well there is a great deal of good in spirits, but would not water—a little water, improve them;” and to the temperance men, water is an excellent thing, but would not you improve it by adding a little, just a little spirits, and so make a mixture on which the moderate temperance member might go forward. We have every shade of opinion in the Cabinet; we have all sorts of law of wisdom, of constitutional resources, and we have the power to declare dogmatically and emphatically what the meaning of *Russell vs. The Queen* is, and yet they can do nothing. What are we to go to a Committee for? I say that a Select Committee appointed to enquire into the facts in a matter which was not in this shape at all, might sometimes be admissible.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

#### UNIVERSITY OF SASKATCHEWAN.

Mr. WILLIAMS moved that the House resolve itself into Committee of the Whole on Bill (No. 18) to incorporate the University of Saskatchewan, and to authorize the establishment of colleges within the limits of the Diocese of Saskatchewan.

Motion, agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the second clause,

Mr. BLAKE. A very serious question arises upon this clause, and I have given notice of a motion to amend it on the third reading; but it may be just as well—as the hon. gentleman who promotes the Bill is moving to amend it in the contrary direction—that I should state the position I take. I think it is not at all unreasonable that corporations of this description should have every facility for obtaining, by gifts from the benevolent and otherwise, endowments in the shape of land. Land may be said to be in a certain sense the currency of that country, and when we give these corporations power in the older Provinces to take land endowments, I see no reason why we should not permit the same thing in the North-West; but I want to see the currency of the country continue currency. The proposal in this Bill, that the corporation may hold lands equally, at its own calculation, to a value of \$1,250,000, seems to me to be highly objectionable. The limitation is that the revenue from the moveable property

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of the corporation shall not exceed \$50,000 a year, calculated at 4 per cent. per annum upon the value of that property, which is equal to \$1,250,000. Under that, there is no restriction. But what I regard as serious is, not the amount, but the time during which the corporation is allowed to lock up the lands. I maintain that a period should be fixed within which it should be incumbent upon the corporation to part with all its lands that are not required by it for its own purposes. I have no objection to its holding lands for the college, professors' residences, play-grounds, or other necessary purposes; but I object to the principle of holding land in mortmain being applied extensively in the North-West. In the Province of Ontario, twelve or fourteen years ago, we laid down for ourselves a rule by which I think we have since been guided—certainly for four or five years. We made no limit as to the amount that a corporation might hold for its own purposes, nor any limit to the amount it might acquire as an endowment; but we provided that all lands not required for its own purposes should be parted with within seven years so that it could not be held any longer than seven years. At the suggestion of some hon. gentlemen—though I myself do not much favor the motion—I have proposed the amendment of which I have given notice, a term of ten years, or three more than the seven which has been the rule in Ontario since the time to which I refer. What I want to submit is, we have now got to lay down the principle that whatever is done with this must be done with all other corporations. Are we going to adopt the principle of allowing landed estates to be indefinitely held in mortmain in the North-West, or establish a reasonable period of time within which such landed endowment shall be converted into money or good securities, and that stagnation which results from holding a quantity of land in mortmain be at least mitigated, if not entirely prevented?

Bill reported.

#### INCORPORATION OF THE OBLATS FATHERS.

Mr. ROYAL moved that the House resolve itself into Committee of the Whole on Bill (No. 19) to incorporate “Les Révérends Pères Oblats de Marie Immaculée des Territoires du Nord-Ouest.”

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. BLAKE. I make the same observations in reference to this Bill that I did in reference to the other. I intend to move a similar amendment in reference to this.

Bill reported.

#### CHIGNECTO MARINE TRANSPORT RAILWAY COMPANY.

Mr. CAMERON (Victoria), in moving the second reading of Bill (No. 51) to amend the Act to incorporate the Chignecto Marine Transport Railway Company (limited), said: The hon. member for West Durham, the other evening, when this Bill was up for the second reading, made some objections in reference to it. I have since looked into the matter, and I learn that the alterations proposed by this Bill are necessary to carry out the work, and do not in any way interfere with the Government subsidy which is conditional on the completion of the work; and the hon. Minister of Railways has, I understand, no objections to the Bill.

Bill read the second time.

#### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 53) to declare the meaning and effect of certain provisions of the Act to incorporate the Lon-

don and Ontario Investment Company (limited.)—(Mr. Hay.)

Bill (No. 76) to amend the Act intituled: An Act to incorporate the Northern, North-Western and Sault Ste. Marie Railway Company, and to change the name of the said Company to the Northern and Pacific Junction Railway Company.—(Mr. McCarthy.)

Bill (No. 79) to incorporate the Davis and Lawrence Manufacturing Company.—(Mr. Curran.)

Bill (No. 80) to amend the Act incorporating the Great Eastern Railway Company.—(Mr. Massue.)

#### SALE OF INTOXICATING LIQUORS.

Mr. BLAKE. When the House rose at six o'clock, I was saying that the Select Committee now proposed was not warranted, as I judged, by precedent in several respects. The hon. gentleman pointed out the necessity of a Select Committee of members, because, he said, the laws of the different Provinces in this particular respect differ somewhat, and it was well to collate them. The hon. gentleman himself has had to deal on former occasions with the varying laws of the Provinces when he thought Dominion legislation was necessary—not the laws as to one particular matter, not the laws as to one small subject heretofore supposed to be of Local legislation, not the laws as to one isolated question upon which there had been legislation in the various Provinces—but to take the whole body of the Criminal Law as it stood in the four Provinces of which Confederation was formed—or three Provinces, because, of course, the old Province of Canada had its own Criminal Law. The hon. gentleman did not propose to us a Select Committee to discharge the duty of investigating into the various Provincial laws upon crimes, seeing what their customs were, seeing what the mode was in which they had dealt with various crimes, and so avoiding the necessary preliminary steps to Parliamentary action through the medium of a Select Committee of members of Parliament. He took other steps. He took steps analogous to those which I referred to in the earlier part of this discussion. He secured the attention of his deputies, and, I believe, another learned person—I think the Law Clerk—and they looked into the Criminal Laws of the various Provinces, and brought down an amended Statute upon the Criminal Law, assimilating them and making them such as the hon. gentleman thought they ought to be, and as he proposed on behalf of the Government that Parliament should agree they should be. But now, Sir, having dealt with that subject without a Select Committee, having been able to inform his mind and the minds of his colleagues as to what all the Criminal Laws of all the Provinces are, some sudden paralysis has seized the Government, which prevents them from enquiring and ascertaining for themselves what the Provincial Laws are upon this single isolated question the License Laws. But, Sir, it is not to find the facts, it is to legislate. The paragraph which has been read, and which is referred to us, declares that legislation is necessary; and that the Government is committed; and it sends that declared necessity to a Committee with instructions to do what is necessary, and to report—by Bill or otherwise—in some way what that necessary legislation is to be. It is, therefore, a Select Committee to decide what the legislation upon this subject ought to be. There is, then, to my mind, another breach of our well understood constitutional principles in avoiding the proper share of Ministerial responsibility in the proposal to send the subject to a Select Committee to be chosen in this House, to submit to them the duty of framing a measure which ought to be brought in here by the Government on its own responsibility, and dealt with as a Government Bill. There is another point on which a Committee is wrong, and it is one to which I have already alluded. I have pointed out that they

must necessarily enquire into the meaning of our Constitution, and the proper course to be taken with reference to our Constitution. It is contrary to precedent—unconstitutional in the sense in which we sometimes use that term—to send an enquiry as to the basis and meaning of our Constitution, and the policy we ought to adopt on a constitutional question, to be disposed of by a Select Committee, instead of upon the floor of this House. Nor is the excuse of an open question a valid one. The Government does not treat this as an open question. They declare that they are agreed that legislation is necessary; they declare that they alone have the power. I have shown that they have given different indications at different times that they are framing a measure, and have given some indications as to what the leading features of that measure shall be, therefore, there is no excuse of that kind possible, nor even advanced. Now, Sir, this question is one of a character not new to this House. We know very well that while my hon. friend from East York was in power, the hon. gentlemen now in power, and then in Opposition, were extremely anxious that the temperance question should be dealt with. Time after time they called for the temperance question to be dealt with. Did they propose a Select Committee to be struck to lay out the bases of a measure—to decide which were the different laws in the different Provinces affecting liquor legislation, and to frame a Bill for a resolution? Did they then think what was the true relation of this House to the Executive, and of the Executive to this House, on a subject like this? Not so, Sir. I have here the record of what their views were. I have here the recorded motion, which, in the year 1877, was moved by them from this side of the House, by the present Senator Schultz, and it was this:

"That in the opinion of this House a prohibitory liquor law is the only effective remedy for the evil of intemperance, and that it is the duty of the Government to submit such a measure at the earliest moment practicable."

Then they came forward boldly—even when in Opposition—not having any Ministerial responsibility. They had no doubt at all of where the responsibility for legislation rested; they had no proposal to refer it to a Select Committee, struck from both sides of the House, to point out what all the Provincial Laws were and what the Dominion legislation should be. Oh, no! Their motions were clear, and precise, and positive, and they laid it down as axiomatic, that it was the duty of the Government, at the earliest possible moment, to bring in a measure; and when an amendment was moved by the hon. member for West Middlesex, who pointed out that the time was not ripe, and that the true interest of the cause would not be advanced by legislation at that time, they pooh-pooed the amendment, they said it was a sham, that he was playing into the hands of the Government to relieve them from a difficulty, and they voted it down like men, determined, as they were, to insist that this question should be dealt with then and not later, and dealt with by the Government upon the responsibility of the Government by themselves introducing a measure. Well, the hon. member for East York (Mr. Mackenzie) thought the time was not ripe for the introduction of a measure, but in the following year he thought the time was ripe. Did he then, as the head of the Government, propose that a Select Committee should be struck from both sides to find out what the Provincial Laws were on the subject, and evolve from their collective wisdom a measure which might be submitted to Parliament, made up of hodge-podge, of notions taken some from one man, some from another, and for which no member and no Government was responsible? Not so. He introduced into the Speech from the Throne the statement that a measure was necessary; and the right hon. gentleman in replying during the debate on the Address, spoke thus, with respect to the clauses:

"Another clause states that it is very desirable there should be uniform legislation in all the Provinces respecting the traffic in spirituous

liquors. I am very glad the Government is going to bring the subject up before the House. It is a subject of the utmost importance, and should be treated with due consideration of all the difficulties which surround the question. I hope the hon. the Premier will overcome all these difficulties, and I hope that he will not be deterred from carrying out any views on the subject at which he may arrive, by the hon. member for West Middlesex (Mr. Ross). I hope that the hon. the Premier will have the opportunity now, and will embrace the opportunity now—he has embraced the opportunity, but I hope he will see it carried out, and that he will not allow the hon. member for West Middlesex, as he has been doing for the last two Sessions whenever any attempt has been made to deal with the question, to set it aside by a motion. I hope the hon. the Premier has taken this opportunity to free himself from the trammels of his followers, and will press for a total abolition, which was always his first love, and to which he recently told the people he was strongly attached himself."

My hon. friend did not propose that this House should relegate the subject to a Select Committee, but he caused a Bill to be brought in in the other branch of the Legislature on the responsibility of the Government. It was carried through that House, and through this House, and it was thus that it became the law of the land. Amendments have been required to that Act since. As in most great Statutes, difficulties unforeseen by the House and the draughtsmen have arisen, and the necessary amendments have not been obtained. Why? Because the hon. gentleman, the First Minister, has not dealt with the question on the same principle as did my hon. friend, because the Government have not insisted on taking control of the amendment, and doing what was necessary to perfect the law, and with the force and strength of the Government controlling their followers to such an extent as to render possible the adoption of amendments to those parts of the measure which were defective. And even to-day I observe the temperance organizations are calling upon the Government to introduce amendatory legislation to the Scott Act, that they have presented the case to the hon. gentleman, and he has it now, where the Government have so many things "under consideration." The temperance organizations know—and I would impress it on all true friends of temperance in this House, on whichever side they sit—that the only effective way in which the necessary amendments will be made to the Act is by the course they have pursued, to call on the Government to undertake, on their own responsibility, to bring in the necessary legislation and press it with all the force, power and influence at their command. They have invited the Government to take that course and assume that responsibility; but in that respect the hon. gentleman has not yet decided to assume any responsibility, and on this—respecting which he rose to a position of assuming responsibility, and arrogated to himself and the Government power some time ago—he now proposes to evade, so far as to shirk Ministerial responsibility and try to have a measure cooked up by a Select Committee in a small room in the building; and if it should prove good, it would be claimed as the hon. gentleman's measure, and if objectionable, as a measure which the Opposition had much more to do with than the Government. I condemn that course of procedure as wholly unconstitutional. That term in our Parliamentary practice has two meanings. I have been using it in one of them already. We have a Constitution partly written and partly unwritten. When speaking of our written Constitution we use the term "unconstitutional," as expressly suggesting that the subject is beyond our legislative power, outside our constitutional right as written down in the bond, as named in the instrument, and as something which we cannot do if we would. But there is a part, and a large part of the Constitution which is unwritten, that part which regulates the responsibilities and relations of Parliament to the Executive, of Parliament to the Ministers, and of the Ministers to the Crown; and it is the few words which refer us to the principles of the British Constitution, or the practice based upon them, which govern and control us with respect to that very large and important part of our Con-

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stitution. When we deal with the word "unconstitutional" in this sense, it is, of course, doubly important to look at the practice and the precedents. It is said by a high legal authority that custom is the very best interpreter of the law, even of the written law; but in a law like this, to which we are now appealing, our unwritten constitution, precedent is of double consequence, because it is not merely the interpreter of the law, it is the law itself. The law is made up of custom and precedent. I have no doubt there is convenience and inconvenience attributable to such a Constitution: The convenience of elasticity and development, the inconvenience of vagueness and uncertainty, and of your being obliged to grope sometimes in order to find what the true principle is; and you find it, not from an authoritative assertion based on a Statute or written paper, but from the mine of precedent and wisdom in which you dig in order to ascertain the truth. Now custom is, as I have said, the best interpreter of the law, and if you find that we have been carrying on business here for some fifteen or sixteen years, we have been holding our annual Sessions of Parliament during that time, that it was our annual business to legislate upon subjects of all description, and that we have a custom, practice and rules of our own, I say that is very good light as to what our constitutional rule is. What inference do I draw from our practice? The inference I draw—from the fact that what is now proposed has not hitherto been perpetrated during the fifteen or sixteen Sessions of the Canadian Parliament—is that it is unprecedented; it is certainly new, and requires explanation, defence and vindication, before we should be called upon to adopt it. A Ministerial measure, declared by the hon. Ministers themselves to be necessary, has up to this time been brought forward by hon. Ministers on their responsibility, either by resolution or Bill, as the nature of the subject required; but it has not been customary to refer to a Select Committee, struck from both sides of the House, a Ministerial measure. If, Sir, desuetude in constitutional practice abrogates—as unquestionably it does—that which at an earlier period of our Parliamentary history was a living and vital principle, and freely exercised, surely still greater weight should be attached to the utter absence of precedent or authority for the step proposed. We know what happened in reference to the veto power in England, where, no law has been passed in that country by the three estates of the realm, depriving the Crown of the power to negative Acts of Parliament, the utter absence of the use of this power has for a long time prevented the assertion of that right; and high constitutional authorities hold that it has fallen into such desuetude in the practice of the Constitution, that not only in an ordinary case, nothing could warrant the revival of the pretension, but that if an Act was passed to cut off the Queen's head, she would be bound to sign it. If such be the case then, what shall be said of this step for which there is an utter absence of precedent? And if we turn to that Assembly, from which we derive our inspiration upon these subjects, and where we observe the growth and development of constitutional principles and practice, in modern as well as in ancient days, you will find it, on the authority of eminent men, I think, conclusively proved, that to proceed by resolution in such a case as this, is adverse to the principles of the Constitution, and wholly without precedent. I will refer to an attempt made in the Imperial Parliament in connection with the Reform Bill resolution in 1867, which was proposed by the Government of Lord Derby, Mr. Disraeli leading at the time the House of Commons. That proposition was, however, one which was not so objectionable as this, because it was proposed that the House should go into Committee to consider certain vague and abstract resolutions purposely so drawn that the Government could not be committed to any

particular proposition; and with the avowed object of the Government ascertaining from the Committee of the Whole what sort of a measure the House would approve of. There was no proposition to refer the question to a Select Committee, but it was proposed to refer it to the whole body of the House. Now, Mr. Disraeli, when he made that proposal, felt that it was a proposal that required a special justification. He felt that it was a proposal which, upon the face of it, abnegated Ministerial responsibility, contrary to all constitutional custom, and was not defensive unless peculiar circumstances should be shown which would warrant it, and he endeavored to show that such circumstances existed. I appeal to that high constitutional authority therefore, although in this particular case he was proposing what I believe to be a violation of the Constitution. Mr. Disraeli referred to the language of the Speech in which, in somewhat unusual terms, Her Majesty was advised to express the hope that the deliberations of Parliament would be conducted in a spirit of moderation and of mutual forbearance, which might lead to the adoption of a certain measure. Mr. Disraeli proceeds:

"Sir, the meaning that they attribute to those words is that, under the circumstances in which the House finds itself, it was in our opinion expedient that Parliamentary reform should no longer be a question which should decide the fate of Ministries. Sir, we have arrived at that conclusion with the conviction that it is one consistent with our duty and our honor as public men, and we hope that the House of Commons, notwithstanding that expression of opinion from a very limited quarter, after due consideration, will also be of opinion that such a course is compatible on their part with all those principles and all those sentiments that ought to influence public men. And, Sir, we have arrived at that conclusion, that it is not for the advantage of the country that Parliamentary reform should be a question that should decide the fate of a Ministry, that it should not be what is commonly called a party question, for this simple but to us irresistible reason, that all parties in the State have attempted to deal with it, and all parties in the State have failed. In 1852 there was a pure Whig Government, headed by Lord John Russell, which dealt with this subject and failed. In the year 1854 there was a Coalition Government, headed by the Earl of Aberdeen, which attempted to deal with this question and failed. In the year 1859 there was a Conservative Government, headed by the Earl of Derby, which attempted to deal with this question and failed. In the year 1860 there was a moderate Liberal Government, headed by Lord Palmerston, which attempted to deal with this question and failed. In the year 1866 there was a Government which I will not, notwithstanding the present rage for analysis, describe as an immoderate Liberal Government—headed again by Earl Russell—which attempted to deal with this question and failed."

One other reason which Mr. Disraeli gave for adopting the proposal—for he was unsuccessful in procuring the adoption of this exceptional course—was this:

"The origin of Parliamentary reform as a question in the House of Commons must be found in the conduct of individuals—of independent members of this House. This, therefore, is a House of Commons question: it is not a party question. And it is remarkable that the House of Commons, having been the originators of the disturbance of the settlement of 1832, have defeated every attempt that has been made by organized parties, by responsible bodies of men, and by leaders of political connections, to effect a settlement of a question which was then unsettled."

Once again, he says:

"It does seem to us that this is, from the causes that I have recapitulated, one of those cases—of great difficulty, no doubt, and surrounded by circumstances of exigency which cannot be denied—which have been contemplated by the wisdom of our Parliamentary practice; and that we are pursuing only a constitutional course when we presume to recommend to the House that before we introduce a Bill we may be permitted, upon its main principles, and upon other points of great and paramount importance, to ask the opinion of the House, and see whether they will sanction the course which we recommend. That, Sir, is a course which we believe to be, under the circumstances, strictly constitutional. It is a course which we believe ought not to be resorted to, unless the circumstances are circumstances of exigency."

Once again, speaking of this same constitutional objection, the same eminent man says:

"Sir, I will not notice the first and sovereign objection which may be urged, under ordinary circumstances, to a proposition of proceeding by way of resolution in this House; because, if the circumstances to which I have now fully adverted, if the relations of the House to this subject of Parliamentary reform, if the necessity of bringing this question to a settlement, are not sufficient, I have no arguments to

urge. But there are other objections to that course which have been offered, and on which for a moment I will dwell."

Sovereign objections he calls them. Then he goes on to say:

"It is said that there are disadvantages in proceeding by way of resolution, independent of the great constitutional objection which nothing but exigency could override.

Now, Sir, I think I have established very plainly, by these citations, that Mr. Disraeli—when he thought it his duty to propose on behalf of the Ministry that the House of Commons should deal with resolutions, to which the Government did not commit itself, and should evolve from its own operation a measure, which they might assent to, but for which they would have no Ministerial responsibility. Mr. Disraeli conceded that that was a proposition to which there were sovereign objections, which he was obliged to defend by providing some special and peculiar circumstances which warranted, in his opinion, a departure from the ordinary constitutional course. How was he met, Sir? He was met by observations which it seems to me place this matter in a proper point of view—observations so cogent that they were irresistible—observations so cogent that the Government found itself obliged to abandon its plan and proceed in the ordinary way by the introduction of a Bill. Mr. Lowe, the present Lord Sherbrook, said:

"Surely if Governments with majorities, and Governments with minorities, have alike tried and have alike failed, the House ought not therefore to relax the Parliamentary safeguard it possesses—the power of holding the Ministry responsible for failure, the proper check on rash and ill-considered undertakings. If men undertake such a task, who have not the strength or the union to carry it through, I think we should not unduly endeavor to discourage them; but I can imagine nothing more unreasonable, in a matter of such grave importance, than to relax those safeguards which are of the highest possible value to us and to our posterity, relating to a question which ought to be entered on with the greatest deliberation, and with all the calmness, wisdom, experience, and moderation that can be given to it."

He goes on to say, in another passage:

"Look at the constitutional relation existing between the House and the Executive Government. It was only the happy obstinacy of William III, which prevented the Executive Government from being altogether excluded from the House; but on the terms upon which it has remained its presence has been most beneficial: it has received support from us, and we from it. What was the condition upon which the Executive remained? On the condition in which alone he could remain consistently with its duty. It was that the Members of the Government should be as responsible for its acts as if they had not seats in the House; that their duties should not be absorbed in their duties as Members of Parliament; that they should owe one duty to Parliament as Members of the House, and another duty to it as Members of the Executive Government; that while the Parliament on the one hand has the power directly or indirectly to make or unmake the Government, on the other hand it should not use its power in order to coerce its liberty. If the Government is to continue responsible, it must continue free. What is it that the right hon. gentleman now proposes? With 'candied courtesy' he addressed the House in language which, as the 658th part of it, I was a little ashamed to hear, and he said—'If the House will only take us into its counsels and co-operate with us in this measure, we shall receive with cordiality, with deference, nay, with gratitude, any suggestions you like. In other words, the right hon. gentleman said: 'Say what you like, do what you like, but for God's sake leave us our places.' I think that, pathetic as may be the tones of the entreaty, the supplication addressed to the House by the right hon. gentleman ought not to be granted. I think we ought to hold the Government to that responsibility which all Governments undertake who bring in great measures of organic change in the Constitution. The right hon. gentleman proposes that we should go into Committee with the distinct understanding that the Government should not be responsible for anything which is to be proposed; but that every man should be left to move any amendment without the hand of his party leader upon him to restrain him, and that we should put the Constitution into a kind of alembic, and take the chance of what comes out of it. I say, Sir, that that is a wild, dangerous and unconstitutional course. It puts me in mind of what happened to the children of Israel when they were desired to throw all their gold, jewellery and ornaments into the fire. Then came out what? A calf."

Then, Sir, Mr. John Bright in the same discussion used these words:

"I say, therefore, with the right hon. gentleman below me, to go into a discussion on the resolutions is merely a waste of time. But to go into a discussion of them with a view of treating them as we were invited to treat them a fortnight ago would be much more than a waste of time, for it would be to throw this question of reform, which, after all, is a

question of some seriousness, into a Parliamentary chaos, and at the same time it would depreciate, to an immeasurable degree, the character and the power in future time of the Executive Government in this House. The right hon. gentlemen a fortnight ago flattered us by telling us how superior we are to certain legislative assemblies in other countries, and he referred, amongst others, to the one which sits at Washington. Now, I undertake to say that there has been no proposal made to this House, during the four-and-twenty years I have been here, which has tended so much to Americanise the House of Commons—the chief legislative assembly of this country—as the proposal which the Government has made to-night. What takes place at Washington? Mr. Seward, Mr. Stanton and other eminent men, heads of departments under the President, do not make their appearance in the House of Representatives, or even in the Senate. These two assemblies discuss any measures they like; they pass any measures they like, and it is not necessary that they should consult the President or his Ministers. So here. Ministers are to sit on that Bench, and, as a newspaper which has lately been doing its best to lash the colleagues of the right hon. gentleman into some obedience to his views, says, the right hon. gentleman is to stand at the counter in a decorous garb, as if he were in Swan and Edgar's, and ask whether there is 'anything more, gentlemen, you would like?' I say, then, that the advice of the right hon. gentleman the Member for Calne ought to be taken. The Government should withdraw these resolutions, which will serve only to waste our time and to embarrass the question; and then they ought to bring in a distinct and definite Bill this day week, and submit it, manfully, to discussion and the decision of Parliament, as was done, by the right hon. gentleman who sits on these Benches, last year.

Then, Sir, there is a case in which there was a Committee moved—a case in 1869—in which the Crown recommended that the House of Commons should enquire into the present mode of conducting Parliamentary and municipal elections, and should consider "whether it may be possible to provide any further guarantees for their tranquility, purity and freedom." The House of Commons assented to that proposition, and it was proposed to be carried out by striking a Committee. It is obvious from a perusal of the debate that there was a vast mass of facts to be enquired into, obtainable only by the calling of witnesses and the ascertaining of how the Election Laws, Parliamentary and Municipal, practically worked. There were the great questions of intimidation, of the freedom of the vote, and numerous other questions; and underlying all, as was made evident, there was the question of whether the ballot was, or was not, to be the proper remedy. In the course of the debate, Mr. Gladstone, the First Minister, spoke and declared that that was the general question, and that upon that question all the Liberal Ministries, with which he had been connected, and the then Ministry, were divided, that it was an open question, and that the Ministry did not propose to take Ministerial responsibility with reference to that matter. This was a Committee, whose main function was to enquire; and ultimately the Bill which was introduced, was introduced in a subsequent year upon the responsibility of the Government as a Government measure, and in accordance with many of the views which had previously been promulgated. I call particular attention to an instructive debate which took place in the following year under the rule of the same Ministry, upon a motion of a Select Committee with reference to the condition of the County of Westmeath, and parts of two counties in Ireland. Lord Hartington, who was then, I think, Irish Secretary, moved:

"That a Select Committee be appointed to enquire into the state of Westmeath and certain parts adjoining, of Meath and King's county, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same."

I ask the House to note these last few words—not merely to enquire into the confederacy and the condition of the country, but also the best means of suppressing that unlawful confederacy. It is perfectly obvious, from Lord Hartington's speech, that before he was able to make the motion of which he had given notice, exception must have been taken in some quarters to these final words; for, in his opening speech, he says:

"I repeat that, in asking the House for a Committee to enquire into the facts, we have no desire to ask the Committee to suggest a remedy."

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Upon the facts so established, as I believe they would be before a Committee, the Government will be prepared, as I said before, to legislate."

Again he says:

"I do not think it the least desirable that the witnesses should be precluded from giving their opinion on this subject. But I am quite aware that those words have been misunderstood and misapprehended. I am quite aware they have been misunderstood as meaning that we have asked the Committee not only to enter into an examination of the facts, but to provide a remedy. I am glad to state that that is not the meaning of the Government, and rather than that any false impression of the sort should exist, I will willingly consent either to alter the words referred to, or to omit them altogether, providing always it be understood that the witnesses shall not thereby be precluded from expressing an opinion as to the remedy they would suggest."

Now, Sir, you will notice that—in so far as this was an enquiry into facts, which Lord Hartington proved conclusively they could not obtain except by Parliamentary powers, and which other Ministers showed they wanted to prosecute under Parliamentary sanction, and with the Irish members representing the popular party in Ireland upon the Committee—the Ministry coupled with the motion for that enquiry a proposal to relegate it to that Committee to suggest a remedy. I have shown that Lord Hartington at once disclaimed that intention, and pointed out that it was the duty of the Executive to propose the remedy upon its own responsibility. Mr. Disraeli spoke, and he thought there was no need for a Committee. He did not foresee, of course, that in this country, some years later, it would be necessary for a Select Committee to be appointed to pick up half a dozen Statutes and put them together, and he did not see that there was any reason for a Select Committee to enquire into this secret confederacy, because he said the Ministry themselves were the Committee; and then he went on to say:

"I would impress on the House the inexpediency of assenting to a Committee which is to relieve the Government from their responsibility as an Executive \* \* \* The evil is intolerable and ought to be put down, and we are prepared to support Her Majesty's Government if, in the exercise of their constitutional functions, they come forward and propose a measure, instead of asking the House of Commons to enter upon an enquiry into the matter. The matter is urgent, and the business of a Committee is necessarily always long. A Committee—to do what—to examine officers of the Government, to examine magistrates, to call for information from a miscellaneous multitude of witnesses? Why, a Committee of enquiry for such purposes is always in existence. It is the Cabinet of the Queen. They have the best information, and they are selected men, who are supposed to be most competent to decide on that information; and on the results of their deliberations and on their convictions they ought to introduce a measure, and not move for a Committee, when the state of an Irish county is intolerable. The right hon. gentleman, after all his heroic exploits, and at the head of his great majority, is making Government ridiculous. If he persists in this absurd suggestion I shall leave it to fortune to decide what may be its results. If he will bring forward a measure—an adequate measure—a measure which will meet the evil, he will be supported."

Well, Sir, many eminent men took part in that debate. I do not propose to trouble the House with reading from several other speeches which deserve to be read, but I hope they will be read before this debate closes. Mr. Gladstone's speech, however, is worth reading. He says:

"The right hon. gentleman opposite has asked—What is the Committee to do? If the words in which we have framed our motion are justly open to censure or criticism, I admit that we might have indicated more clearly and distinctly the purposes to which the attention of the Committee would be directed. As to the question—What is the Committee to do? I will answer that question in two words—because I want to draw a broad distinction between the collection and elucidation of facts, and the responsible duty of making recommendations founded on those facts. In the collection and elucidation of facts we have exhausted the means properly in our hands as an Executive Government; and we believe we might obtain valuable aid from the House of Commons; and we think that the House of Commons, through the Irish representatives, will prove a salutary check on our proceedings. We think that the powers which this House possesses can be exercised in a perfectly salutary way as a check on our proceedings, by testing and scrutinizing our facts, and it is for this reason that we ask for the assistance of a Committee."

Well, Mr. Speaker, the previous question was proposed, which prevented any amendment to the motion such as the

Government had indicated their readiness to accept; and before the previous question was put, Mr. Disraeli said:

"If we vote for the motion of the noble Lord, we shall, in fact, come to a vote which transfers the duties of the Executive to the House of Commons. Therefore, I must say, I cannot support the motion."

Well, the previous question met its fate, and the motion was carried by a large majority in its original words. But Mr. Gladstone was determined that the precedent should not stand in that shape, and a few days afterwards he used this language:

"I beg to give notice of my intention to do what I think will be agreeable to the House—that is, to fulfil an implied obligation which Her Majesty's Government undertook in the course of the debate upon the appointment of a Committee to enquire into the state of Westmeath. My noble friend the Chief Secretary for Ireland intimated—and I supported him in the intimation—that it would be perfectly agreeable to us to alter the terms of the motion by omitting the closing words, which were considered to bear the interpretation that we desired to diminish the responsibility of the Government in regard to the enquiry—an interpretation we never intended them to bear."

And he proceeded to move the discharge of the order, and it was discharged; and he forthwith moved a new order for the appointment of a Select Committee to enquire, merely omitting the words with reference to the suggestion of a remedy; and the restricted order was carried. Now, I say it is impossible to conceive a Parliamentary precedent which more clearly proves, from the concurrence of authority from the great constitutional leaders on both sides of the House, where the great line of demarcation is. A Select Committee, under certain circumstances—although Mr. Disraeli would not admit that those were appropriate circumstances—may be useful to get at facts which the Cabinet or the Queen cannot obtain; but the responsibility of providing a remedy is to be devolved, not on any Select Committee, but on the Government; and you find a powerful Government, as Mr. Gladstone's was, with a majority exceeding one hundred at that time, yielding to that assault, and formally receding from the position it assumed, discharging the order, and substituting a correct order—nobly doing so, and placing the relations of the House and the Executive upon a correct footing. There was a subsequent case, in which observations valuable and important are to be found with reference to the diplomatic relations with Persia; but I hope some other hon. gentleman will present them to the House. I desire to allude to another case, the case of the proposed Select Committee on the Irish Parliament as late as 1877, in which Mr. Shaw made his well known motion, and in which you find two leading members of the House—Mr. Forster, then in Opposition, but a leading member of the Liberal party, and Sir Michael Hicks-Beach, a member of the Conservative Government—both speaking and declining the reference to a Select Committee of a question of that description upon two grounds; first, that it was not a fit question to be referred to a Select Committee, the proper place to debate it being in full Parliament, and secondly that the Government was not prepared to yield to the recommendations of any Committee, but would act on its own responsibility. Mr. Forster says:

"It was always a plausible mode of proceeding to ask for a Committee of enquiry, especially on a matter of deep interest; but it must be recollected that there was a great difference between subjects that were fit to be discussed in that House and those which were fit to be sent upstairs. In that House they could best discuss great principles, and when it was resolved to adopt any of those principles, then the matter was sent upstairs in order that the details of the scheme for carrying them into effect might be settled. The hon. member for Cork had himself stated that one of his reasons for bringing this question before the House year after year was, that it was as well that the House should have an opportunity from time to time of reconsidering the great principles that lay at the foundation of our Government. The hon. member might be fully justified in taking that course; but these great principles which he wished to have reconsidered ought to be discussed in full debate in that House, and not sent upstairs before a Committee. Questions were not sent upstairs before a Committee unless they were open, and he maintained that at present—and he doubted if it would ever be different—Home Rule was not an open question."

Sir Michael Hicks-Beach said:

"The Government were not prepared to abide by the decision in this question, if it should chance to be in favor of the honorable and learned member who has just sat down; and they could not admit the propriety of an enquiry by a Committee of the House into the Constitution of the United Kingdom."

I think these precedents show what our own uniform practice has established, that there is a proper mode for the Government of presenting to this House its views upon those great and important subjects upon which it deems legislative Acts to be necessary. The Government has declared that legislative action is necessary in this matter, and if the Speech from the Throne be true there can be no doubt of that necessity, for they have declared that if we could avoid the unrestricted and unregulated sale of intoxicating liquors all over this Dominion, we must legislate. They have come to that conclusion. Their responsibility then begins—the responsibility of proposing to this House the legislation which they deem to be best fitted to grapple with that evil, to meet that difficulty, to avert that injury to the public. And they may find difficulty in the case, they may find difficulties within their own ranks owing to those dissensions to which I have referred, as to where the jurisdiction is; they may find difficulty owing to the well known views of many of their followers on this subject, owing to the declarations made by the First Minister in June, and subsequently in December, and the others to which I have referred. These are difficulties of their own making. They have turned this into a more difficult question than it was. But there remain these questions for consideration, to which I have imperfectly alluded—the question: what in truth and in fact is the meaning of our Constitution? the question: what our policy should be with regard to the Constitution after we have interpreted its meaning? If we determine that the Constitution is such that we are exclusively vested with the power of checking the sale of intoxicating drinks, and if we determine, as a matter of policy, that we will not proceed to procure the devolution of that power on these minor authorities, which have heretofore exercised it—and the Government has come to this conclusion—the persons who must decide what is the measure this House should adopt, who must frame that measure and introduce it and lay down the lines upon which it shall be passed, are the Government of the day. They have the power. They have the means of procuring the best information and advice, and they are paid to prepare these measures and bring them down. We are here in the sixth week of the Session, and they are not ready to tell us about it; they have no idea what sort of a measure is to be brought down; they cannot frame a measure—it passes their capacity. But they will take men out of the Chamber, who, in the intervals of their Parliamentary duties, which will be onerous enough we know during the remainder of the Session, from the idle time we have had for the past few weeks—to do their business for them, to do that which they had left undone, and relieve them from the responsibility of doing it. I do not believe that is the constitutional or a convenient view. I believe the ordinary constitutional course should be adopted by the Government of the day, which has asserted the necessity of legislation long ago. I believe the Government should bring down a measure carrying out their views on their own responsibility. For my part I do not consent that a question of this description shall be dealt with in this unprecedented fashion. I denounce it as an infringement, unknown here and practically unknown elsewhere, upon our constitutional mode of procedure—an infringement calculated to confuse the action of Parliament, calculated to be inconvenient and embarrassing calculated to relieve the Government of the day of a responsibility which it ought not to shuffle away from, and to impose upon others, independent members of Parliament, a responsibility which

should not properly devolve upon them; and I am opposed to this motion from the beginning to the end.

Mr. RYKERT. I have not had the advantage of hearing the earlier part of what the hon. gentleman said, but I have heard quite sufficient during the past few hours to satisfy myself that the House ought to vote in favor of the resolution of the right hon. the Premier. The hon. gentlemen on the other side seemed to think that the speech of the hon. member for West Durham is quite unanswerable. It is certainly rather refreshing to my mind to hear the hon. gentleman charge the Government with shirking a duty or a responsibility. He evidently has forgotten his own record during the last ten or twelve years, for no hon. gentleman in this House is more open to that charge than he. I have listened with a great deal of attention to discover whether or not the hon. gentleman had formed an opinion on this important question, since the time he first spoke upon it, in the debate on the Address. At that time the hon. gentleman claimed he was not in possession of the facts regarding the trial of the case of *Russell vs. The Queen*. He complained then that he had not an opportunity of seeing that judgment, and was, therefore, in doubt as regards the responsibility of this House to deal with this question. After the lapse of six weeks, after he has elaborately discussed the question with most of his followers, after searching the records of Parliament, and looking up his authorities on constitutional practice, the hon. gentleman is still in doubt and not prepared to express his opinion whether this House has the right or not to legislate upon this question. Sir, this House has no right to expect the hon. gentleman to express an opinion on a constitutional question. Upon no occasion has he dared in this Parliament or elsewhere to give his opinion on great constitutional questions, and we were right in expecting that upon a question like this he would shirk the point at issue as he has always done before. Now, what is the question before the House? His Excellency the Governor General was advised to insert in his Address the following paragraph:—

"I am advised that the judgment of the Lords of the Judicial Committee of the Privy Council, delivered last June, on the appeal of *Russell vs. The Queen*, goes to show, that in order to prevent the unrestrained sale of intoxicating liquors, and for that purpose to regulate the granting of shop, saloon and tavern licenses, legislation by the Dominion Parliament will be necessary. Your earnest consideration of this important subject is desired."

During the debate on the Address the right hon. leader of the Government gave his reasons for advising His Excellency to insert that paragraph in his Address. The hon. gentleman referred to that decision in *Russell vs. The Queen*, and said:

"It is quite clear to every lawyer and any man who is not a lawyer, who reads that judgment, will see that the very reasons on which the Privy Council decided that this Parliament had the right to deal with the *Scott Act*, are the reasons showing that the Provincial Legislature of Ontario had not a right to deal with that subject under the *Crooks' Act*, except as a matter of revenue for municipal or provincial purposes. The hon. gentleman says that he should have allowed the matter to stand over until it was finally decided. Sir, if there be any value in the decision, and there is every value in it, because it is the law of the land, there is no check at this moment in the Province of Ontario against the unlimited, unrestrained sale of intoxicating liquors."

Sir, that was a justification for the Government introducing that paragraph into the Address, and it justifies the Government in asking this House to approach the consideration of one of the greatest questions ever brought before this Legislature. The Government position is this: we are forced to this legislation; we are forced by the decision of the Privy Council, which declares that the Legislature of Ontario has no right to restrict the sale of intoxicating liquors, that, under section 92 of the *British North America Act*, they had no power whatever to pass any law. Therefore, the question remains, was it right or was it wrong to allow the general public to sell liquor just as they pleased? The Government has not approached this question with the desire

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to monopolize, or control, or centralize power, as these hon. gentlemen insinuate. That is the charge they have made against this Government, the charge they made during the late campaign, because they felt they had great power in their own hands and they knew right well that if this Government took that power to itself it would be turned against them on another occasion; and no doubt they were loath to see any Government of Conservative tendency having that power in its hands. Now this Government say: We do not want you to discuss the constitutional question, we do not ask you to decide that question at all; we simply ask you as a Committee to assimilate the several laws of the Provinces, and submit to this House some suggestion upon which a uniform law may be framed affecting all the Provinces. The hon. gentleman has quoted precedents against this. He says this is the first time in Canadian Parliamentary history where a Government has ignored its responsibility and thrown it upon the House. He has quoted English precedents to show that it is not right so to do, but the hon. gentleman has given himself and his cause entirely away. The greatest constitutional lawyers in England have declared, as read by the hon. gentleman himself, that there are occasions when great questions should be submitted to Parliamentary Committees.

Mr. BLAKE. Hear, hear.

Mr. RYKERT. I know the hon. gentleman is uneasy, he always gets uneasy. But although I may be subjecting myself to the hon. gentleman's ill-pleasure, I shall nevertheless endeavor to meet some of his arguments as briefly as I can. The hon. gentleman has said that this is a novel mode of disposing of this question. But as I have already pointed out, the English cases he cited do not sustain his view. Mr. Disraeli gave his opinion decidedly that a Parliamentary Committee was the proper place to discuss a certain great constitutional question, and although he was compelled in the end to withdraw that from the consideration of a Committee, it was done upon the ground that it was not a question of detail, but was a question of constitutional reform. Then, Sir, the hon. gentleman cites a case where Mr. Gladstone himself declares that there are occasions when the House shall place in the hands of a Committee the power of dealing with these questions. Now, all this Government has asked this House to do is to agree to a Committee, which shall have power to send for persons, papers and records, and report by Bill or otherwise. They do not ask this House to appoint a Committee to investigate the question of constitutional law. They do not ask this House to consider whether the license question may be dealt with by the Local Legislatures or by the Dominion Parliament. That is a foregone conclusion, and His Excellency says he is advised upon that question that the Provinces have no right to deal with the question; and therefore, this House being seized with the case, and being satisfied that the opinion of the hon. the First Minister is the true one, is asked only to assimilate the laws of the several Provinces and to see that an Act is placed on the Statute-book, which shall satisfy the several Provinces. Now, what is the answer to this? The hon. leader of the Opposition says that the case of *Russell vs. The Queen* decides nothing; he says that is still in doubt. I say, once more, that the hon. gentleman gives himself away by saying that the time may yet come when that decision may be adverse to the several Provinces holding that power, and confirmatory of the present decision, when all the facts are fully investigated. But the hon. gentleman, in order to avoid what appears to every sensible and right thinking man as the meaning of that judgment, says that they were not seized of the whole question—that the whole question was not discussed by the Judicial Committee of the Privy Council. Hence he concludes that there is a doubt as to the jurisdiction of this House to legislate upon this question. I say, if there be a

doubt as regards the right of either Legislature to pass that law, then let us remove that doubt. His argument amounts to this, that there is concurrent jurisdiction over this question by this Parliament and the Provincial Legislatures. Then, I say, why should this Legislature leave that doubt in existence, ignore its right and function, and refuse to discharge its duty to the general public by preventing the unrestricted sale of liquors? The hon. gentleman argues that the jurisdiction is still vested in the Local Legislature; but, as a constitutional lawyer, he dare not say that the case of *Russell vs. The Queen* is not law, that it does not decide the question as regards jurisdiction. The hon. gentleman entirely ignores that view of the matter, and shirks the responsibility of giving a constitutional opinion upon it. He says again, that the only excuse the Government has for introducing this measure is that the right hon. leader of the Government, some time ago, in a speech which he made in Yorkville, declared that he would legislate upon this question. Well, what better evidence does this country want of the great constitutional knowledge of the right hon. gentleman than the fact that he predicted, three weeks before the decision was given, that the jurisdiction lay alone in this Legislature; that the Local Legislatures had no control over that question. That shows his great constitutional knowledge and his opinion of what the law really was, because, a few weeks afterwards, we find the Privy Council endorsing his view. The question now is, has this Legislature jurisdiction or has it not? If it has, let us deal with the question and settle it for ever, and so prevent the unrestricted sale of intoxicating liquors. The hon. gentleman goes on to quote certain authorities in our own courts, to show that the case of *Russell vs. The Queen* is not the law of the land. The cases cited in Lower Canada have no bearing upon this question. The hon. gentleman admits himself that the constitutional question was not involved in these cases, therefore, the question at issue here was not decided by them. It is rather refreshing now to hear the hon. gentleman appeal to the courts. A few months ago the hon. gentlemen opposite did not care for the decision of the courts. A few weeks ago, in parading themselves before the country, they thought the opinion of the Judges was of no consequence. What cared they for the opinions of the Supreme Court, although it was constituted by themselves, and although the Judges were appointed by themselves? Although they were the highest judicial authorities, and their judgment was unanimous in the case of *McLaren vs. Caldwell*, yet hon. gentlemen opposite entirely ignored the right of the court to decide the question. We remember on another occasion the hon. gentleman would not appeal to the courts of the land on the question of the disallowance of the Streams Bill, but he would appeal to the high court of the people. He appealed to that court, and a verdict was rendered against hon. gentlemen opposite. But, says the hon. gentleman, we should not decide whether the Dominion is authorized to pass such legislation as is proposed, but we should refer the whole question to a judicial tribunal. Has the hon. gentleman elucidated the question at all, or thrown any light on it? He admits there is doubt, and that it may yet be decided that the view taken by the Government is the correct one. If that be so, let us settle the question and have no doubt respecting it. The hon. gentleman says they are not willing to take the *ipse dixit* of the leader of the Government. On this side of the House we are prepared to take the *ipse dixit* as he calls it. We are prepared on looking over the history of the leader of the Government on the constitutional questions raised during the last twenty-five years, and the opinions he expressed on them, and the manner in which he had been upheld on every occasion, and looking at the opinions given by the leader of the Opposition, which had not been sustained by the court, but, on the

contrary, had been disapproved by the highest authorities, we have a right to accept the opinion of the First Minister and take action in this matter. The hon. member for West Durham dare not give an opinion on this question. If the hon. gentleman had desired to approach the consideration of the question with honesty and sincerity, and with a desire to satisfy the people of the country, instead of delivering a partisan speech, instead of throwing what I may call dirt in the face of Ministers, and speaking about their incapacity in dealing with the question, instead of throwing out taunts regarding the position of the Conservative party—why did he not, as an honest man and a legislator, desirous of promoting the best interests of the country, give his opinion on this question? But we cannot expect such a statement from the hon. gentleman. Have we not on record the fact that the hon. gentleman, when in power in the Legislature of Ontario, led his majority to vote certain resolutions respecting the Nova Scotia subsidy. I am glad to say I was one of the twelve who voted against him. For his action on that occasion the hon. gentleman received a snub from the highest authorities of the land. The authorities in England told him to mind his own business, and this indeed has been the outcome of every constitutional opinion expressed by him. While the hon. gentleman opposes the appointment of the Committee proposed, he will not commit himself to the statement that the Government is wrong in the view it takes of the matter. He says there is doubt about it. He assumes the same rôle as he did when the Letellier question was discussed before the House. He sat dumb then, he would not say anything about it. Where was he last Session when the great question of the Boundary Award was discussed, when the greatest of all living questions in Ontario, as he calls it, that of territorial rights, was before Parliament? He sat there with his hat over his eyes and remained dumb; because he dare not express the opinion that the award was a legal award, in the face of his own speeches; and during the last campaign in Ontario he did not dare to take the stump, because he would have been met with his own speeches delivered in Parliament.

Mr. BLAKE. Hear, hear.

Mr. RYKERT. We do not hear from the hon. member when we want to do so. On questions of constitutional law we cannot obtain from him an opinion if it is opposed to his partisan view of the case. The hon. gentleman is not a safe guide to follow on questions of constitutional law, for he has shirked the responsibility of doing what he should have done as leader of a great party. The hon. gentleman, while admitting that the decision may ultimately be in favor of the view taken by the leader of the Government, proposes to the House to let the matter remain in this present unsettled state, until the whole subject can be brought before the Privy Council. I am glad to find the hon. gentleman is now willing to go to the courts, because he may instruct the Lilliputian Premier of Ontario to go to the courts for a settlement of the Boundary Award. The hon. gentleman has been pleased to talk about an attempt of the Government to seize power for partisan purposes. No person knows better than he does, the great benefit his party derived from the partisan conduct of the Ontario Government in connection with the licensing question. Look at the last Ontario Elections, and consider how many license inspectors were found running riot through the Province, and how many were candidates at those elections. In every direction the Local Government had increased its power, not in the interests of the public but in order to keep itself in power. Some of those officers I have mentioned were appointed returning officers. The hon. gentleman refers to what he calls the humiliation of the Conservative party, in abandoning its territorial rights, in ignoring the Boundary Award,

and in its conduct on the Streams Bill. On the majority of the questions the hon. gentleman was not ready to express an opinion. Upon the Streams Bill he held a fee and gave an opinion; but when the subject was discussed in Parliament, and the constitutional question was debated he entirely evaded the question and shirked it, as he does to-night this important question. I have already pointed out that in the discussion of the Boundary Award, the hon. gentleman would not venture to give the House his opinion but remained silent. The issue, in my opinion, is a very simple one. The Government declared that the decision referred to in the speech from the Throne is a plain and distinct one. In *Russell vs. The Queen* the question arose upon the construction of the 91st and 92nd sections of the British North American Act. The 91st section enacts:

"It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the Legislatures of the Provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in the Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated."

Then after the enumeration of twenty-nine classes of subjects, the section contains the following words:—

"And any matters coming within any of the classes of subjects enumerated in this section, shall not be deemed to come within the class of matters of a local or private nature, comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the Legislature of the Province."

It goes on to show that there were three classes of subjects in section twenty-nine, to which special reference was had in the argument, viz.:

"9. Shop, saloon, tavern, auctioneer and other licenses, in order to the raising of a revenue for Provincial, or municipal purposes.

"13. Property and civil rights in the Province.

"16. Generally all matters of a merely local or private nature in the Province."

Now, Sir, what does the court also say:

"With regard to the first of these classes, No. 9, it is to be observed that the power of granting licenses is not assigned to the Provincial Legislature for the purpose of regulating trade, but 'in order to the raising of a revenue for Provincial, local or municipal purposes.'"

Sir, I do not know where you could find clearer language than this, which is as clear as language can make it—that for purposes of raising revenue, they have power, but as to regulating trade they have no power:

"The Act in question is not a fiscal law; it is not a law for raising revenue; on the contrary, the effect of it may be to destroy or diminish revenue; indeed it was a main objection to the Act that in the city of Fredericton it did in point of fact diminish the sources of municipal revenue. It is evident, therefore, that the matter of the Act is not within the class of subject No. 9, and consequently that it could not have been passed by the Provincial Legislature by virtue of any authority conferred by it upon that sub-section.

"It appears that by Statutes of the Province of New Brunswick authority has been conferred upon the municipality of Fredericton to raise money for municipal purposes by granting licenses of the nature of those described in No. 9 of section 92, and that licenses granted to taverns for the sale of intoxicating liquors were a profitable source of revenue to the municipality. It was contended by the appellant's counsel, and it was their main argument on this part of the case, that the Temperance Act interfered prejudicially with the traffic from which this revenue was derived, and thus invaded a subject assigned exclusively to the Provincial Legislature. But, supposing the effect of the Act to be prejudicial to the revenue derived by the municipality from licenses, it does not follow that the Dominion Parliament might not pass it by virtue of its general authority to make laws for the peace, order, and good government of Canada."

Then at the bottom of page five we also find this:

"Next, their Lordships cannot think that the Temperance Act in question probably belongs to the class of subjects, 'Property and Civil Rights.' It has in its legal aspect an obvious and close similarity to laws which place restrictions on the sale or custody of poisonous drugs, or of dangerously explosive substances. These things, as well as intoxicating liquors, can of course, be held as property, but a law placing restriction on their sale, custody or removal, on the ground that the

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free sale or use of them is dangerous to public safety, and make it a criminal offence punishable by fine or imprisonment to violate these restrictions, cannot properly be deemed a law in relation to property in the sense in which those words are used in the 92nd section."

Sir, that language is plain; and the hon. gentleman cannot point out any portion of that decision, which is ambiguous. He refers to no part of the decision; but he arrogates to himself the right to say, that there is no doubt about it, there can be no doubt whatever about it. Now, Sir, what is the case to-day? The Government finds itself in this dilemma, and is bound to relieve itself of the responsibility and difficulty which exists, in some way, and with the view of promoting temperance, and a desire to see that the sale of intoxicating liquors is not left unrestricted, proposes this course. The Conservative party has always taken that view of the question, and during the last twenty years has favored the imposing of such restrictions on the sale of intoxicating liquors, as will prevent the deplorable state of things that has so often occurred in this country. Why, Sir, the hon. gentleman says: "What did the right hon. gentleman do some years ago with regard to this question when before Parliament?" But we, Sir, know this much—that for year after year the stock-in-trade of hon. gentlemen on the opposite side of the House, was the enactment of a prohibitory liquor law, upon every platform in the Province of Ontario, and in the Dominion, these gentlemen paraded their ideas as to the passage of a prohibitory liquor law, before the people, and said: "Place us in power and see what we will do; we will give you a prohibitory liquor law, if we get into power." And what was the result? Why, the member for East York said, when they attained power: "The time has not yet arrived. You must educate the people on that question. We must not force it summarily on them." They did have a law passed—the Scott Act—and what was the result? An enormous amount of litigation and law, with which the temperance men are not satisfied. It is neither the one thing or the other. If they had given the people what they wanted we would not have the Scott Act on the Statute-book. These hon. gentleman did not want to impose restrictions at all on the traffic; but the Government do not propose to do that. Sir, the hon. gentleman went on in a sort of badinage manner, to speak about the Conservative Convention which was held in the city of Toronto, and said it was simply the reflex of the opinion of the Government. We have heard a good deal about the abuse of the Grit Convention by the leading organ of the Conservative party; but, Sir, the hon. gentleman might have admitted what was the fact, that that Convention was simply called for the purpose of passing resolutions for Mr. Mowat; and I want no better authority, as to this fact, than the one which I have before me. There was at that Convention a certain delegate, who also is proprietor of, or writer for a very prominent paper in Winnipeg; and Sir, if these hon. gentlemen want an antidote to the poison, which they said the *Mail* had disseminated, we have it here in the copy of the *Daily Sun* of January 6th, 1883:

"The Liberal Convention has been held in Toronto, and is now a thing of the past. It has done what it was predicted to do, having simply passed a number of cut-and-dried resolutions, and paid its homage to Premier Mowat. But we see little use of these one-sided demonstrations; a Convention of thinking men, holding diverse opinions, called to compare notes and cross arguments, would have some sense in it, but a crowd of jumping-jacks moved by a string, does not impress one with the dignity and independence of human nature."

This is the character which we have of that Convention from one of themselves: that the members of it were a set of jumping jacks. However, that is a mere matter of taste. They know best themselves the character of the men who were there; although I am not disposed to underrate the integrity, ability or honesty of the men who attended that Convention, I merely point this out to show that while those hon. gentlemen try to make light of the resolutions

passed at the instance of the hon. gentleman, his own friends were of the opinion that the Convention consisted of a lot of jumping jacks. Now, Mr. Speaker, I have great pleasure in supporting the resolution of the right hon. gentleman. I support it because we find ourselves in an unfortunate dilemma. The law declares beyond all question, to any unprejudiced mind, that the jurisdiction as to the sale of intoxicating liquors is not in the hands of the Local Legislatures. Knowing this to be the case, as a man desirous of promoting temperance principles throughout the country, and of seeing these properly encouraged and developed throughout the land, I desire to see some legislation adopted, by means of which all doubt on this subject may be removed; and I believe that, whether the Bill is introduced by the Government itself, or by this Committee, we will obtain what we so much desire—a law placed on the Statute-book, which will prevent the wholesale sale of intoxicating liquors. This Committee, as I understand it, cannot be clothed with constitutional powers, but is simply intended to assimilate the laws of the different Provinces; if they accomplish that object, I think it will be a move in the right direction, and one which will be acceptable to the whole country.

Motion (Sir John A. Macdonald) agreed to on the following division:—

YEAS :  
Messieurs

Allison,	Dupont,	McDougald,
Baker (Missisquoi),	Farrow,	McGreevy,
Barnard,	Ferguson (Leeds & Gren)	McLelan,
Beaty,	Ferguson (Welland),	McNeil,
Bell,	Fortin,	Massue,
Benoit,	Foster,	Méthot,
Bergeron,	Fréchette,	Moffat,
Bergin,	Gagné,	Montplaisir,
Billy,	Giguault,	Orton,
Blanchet,	Girouard (Jac. Cartier),	Paint,
Blondeau,	Girouard (Kent),	Pinsonneault,
Bolduc,	Grandbois,	Pope,
Bossé,	Guilbault,	Richey,
Bourbeau,	Guillet,	Riopel,
Bowell,	Hackett,	Robertson (Hamilton),
Brecken,	Haggart,	Robertson (Hastings),
Bryson,	Hall,	Rykert,
Burnham,	Hawkins,	Shakespeare,
Burns,	Hay,	Small,
Cameron (Victoria),	Hesson,	Smyth,
Carling,	Hickey,	Sproule,
Caron,	Hilliard,	Tassé,
Cimon,	Homer,	Taylor,
Cochrane,	Hurteau,	Tilley,
Colby,	Ives,	Tupper (Pictou),
Costigan,	Jamieson,	Tyrwhitt,
Coughlin,	Kilvert,	Valin,
Coursol,	Kinney,	Vanasse,
Curran,	Kranz,	Wallace (Albert),
Cuthbert,	Langevin,	Wallace (York),
Daoust,	Lesage,	White (Cardwell),
Dawson,	Macdonald (Sir John),	White (Hastings),
Desaulniers,	McDonald (Cap Breton),	Wigle,
Dickinson,	Mackintosh,	Williams,
Dodd,	McMillan (Vaudreuil),	Wood (Westmoreland),
Dugas,	McCallum,	Woodworth,
Dundas,	McCarthy,	Wright.—111.

NAYS :  
Messieurs

Allen,	Fleming,	McMullen,
Armstrong,	Forbes,	Mulock,
Auger,	Geoffrion,	Pickard,
Bain,	Gillmor,	Platt,
Béchar,	Gunn,	Ray,
Bernier,	Harley,	Rinfret,
Blake,	Holton,	Ross (Lisgar),
Bourassa,	Innes,	Ross (Middlesex),
Burpee (St. John),	Irvine,	Scrifer,
Burpee (Sunbury),	Jackson,	Somerville (Brant),
Cameron (Huron),	Keffer,	Somerville (Bruce),
Campbell (Renfrew),	King,	Springer,
Casey,	Kirk,	Sutherland (Oxford),
Casgrain,	Landerkin,	Sutherland (Selkirk),
Catudal,	Laurier,	Thompson,
Chariton,	Lister,	Trow,
Cockburn,	Livingstone,	Watson,

Cook,  
Davies,  
Fairbank,  
Fisher,

McMillan (Huron),  
McOraney,  
McIntyre,  
McIsaac,

Weldon,  
Wells,  
Wheler,  
Wilson.—63.

Sir JOHN A. MACDONALD moved :

That the said paragraph be referred to a Select Committee of seventeen members, with power to send for persons, papers and records, and to report by Bill or otherwise, and that the said Committee be composed of Messrs. Blake, Ross (Middlesex), McCarthy, Cameron (North Victoria), Blanchet, Laurier, Desjardins, Casgrain, Hall, Foster (King's County, New Brunswick), Burpee (St. John), Richey, Robertson (Shelburne), Brecken, Royal, Baker (Victoria, B. C.), and the mover, and that the Rule as to limitation and selection of members be suspended.

Mr. BLAKE. I object to the motion as submitted by the mover, for the suspension of the 78th Rule of the House.

Mr. SPEAKER. The motion can be divided.

Mr. BLAKE. I do not think our Rules can be suspended by a bare majority of the House.

Sir JOHN A. MACDONALD. Yes they can.

Mr. BLAKE. Not at all.

Mr. SPEAKER. I think that as notice has been given it is within the power of the House to suspend or change the rule. If notice had not been given the Rule could not have been suspended.

Mr. BLAKE. Then you rule that a bare majority of the House can suspend the Rule.

Mr. SPEAKER. I know of no Rule by which more than a majority is required for the suspension of a Rule.

Mr. BLAKE. I object to serving on this Committee, on the Rule that no member can be nominated on a Committee who has declared himself against it.

Mr. SPEAKER. I do not think that an hon. member can object to any particular part of a resolution and not to the whole of it.

Mr. BLAKE. I object to it all from top to toe.

Mr. SPEAKER. One part of the resolution is with regard to preventing the unrestrained sale of intoxicating liquors, and the other is as to whether legislation by the Dominion Parliament will be necessary. That is for the Committee to determine. I think there is nothing which will prevent the House which made the Rule from suspending it by a majority.

Mr. BLAKE. I never heard before that a Standing Rule could be set aside except by consent. They can be altered only by the alteration of the Standing Rule.

Mr. SPEAKER. Not in case notice is given.

Mr. BLAKE. It must be a notice to alter the Standing Rule, and the Standing Rule must be altered.

Mr. SPEAKER. Notice may be given to suspend or alter a Rule for a particular occasion.

Mr. BLAKE. Then they can be altered for all time.

Mr. SPEAKER. I think notice having been given, it is for the House to say whether they shall suspend the Rule or not.

Mr. BLAKE. And I suppose you rule accordingly, and that the motion is in order, and that, notwithstanding my declaring myself against the motion, I am still obliged to serve.

Mr. SPEAKER. I do not think a member can absolve himself from serving on a Committee by declaring himself against any particular part of a motion.

Mr. BLAKE. I declare myself against the principle and substance of the matter to be committed.

Mr. SPEAKER. Of course if the hon. gentleman makes that declaration he need not serve.

Sir JOHN A. MACDONALD. Then if the hon. gentleman does not choose to serve, we can strike out his name and put on another.

Mr. BLAKE. Not at all. All of us agree to the same declaration, and we intend to abide by it.

Sir JOHN A. MACDONALD. I did not hear anyone object but the hon. gentleman.

Some hon. MEMBERS. We all object.

Sir JOHN A. MACDONALD. I think some of the hon. gentlemen who have just risen had better have waited until they were asked to serve.

Mr. MACKENZIE. Do I understand that the point of order has been decided?

Mr. SPEAKER. The Rule is decidedly that any hon. member who declares against the principle or substance of a Bill, resolution, or matter to be committed, cannot be nominated on a Committee.

Mr. MACKENZIE. Because I have a perfect recollection that when the hon. gentleman opposite, some years ago, moved for a Committee to consider the Insolvency Laws, he announced publicly that he would put my name on the Committee, only that he knew I was opposed to the Act.

Sir JOHN A. MACDONALD. Quite right.

Mr. MACKENZIE. On the same principle, every one on this side is opposed to the striking of the Committee for this purpose—that is the principal object, not the ulterior object—and the formation of the Committee *in toto*.

Mr. SPEAKER. It seems to me that the principle here is the prevention of the unrestrained sale of intoxicating liquor.

Mr. MACKENZIE. I think the principle involved is the formation of this Committee.

Mr. SPEAKER. I decide that the motion being for the suspension of the whole Rule the hon. member cannot raise the objection he has raised, and refuse to serve on the ground he has stated.

Mr. CASGRAIN. I made up my mind long ago to declare myself against the motion, for while I would be willing to help the Government on any measure of this kind, I shall not serve on the Committee unless I am forced to do so by the Rules of the House, because I am entirely opposed to referring this matter to a Committee. I am entirely opposed to the hon. gentleman's motion, and I do not want to serve on this Committee. It is very evident from the beginning that this motion is a sham motion. Not only does the hon. gentleman not want to take the responsibility of bringing this measure before the House, but he will not have it brought at all. We shall never see this measure this Session; the Committee will have the matter in hand for three or four or six weeks, and will not make a report. The hon. gentleman proposes to put upon the Journals of the House a bad precedent, which should not be there. (Translation). I said a minute ago, in English, that I considered the measure now proposed to us was altogether opposed to my own ideas, and that I can in no way accede to the principles involved therein. On the contrary, I am opposed in all possible ways to the subject matter as well as its form and all it contains. I do not want to render myself an accomplice of a precedent, of a snare, are prepared beforehand for my downfall, but which, thank God, I was fortunate enough to see before treading upon it. I said just now that I wanted to follow, without wavering, the maxim laid down by a Tory of the purest water, the very chief of Her Majesty's loyal Opposition in England, who refused to assume the responsibility of rendering the Government any service as a Government, but would let that Government bear the whole responsibility of their

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actions. It is for a similar reason that I this day enter my protest in the most formal manner against this mode of procedure. This procedure is such, Mr. Speaker; that I feel grieved to see it adopted by a man who has, for such a length of time, been actively engaged in politics. That hon. gentleman has occupied a seat in this House for nearly half a century, and I am induced to believe that as he grows older the strength of his youth is weakening, and he has not the same liberal tendencies as heretofore; on the contrary, the more he advances in years, the more his Conservative principles affirm themselves, and this, I believe, to the detriment of the best interests of the country. I forgot just now to read a very interesting Rule of this House that we all should know. I would like to refer to the forms of procedure in this House, and in order to refresh the memory of certain hon. members, I will read the Rule which forbids that any member of this House be interrupted while speaking, unless in cases provided by rule 15, as follows:—

“No Member may speak twice to a Question, except in explanation of a material part of his speech, in which he may have been misconceived, but then he is not to introduce new matter. A reply is allowed to a Member who has made a substantive motion to the House, but not to any Member who has moved an Order of the day, or an Instruction to a Committee.”

With that, Mr. Speaker, I will conclude, and I protest, as I have just said, against my name being put on that Committee.

Motion (Sir John A. Macdonald) agreed to.

Sir JOHN A. MACDONALD. I give notice that on Monday next I shall move:

That as Messrs. Ross (Middlesex), Blake, Burpee (St. John), Laurier, Casgrain, and Robertson (Shelburne), have declared that they decline to sit on the Select Committee on the paragraph of the Speech from the Throne read to-day, Messrs. Shakespeare, Bowell, Burns, Gigault, Landry and Allison be appointed members of the same, and that the 78th Rule of this House be suspended for that purpose.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 10.20 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 19th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### LOYAL ORANGE ASSOCIATION.

Mr. WHITE (Hastings) moved for leave to introduce Bill (No. 87) to incorporate the Loyal Orange Association of British America.

Bill read the first time.

Mr. WHITE (East Hastings) moved that the Bill be read the second time to-morrow.

Mr. COURSOL moved, in amendment, that the Bill now before the House be read the second time this day six months.

Mr. SMALL. This is a very unusual proceeding. The hon. gentleman is not aware what the nature of the Bill is.

Mr. WHITE (Hastings). I may just say that I think this is the fourteenth Session I have been in this House, and this is the first time, to my knowledge, when a motion like the one moved by the hon. member for Montreal East has been made by any hon. member on either side of the House. It seems to me a very strange proceeding, considering that the hon. gentleman, who has made the motion,

does not even know the contents of the Bill. Is it honest? Is it fair? Is it intelligent? Is it impartial? Is it the kind of treatment that I should receive from that hon. gentleman, or from his fellow countrymen? I think it is not. I think it is treatment which a free, intelligent and enlightened people will not put up with. It is tyrannical, unjust, and unmanly. I think there are enough real, true, genuine, honest-minded men in the House of Commons to-day, elected by the independent electors of this great Dominion of Canada, to give us at least the second reading of the Bill. Let the Bill be printed and distributed to members so that they may be informed of its contents. If there is anything in the Bill against the individual or the State—if there is anything in it that should not be presented to this House, I shall have no objection to the hon. gentleman finding fault with it, and speaking against it, and working against it. I ask him if there has been anything which he has introduced into the House during the last fourteen years connected with any society to which he belongs, or with the church of his choice, that I or any man stood up to say a word against. On the contrary, I have, on all occasions, and under all circumstances, thrown down the olive branch in this House, in order that we might have peace and prosperity in this country. Such being my record, I come here with a Bill asking for what? Asking that a society of which I am a humble member shall have the right to buy and hold its own property, and put buildings upon it, and sell it if we wish. I ask this free and independent Parliament if that Bill is to be crushed out? Are we not to be allowed to buy, and pay for, and hold our own property? Are we not to be allowed to hire mechanics to erect buildings, or to sell those buildings if necessary, and divide the proceeds among the orphans or the widows of the society to which we belong? If we are not a loyal society—crush us out. If we are not a moral society—crush us out. If we are not a body of upright conscientious men, who uphold what we believe to be right—crush us out. I trust, however, that we shall have fair play, for that is all we ask for; we ask for no favors. We do not ask that this House should relieve any body of men from paying taxes. We are willing to pay taxes. We are willing to adhere to every law passed by this House or the Imperial Parliament. I am sorry that an hon. gentleman, whom I have always respected so highly, should feel that he owes it as a duty to any class of the community to prevent the Bill from being printed or circulated. I trust that the debate, if we are going to have one, will be carried on in a courteous manner, and that there will be found honest members enough in this House to vote against this discourteous, unnecessary, and unmanly motion. I hope there is independence enough in this House to give us fair play—British fair play. Crush a man! Hang him without trial! Crush him out at once! I say it is a shame for any man claiming to be a courteous Frenchman to do it. But I believe we will have an independent and honest vote on this question.

Mr. COURSOL. Mr. Speaker, I never, in the course of my life, did anything unmanly. I never allowed a man to tell me I was doing an unmanly act, and if an expression like that were used outside of this House, I would resent it. But, Sir, I have used the privilege I possess as a member of this House. I have used my own discretion in endeavoring to defeat a measure which I think ought to be defeated. In adopting the course I have adopted, I have done so for the purpose of preventing a discussion which must necessarily be acrimonious, must necessarily tend to excite violent passions. I have lived, Sir, in the largest city of the Dominion since I have been born; I have lived amongst people of different religions, and amongst the brethren of the hon. gentleman, on friendly terms; I have occupied public positions; I have administered justice to the best of my ability, and I defy any man to say that I ever

did one unmanly act, or one that has placed a stain upon my reputation. In making this motion, I desired to prevent a discussion upon this measure, feeling, as I do, that it is unconstitutional, that it is not required for the country, that it is for the incorporation of a secret society, which we have no right to incorporate. If it is only a benefit society, let the hon. gentleman go to the Province of Ontario, or any other Province, and get it incorporated. We have a right to prevent the incorporation of societies in the Province of Quebec which are illegal by the law of that Province. I have no desire, God knows, to create any ill-feeling. I have only done my duty. I have made this motion with my eyes open, and I hope the hon. gentleman will submit to the vote of this House without any discussion. If he believes that he is right, and that he can carry a majority of this House for his Bill, this is the time to do it; let the House defeat my motion, and then the Bill can be discussed. But, if this motion is defeated, and the discussion is allowed to take place, we know, from the very words which have fallen from the lips of the hon. gentleman himself, what kind of a discussion we shall have. Will it conduce to the benefit of the country at large? Will it heal the wounds that rankle in the breasts of men from their religious opinions? I think it would be far better to avoid such discussions altogether. For my part I never discuss religious opinions. I respect the religious opinions of every man; but there are certain fixed principles which I cannot depart from, and when these principles come up I am bound to do my duty, and I believe I have done so in this instance.

Mr. WALLACE (York). I wish to say a few words on the motion made by the hon. member for Montreal East. If the object of the hon. gentleman was to prevent discussion on this question, I think he has taken the wrong method of doing it. If the Orange Bill is not passed by this House, I am certain that a large proportion of the population of the country will feel that a great injustice has been done to them; but if it is not even allowed to be introduced, they will feel that they have been subjected to a double injustice. I believe the feeling of fair play is too strong in the House of Commons of Canada to prevent this Bill being brought in and discussed on its merits. If it is wrong, let the majority vote against it; but the House has not yet had an opportunity of knowing whether it is wrong or not. The motion of the hon. member for Montreal East does a great wrong to an organization that is loyal to the British Empire. It is loyal not only in Canada, but in every portion of the Empire; and I think it is the duty of the House to allow the Bill to go to its second reading, and then to proceed on its merits.

Mr. CAMERON (Victoria). It must be allowed that the motion of the hon. member for Montreal East is a very unusual one at this stage. When a Bill is thrown out at its first reading, there must be something so monstrous, so iniquitous, so shocking about it, that Parliament will not take the opportunity of discussing or considering it. My hon. friend says that his object in moving this amendment, is that there should not be a discussion now. I do not think that course would be consistent with the dignity or propriety of Parliament. We ought not to vote upon a matter without discussion. We ought to understand what we are doing; and if this Bill is so objectionable that it ought to be thrown out at the very first reading, the objections should be stated. Surely when a body such as that which now comes here and asks for the mere permission to hold and convey property, they are entitled, at least, to a respectful hearing. If there is any objection to their application on the ground that it is not within our constitutional powers to pass such an Act—which my hon. friend said was his reason for moving this amendment—that is a matter which ought to be discussed. We ought to have an opportunity of hearing or knowing from the

hon. members of the House who are cognizant with the subject, whether it comes within the functions of Parliament or not, and not kick out the Bill without knowing what is in it. I would ask the hon. member for Montreal East if he has read this Bill, and knows what its provisions are, or whether he simply makes this motion because he imagines and believes it contains provisions which it would be improper for him to support. If he does not, why should he move that it be kicked out of the House immediately after its introduction. If he does, he ought to state his objections, and the House ought to have an opportunity of discussing them. The very absence of discussion and the motion he has introduced will have the effect of producing a most acrimonious discussion and ill will, more especially in the Province of Ontario. It would be far better the Bill should be discussed on its merits, and then, if the House thinks that the Bill should not be passed, be rejected, and not be treated in the discourteous and unheard of manner in which my hon. friend would treat it by his motion. I ask my hon. friend, and those who are of his opinion, to deal with others as they would be dealt with. When a Bill of this kind is introduced in the interests of a large portion of the community, who may differ from my hon. friend in their religious opinion, the same consideration should be shown that I think the members in this House who differ from my hon. friend in religious opinion, are always prepared to give those questions and Bills affecting the religious institutions and affairs of the church to which he belongs, when brought before this House. I am not aware that any hon. member of this House who may belong to the Orange Association—and I believe there are some—have ever stood up and voted against any Bill to incorporate any Catholic institution to give them all the powers of holding property they ask for, simply because they were Catholic. If this House has not treated him and his co-religionists in that way, why should he turn around and treat us so? I beg the hon. gentleman to reflect before pressing his motion, which will introduce much bad feeling in the House amongst his own friends, and allow the Bill to go to a second reading, and be fairly discussed on its merits.

Mr. CURRAN. I rise to say a few words on this subject, not for the purpose of discussing the Orange question—as we may call it—because, in the interests of peace and harmony, and to avoid saying anything which would hurt the feelings of any one in the community, it was generally understood no discussion should take place at this stage of the proceedings. I think, however, very much more courtesy has been shown on this occasion in this Parliament than was shown on the last occasion, when this matter came up before the Legislature of the United Canadas. Then, the Bill was opposed on its first reading. For peace and courtesy sake, in order to avoid the appearance of any ill-will, the first reading of this Bill was allowed to pass. One of the hon. members here said that this petition had not been received; that the Bill had not been received; that its first reading had not been allowed. That is not the case. This House has allowed all that. Contrary to the proceedings on a former occasion, the first reading has been allowed, and now this motion is put, distinctly for the purpose of avoiding any acrimonious discussion. We have been told here that no Bill was ever thrown out of this House, simply because it applied for the incorporation of any Catholic association. No Bill will ever be thrown out of this House simply because it applies for the incorporation of a Protestant association—not, at all events, with my vote. Nor, if my voice can prevent it, will any Bill be thrown out in an unceremonious manner, as they call it, simply because it is a Protestant Bill. This is a question of the incorporation of the Orange Society, and the word "Orange" explains the whole matter. It is one which belongs to history. If this House, with its knowledge of history; with what it knows of the effects of Orangeism, is really prepared to pro-

Mr. CAMERON (Victoria).

nounce upon this question without any further debate, then, in the name of peace and harmony, let us divide the House without any discussion. When the time for the discussion of the merits of this question shall have come, if it should ever come—and I hope it may not—I shall be prepared to give my opinion on the law and facts of the matter. In the meantime, I approve of the amendment of my hon. friend.

Mr. SCRIVER. During the fourteen or fifteen years in which I have had the honor of occupying a seat in this House, I recollect only one or two occasions when a step similar to that taken by the hon. member for Montreal East, has been taken in this House. I recollect no occasion upon which a motion similar to that made by my hon. friend has been carried here. I remember a few years ago, upon the introduction of a Bill providing for the abolition of the Supreme Court, the introduction of the Bill was resisted and a vote taken. I recollect very well the discussion which then took place. The position taken by the hon. leader of the House was to the effect that it was not the practice in this House to discuss Bills upon their introduction; and that it was only treating any hon. member who chose to introduce a Bill, with the courtesy due to him as a member of this House, that the Bill should take its first reading. The hon. member who has just sat down has said that that courtesy has been carried as far as it could be consistently, by those who sympathize with him in those views, by allowing the Bill to be introduced and its first reading taken; and he held that now was the proper time to resist any further progress. I appeal to the common sense of hon. members if the effect of the amendment of the hon. member for Montreal East is not the same as an opposition to the introduction of the Bill. The proper time, in all Parliamentary practice, for the discussion of the principles involved in any Bill, is upon the second reading. I am opposed to this motion, because I think it would be discourteous to an hon. member of this House, who has long sat here and conducted himself in such a way as to win the respect and esteem of all those who have sat here with him. I oppose it, also, because I think it would not be fair and just to a large section of our community to refuse this Bill the opportunity of coming up for a second reading. In so doing, I express no opinion whatever, for I think the proper time has not come for an expression of opinion as to the merits of the Bill. If the Bill is suffered to go to its second reading, I shall then take occasion, and consider it my duty, to make known my opinions, and to act upon them with reference to this measure. But, in the meantime, I appeal to the hon. members of this House to do no more than what I consider an act of simple courtesy and simple justice, and defeat the motion in amendment of the hon. member for Montreal East.

Mr. BURNS. Hon. gentlemen who have spoken in support of the motion for the second reading of this Bill have argued as if the principles involved in it were a new principle, or at all events an unknown principle. It is not necessary for me, I am sure, to remind this House that the merits of Bills of this character have been discussed again and again, in almost every Province of the Dominion—I think in every Province of the Dominion. In some Provinces Bills of a similar character have been passed and become law. As I understand it, this Bill has emanated from Ontario, and I take it that it is not within the domain of this Parliament to deal with a measure of this kind. We are here as conservators of the peace and harmony of the Dominion; we are here to do what we can to promote good feeling between the different classes of people. With a view of carrying out that view, the opponents of the measure have thought that the better course to pursue would be to deal with the Bill in what might be called a summary manner. If the principles of the Bill were new, if they were unknown, then the mover of this motion in amend-

ment might be called discourteous; but, under these circumstances, I do not think he is open to that charge. He has shown a desire to respect the feelings of the majority of this House who wish to avoid discussion. I think I am warranted in making that statement; at all events I am warranted in making the statement that the body in this House who are opposed to that Bill are a unit in their own desire to prevent a discussion. If it were necessary to go into a discussion, facts might be adduced and argument offered to show why this Bill should not be passed, but the time for that has not yet arrived. The hon. gentleman who moved this Bill has said that it does not aim at any individual. No, Mr. Speaker, it does not aim at any individual; but under cover of a desire to be enabled to hold property, I think it aims at a particular denomination in this country.

Some hon. MEMBERS. No.

Mr. BURNS. Well, if I may be allowed to support the statement I have made, I shall do so with a great deal of hesitation. I could go into facts to show that I make no idle statement. A gentleman on my left thinks I had better not go into the facts, and perhaps I had better not. One statement the hon. gentleman has made calls for some remarks from me. He spoke of that association as being an ultra-loyal association. Well, is it necessary that an association should be established and maintained in Canada of an ultra-loyal character? Is it necessary that a society of that kind, having loyalty as its flag, should have an existence in Canada? I do not think it is. I am not going to argue now whether they can claim the merit of being ultra-loyal. History proves that there are other denominations in this Dominion which have shown their loyalty over and over again, whenever required. Reference has also been made to the fact, that whenever a Bill to incorporate a religious society pertaining to the Roman Catholic Church, has been introduced into this House, it has not received the treatment this Bill is receiving. But, as has been said by the hon. member for Montreal Centre (Mr. Curran), this is not a religious society; if it were it would receive the same treatment that is given to every Bill having for its object the incorporation of a religious society. When a Bill is introduced into this House referring to any Protestant or Catholic society, no question is raised as to whether it should become law. It is taken for granted that it should become law. I simply rose for the purpose of refuting the charge that those who are opposed to the Bill are treating the promoters of it with any discourtesy, and I do now formally repel that charge.

Mr. AUGER. Of course, I am a stranger to the Orange Society—I know nothing of it except from report; but I shall vote for the motion for the second reading of this Bill, reserving my rights, after having studied the Bill now before the House, to vote against it at another stage.

Mr. ARMSTRONG. I am not an Orangeman, never was an Orangeman, and I feel pretty sure that I shall never become one. But, Sir, I believe in British fair play. What are the facts of the case? Here are a large class of our fellow subjects who have all the same rights that we have, and who come here asking us for an Act of incorporation. Now, Sir, if I understand anything about the matter, the right of petition is one secured to every British subject. They have a right to come here and ask that their views be carried out in the shape of legislation, if we see fit to do so. What is the request made us in this case? We are asked that the House should not be allowed even to consider the matter which is asked for in this petition. The motion of the hon. member for Montreal East goes even further, and declares that the House shall not be allowed to know what the petition contains. Most of the members of this House have never seen the Bill. Now, I do not mean to say that I am going to vote for it; but I do want to see this House

give the petitioners the courtesy and the same fair play which are extended to every other class of subjects—allow the motion for another stage to carry, and then consider it on its merits.

Mr. HAWKINS. As a new member of this House, I beg to crave its indulgence for a few minutes. If I could have chosen, I would have selected some other subject and some other occasion upon which to address this honorable House; but I cannot sit here in my capacity as a member of this House and give a silent vote upon this question. Should I support the resolution of the hon. member from Montreal East, undoubtedly I should want the reasons to go to the country why I had taken so unusual a course, why I had supported a resolution to kick the measure out of the House, to refuse to receive it into consideration, to refuse even to know what is asked for in this Bill. Although only a very short time a member of this House, I have already seen resolutions introduced for the incorporation of different societies—

An hon. MEMBER. Hear, hear.

Mr. HAWKINS. I do not know who the hon. member is who says "hear, hear," but before I have done, perhaps, I will make him say "hear, hear" in earnest. Mr. Speaker, I have seen measures introduced for the incorporation of religious bodies with which I am connected, and of which I am a member. I have seen them receive due consideration, their merits examined, and the Bills sent to Committees to be reported upon. I have also seen the same course adopted in respect of measures introduced for collegiate and other purposes respecting other creeds in the community; but it remained for me, coming from the great Province of Ontario, a Roman Catholic, and a representative from the most Protestant riding in the Province, to hear this proposition treated in a manner that I have not heard advocated or proposed with respect to any other measure laid before this honorable House. The other evening, when a resolution was introduced into this House to decide the King's County (P. E. I.) Election case, by what I would consider a prejudging of the case—not upon its merits, but according to the party feelings of hon. members—I, for one, felt perfectly justified in voting against the resolution that proceeded from the other side of the House, because I believed the matter should be referred to a Committee, and should be reported upon by a Committee.

Mr. SPEAKER. The hon. member is not in order in referring to a past debate.

Mr. HAWKINS. Upon the same grounds, in respect to this question, I desire to know what the promoters of the Bill ask from this House, what powers the Bill seeks to confer on those who ask for it; and if I find, upon examination, that their objects are not compatible with the public welfare; if I find upon examination and discussion, when the merits of this question have been gone into, that it is something contrary to the public interests, contrary to the interests of society at large, then, in my capacity as a member of this House, I am determined to vote against it, and vote to throw it out. But we have been told that it was thought, and it was decided, inadvisable that there should be any discussion upon this question. May I be allowed to ask who those hon. members are, and upon whose counsels it has been determined, that a matter brought before this House for its serious, earnest and impartial consideration, should be burked in the manner which we have heard proposed in respect to this measure? I say, coming as I do from the great Province of Ontario, and being widely familiar with the feelings of that great body of which I have the honor of being a humble member, that I do not believe my constituents, either Catholic or Protestant, nor the Catholics of the Province at large, would justify me in voting to treat this

question in the discourteous manner, as I conceive it to be, which has been proposed on the floor of this House. Now, whatever may have been the history of the association that went under a similar name in other lands, I am satisfied that in this country, at this time of day, there is no man who will stand up in this House and attempt to prove that the organization seeking incorporation at our hands is disloyal. Neither will any man stand up in this House and successfully prove that the association is illiberal in its treatment of the body to which I belong. Why, Mr. Speaker, there would be no members in this House hailing from the Province of Ontario of the Roman Catholic persuasion, were it not for the principles of broad liberality which prevail everywhere in the Province of Ontario among the members of this association. I do not say this Bill should pass, I do not say it is in the public interest that this measure should pass as it stands, nor do I believe we have a knowledge of what the particulars of the case are. All I know is this: that a great body of loyal citizens scattered through every Province of this great Dominion, numbering in the Province of Ontario hundreds of thousands, have approached the foot of the Throne and this House in a spirit of respectful consideration, and have asked the incorporation of their society. I conceive this House will not be treating this question in the same spirit of liberality and of toleration that it is accustomed to treat all matters coming within its cognizance, should the amendment be carried. I believe at this day no attempt should be made to prevent the discussion of this question. Why, are we, hailing from the Province of Ontario, to be told that the Orange question should not be discussed, or that it is something not proper to be examined on its merits? The Government of our Province have forced it upon us as a leading issue during the past ten years; and not only so, but the Liberal Administration of Ontario, when this question was laid before the Ontario Legislature, voted in a majority for the incorporation of the society, and the Bill passed the House by a very large majority. Although great complaints are made with respect to the interference by this Government in questions of a Provincial character, this question was relegated to Ottawa, but it was afterwards referred back, it being within the purview of the Local Legislature. There the matter has remained from that day to this. In Nova Scotia, I am informed by my Catholic compatriots, the passage of the Orange Incorporation Bill has been accepted in that Province as a peace offering, and it has been the means of setting aside the Old Country troubles and bitternesses which should never have found a foothold in this country. I am told further, by hon. members from the Province of New Brunswick, that the passage of the Orange Incorporation Bill in that Province has had the effect of almost extinguishing the Orange Order; that since this bone of contention was removed, and since members of the organization have been able to feel there was no barrier to their receiving that measure of consideration at the hands of the legislators of the Province, which was meted out to all other bodies in the Province, the result has been to render Orange incorporation, from a Catholic point of view, entirely and completely harmless. The result, as to Orange incorporation itself, from a Catholic stand-point has been entirely and completely satisfactory. Now, Mr. Speaker, in the Province of Ontario—and I do not pretend to speak with regard to any other Province—sending as it does upwards of ninety members to this House of Commons, we know that according to the general Act of incorporation, all such societies may go and receive incorporation. We know that the officers of the Orange lodges in the Province of Ontario may go and get incorporation under it, upon the payment of a very small sum of money.

Mr. CURRAN. Why don't they go there?

Mr. HAWKINS.

Mr. HAWKINS. An hon. gentleman says, why don't they go there? Now, further on in my remarks I may explain that matter. They have gone there, and they have been received in a manner which was very hypocritical. A measure was passed in the Legislature of the Province of Ontario; but owing to certain reasons, an explanation of which should come from the other side of the House, that measure was never placed on the Statute-book. Well, Mr. Speaker, the principle of the Bill has been conceded by the Government of Ontario; and I, as a Roman Catholic, wish to know why I should raise my voice and vote against this measure? Why, after the principle has been conceded, after our people have known and lived side by side with this institution during the past forty years, after the general feeling of the Catholics of the Province of Ontario has come to be a feeling of indifference—for that is the correct word, and the feeling of the Catholics of the Province of Ontario is a feeling of total indifference regarding the matter, during the past ten years, during which it has been made the chief question, the chief bone of contention, and the chief reason why the electors should go to the polls and should vote in favor of a political party—I should oppose this Bill? And why is this the case? Because of what? Because a large body of gentlemen in the Province of Ontario, numbering hundreds of thousands, seek incorporation! And what do they seek at the hands of this House, and of the country? Why, I am told, all that they ask is the right to hold their own property—

Mr. WHITE (East Hastings). That is all.

Mr. HAWKINS. And to own that which belongs to them—

Mr. WHITE (East Hastings). That is all.

Mr. HAWKINS. And the right to be taken out of the position, out of the state of affairs which, a few years ago in the city of Kingston, resulted in the loss of \$20,000 of their means and of their property. How was this? Because they were obliged to hold their property through trustees, and, through the failure of the trustees, that property was lost to the association. Now, I am at a loss—a total loss, Mr. Speaker—to know how, in this Canada of ours, numbering very nearly half, as it does, of Roman Catholics, we can be placed in jeopardy or incur danger of any kind, by simply allowing this association to hold and own its own property. I am at a total loss to know why I, as a member of this House, should lift up my hand and vote to throw this measure out without knowing what it asks for, or without knowing the necessities of those who are petitioning this House for incorporation, simply because of the prejudices of some gentlemen, not against the principles of this measure, not against the Act of incorporation, but simply against the word "Orange" itself. Why, Mr. Speaker, when I sit down to my breakfast every morning, they place before me a dish with oranges in it; and I think it would be just as reasonable if I turned round to the waiter and said: "How dare you place that objectionable word, that objectionable color before me?"—as that hon. gentlemen, representatives of the people of Canada, in this the nineteenth century, should get up in this House and say, as they have actually said here to-day, "We do not object to the principle involved in this Bill; we do not object to the incorporation asked for at the hands of this Society; we do not object to the idea that they should hold and own their own property; but we do object to the word 'Orange!' We have an everlasting quarrel with that word; we have an everlasting quarrel with that color." Why, Mr. Speaker, I cannot conceive that this House will accept of the proposition that has been offered here, and that this measure will be thrown out in the manner which has been proposed. I cannot conceive, Mr. Speaker, that if hon. gentlemen believed that this was to be the final settle-

ment of this question, that they should act in the manner proposed. I cannot conceive that hon. gentlemen will come to the conclusion that, if this were the last time and the only occasion upon which this question could be submitted to the House, they could stand up in their places and treat it in this way; and, Mr. Speaker, my experience, as a candidate for the Local Legislature ten years ago, and as a candidate for this House in 1878 and again as a candidate for a seat in this House in 1882, convinces me that this is one of the issues, and one of the questions of the day; that it must be met with, it must be dealt with on its merits, and that it must be so decided; and consequently I prefer here in my place to-day to say I shall vote for the printing and fixing of a day for the second reading of this Bill, in order that it may come before the House; in order that we may have a thorough and complete examination of the whole question, of the objects of these gentlemen, and of the reasons, why it should be submitted to this House of Parliament. After that, after being cognisant of all the facts, after having weighed the question, after we have found what its effects will be on society, and upon the interests of the country—then, Mr. Speaker, we can rise in our places and give an intelligent, and impartial, and an unbiassed vote upon this question. Therefore, Mr. Speaker, I say before sitting down, I apologise to the House for taking up so much of its time, but feeling as I do, coming from the Province of Ontario, and having had as great, if not greater opportunities of knowing the views and the wishes and the feelings of the Catholics of that great Province, I could not have sat here and given a silent vote on this question; therefore I shall vote to give this Bill the same treatment and the same measure of due consideration and justice which is meted out to every other body in the community.

Mr. DAWSON. Mr. Speaker, I feel like the hon. gentleman who has just sat down, that I cannot give a silent vote on this question; still at the same time, I shall make my remarks exceedingly brief, as I do not intend to enter into its discussion just now; but I think, Mr. Speaker, that it would be exceedingly uncourteous and unfair to throw out this Bill without knowing what is in it. This Bill has only now been introduced into the House; and to give a vote to throw it out, without so much as ever looking into it, without so much as admitting a discussion of it, I think would be to say the least unwise. It may be all very well for hon. gentlemen from the Province of Quebec to treat such a Bill in this cavalier manner, but let me tell these hon. gentlemen that the Orangemen of Ontario form a very large and influential body of the people. They form a great proportion of the people of that Province; we cannot ignore their existence, for they are everywhere, and to throw out the Bill in this way, without even admitting it to discussion, I can assure hon. gentlemen would produce very bad feeling in Ontario. I ask the hon. gentleman who last addressed this House, and who has said that there are ninety members here from the Province of Ontario, what is the reason that there are so few Catholics among these members? Why are not they represented according to their population? Simply from vexatious things of this kind; simply that a feeling of irritation is kept up by one party refusing to the other the fair play and justice to which they are entitled. The principle upon which I act is equal rights to all, and I say it would be extremely uncourteous not to admit this Bill to discussion, and shall therefore oppose the motion to crush it in this unceremonious way.

Mr. BOWELL. I think it would be well before the motion is put that hon. gentlemen should understand precisely what the motion is. From the remarks which have fallen from some other hon. gentlemen, it would seem that they are under the impression that they are about to vote for or against the second reading.

Mr. IVES. No, no.

Mr. BOWELL. There are some who evidently think so or they would not have made the remarks which they have made. It may be that the hon. gentleman from Richmond and Wolfe thinks he concentrates in himself all the knowledge of all the members; I am only referring to those who have already addressed the House, some of whom objected to affirming the principles of the Bill on the second reading. The motion is not upon the second reading of the Bill. The first reading of the Bill has been accepted, and the hon. member for East Hastings asks that a day shall be set in the future for the second reading, and the amendment is that it shall not be read upon that particular day, whatever day it may be, but that it shall receive the second reading six months hence. The hon. member for Centre Montreal stated that this was the course pursued when the Bill was introduced in 1856. The hon. gentleman is not, I think, strictly correct in that remark. The introduction of the Bill was made by the then member for North Hastings. It was read the first time, and a motion for the six months' hoist was proposed when the second reading was moved. The discourtesy with which an hon. gentleman claims the Bill is being treated is from the fact that the House is asked to refuse to allow the Bill to be considered at some future period. Now, whatever may be the opinion of the majority or the minority upon the merits of the Bill, which is a question to be discussed hereafter, I think it would only be a matter of courtesy that a day should be fixed for the second reading, and then when we come to discuss the principle of the Bill—though I understand for I have not read it all, that it is simply intended to give power to hold certain property and erect buildings upon it—we can discuss the whole question. If it be beyond our constitutional powers let the Private Bills Committee treat it precisely as they would treat other Bills—throw out those clauses which are considered unconstitutional, and which belong exclusively to Local Legislatures. It seems to me that would be—I will not say the more courteous, but certainly the more usual course to be taken in questions of this kind. There are other reasons which may induce many hon. members to vote against the Bill. I will not discuss these reasons just now, but I am satisfied of this, and I make the assertion with a thorough knowledge of what I am speaking—that it will not be to the detriment of the Orange institution if the principle upon which it is based is to have a full, clear and calm discussion such as I think the House could give it if necessary. The hon. member for Gloucester says it is well known what the principles of the Order are. I will not discuss that question, but I direct the hon. gentleman's attention to the remarks of the hon. member for Bothwell, who has spoken of the Order as he has found it in Ontario, both as a private individual and during his political career. I am glad to know, whatever may have been the divisions between certain classes of society in the past, that so far as their intercourse, private, social and political, in Ontario is concerned, both sides have learned the principle of live and let live; and I think I can appeal on behalf of the Orange body, to my Roman Catholic fellow citizens of Ontario, to say whether in our municipal council and in our daily intercourse—political, social and municipal—they have not been met fairly and honestly upon general questions, apart, of course, from those questions in which it might be believed, that the beliefs of that portion of the Protestant community might not be considered in jeopardy. I find no fault with those who differ from us, for in this free country under the British Constitution we can happily all think and speak as we believe on religious matters; and so long as one does not interfere with the other we need have little fear of any collision taking place. I am not going into a defence of the principles of the Orange Order, but I can only say to the honorable member for Gloucester that if he takes the trouble to read

the constitution of the Order—that which is essential to the initiation of an Orangeman—he would find that with the exception of its being an organization of Protestants, he would say of it as was said to me by a prominent gentleman in the House, high in his church, that he thought that it was an association of ultramontane Protestants. I suppose that it will be granted that the Protestant proportions of the community have as good a right to be ultramontane Protestants as the Catholics have to be ultramontane Catholics; and if it be now absolutely necessary that there should be a super-loyal or ultra-loyal society in this country, bound to maintain the connection between this country and the British Crown, and to be ready on all occasions to defend Her Majesty against either internal or external attacks, certainly a society of that kind, so long as it adheres to those principles, cannot, by any possibility, do anyone any harm. I take it for granted that every man who values the connection between this and the Mother Country, who values the British Constitution, and believes that it contains within itself the greatest amount of liberty which a free people can desire, that no one else should govern the British portion of this continent except those who are loyal to the British Crown, and if it is to be an objection to this society that it is a loyal association, then let us know it. I do not pretend to say that there are not others equally as loyal as they, but I think that it is no objection to any society, whether Catholic or Protestant, that it should be called a loyal institution. I hope the House will agree to fix a day for the consideration of this question, and that is really all we have before us at present. If on any future occasion the Bill is proceeded with, I, as a member of that society, shall be prepared to discuss its precepts and principles, and I think it can be shown that they are such as very few members of any church or religious body in this country will object to. But in the meantime we have simply to say whether we will allow this Bill to be set down for a second reading. That is the only question we have to decide at the present moment.

Mr. IVES. The hon. Minister of Customs did me the honor to mention my name in the course of his remarks. I would like to explain the quandary in which I find myself placed. I had decided to vote for the amendment of the hon. member for Montreal East, because I thought this question should be treated differently from ordinary questions that come before the House. I do not consider that any discourtesy is done by moving the six months' hoist at this stage. This is not an ordinary question. It is a matter about which the members of the House and the people of this city have been talking for weeks, and everybody understands it. Hon. members may, therefore, vote for the six months' hoist with perfect propriety, and without any discourtesy to the promoters of the Bill. That was my opinion before the hon. Minister of Customs spoke; but when I find a member of the Government, and that particular member who is supposed to represent the Battle of the Boyne and its associations, telling us that it is discourteous to do so, and very severely rebuking us if we dissent, I would like really to know what to do. For my part I am in a quandary, and I would like to ask whether the hon. Minister of Customs is speaking for the Government, for himself, or for the Orange Order.

Mr. BOWELL. I speak exclusively for myself and upon my own responsibility, and for no one else.

Mr. BEATY. I only rise to ask that the House give this Bill ordinary fair play. I am quite sure that a motion for the six months' hoist is a very unusual one to make on the question of fixing a day for the second reading of a Bill. It is quite true that, from the discussion to-day, we have learned something of the purport of this Bill; but I do not know what the Bill is, except that it is an Act of Incorporation, to enable this body to hold and deal with land. What effect

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that could have on the country or on the general interests of the people I am not prepared to say until I see the Bill. I ask that the Bill be printed and circulated; then any hon. gentleman who does not wish to support it will be at liberty to vote against it. I appeal to the hon. member for Montreal East, under the circumstances, to withdraw his motion and let a day be fixed for the second reading. Then the people interested will feel that some justice and fair play has been done them.

Mr. McNEILL. I just wish to say half a dozen words. I give the hon. member from Montreal East perfect credit for good faith in the course he has taken. I am perfectly satisfied that when he rose he rose to do that which he believed was conducive to peace and goodwill; but I wish to tell him that every Orangeman in Ontario and throughout the Dominion will consider his motion not as an attempt to prevent discussion, but as an attempt to stifle this Bill: and I ask him whether he thinks that impression going abroad will tend to the promotion of peace and goodwill throughout the Dominion.

Amendment (Mr. Coursol), six months' hoist, negatived on the following division:—

## YEAS:

## Messieurs

Amyet,	De St. Georges,	McDonald (Cape Breton)
Béchar, d,	Desaulniers,	Mackenzie,
Benoit,	Desjardins,	McMillan (Huron),
Bergeron,	Dodd,	McMillan (Vaudreuil),
Bernier,	Dugas,	McGreevy,
Billy,	Dupont,	McIntyre,
Blanchet,	Fleming,	McIsaac,
Blondeau,	Fortin,	Massé,
Bolduc,	Fréchette,	Méhot,
Bossé,	Gagné,	Mitchell,
Bourassa,	Geoffrion,	Montplaisir,
Bourbeau,	Gigault,	Mulock,
Burns,	Gillmor,	Pinsonneault,
Cameron (Huron),	Girouard (Jac. Cartier),	Pope,
Campbell (Renfrew),	Girouard (Kent),	Rinfret,
Caron,	Granbois,	Riopel,
Casey,	Guilbault,	Somerville (Bruce),
Casgrain,	Hackett,	Springer,
Catudal,	Hall,	Tassé,
Charlton,	Holton,	Thompson,
Cimou,	Hurteau,	Trow,
Colby,	Ives,	Valin,
Costigan,	Jackson,	Vanasse,
Coughlin,	Labrosse,	Weldon,
Coursol,	Landerkin,	Wells,
Curran,	Langevin,	Wheler,
Cuthbert,	Laurier,	Wilson,
Daly,	Lesage,	Wood (Westmoreland),
Daoust,	Lister,	Wright.—£9.
De Beaujeu,	Livingstone,	

## NAYS:

## Messieurs

Allen,	Gunn,	Pickard,
Allison,	Haggart,	Platt,
Armstrong,	Harley,	Ray,
Auger,	Hawkins,	Reid,
Bain,	Hay,	Richey,
Baker (Victoria),	Hesson,	Robertson (Hamilton),
Barnard,	Hickey,	Robertson (Hastings),
Beaty,	Hilliard,	Ross (Lisgar),
Bell,	Homer,	Ross (Middlesex),
Blake,	Innes,	Rykert,
Bowell,	Irvine,	Scott,
Brecken,	Jamieson,	Scrifer,
Bryson,	Keefer,	Shakespeare,
Burpee (St John),	Kilvert,	Small,
Burpee (Sunbury),	King,	Somerville (Brant),
Cameron (Victoria),	Kinney,	Sproule,
Carling,	Kirk,	Sutherland (Oxford),
Cochrane,	Kranz,	Sutherland (Selkirk),
Cockburn,	Macdonald (Sir John),	Taylor,
Cook,	Mackintosh,	Tilley,
Davies,	McCallum,	Tupper (Cumberland),
Dawson,	McCarthy,	Tupper (Pictou),
Dickinson,	McCraney,	Tyrwhitt,
Dundas,	McDougald,	Wallace (Albert),
Fairbank,	McLellan,	Wallace (York),
Farrow,	McNeill,	Watson,

Ferguson (Welland),  
Fisher,  
Forbes,  
Foster,  
Gordon,  
Guillet,

Moffat,  
O'Brien,  
Orton,  
Paint,  
Paterson (Brant),

White (Cardwell),  
White (Hastings),  
White (Renfrew),  
Williams,  
Woodworth.—4.

Mr. McCALLUM. I call your attention, Mr. Speaker, to the fact that the hon. member for East Simcoe has not voted.

Mr. COOK. I voted nay.

#### BILL INTRODUCED.

The following Bill was introduced and read the first time:—

Bill (No. 88) to unite the Winnipeg and Hudson's Bay Railway and Steamship Company, and the Nelson Valley Railway and Transportation Company, into one Company, under the name of the Winnipeg and Hudson's Bay Railway Steamship Company.—(Mr. Cameron, Victoria.)

#### UNIVERSITY OF SASKATCHEWAN.

Mr. WILLIAMS moved the consideration of Bill (No. 18) to incorporate the University of Saskatchewan, and to authorize the establishment of Colleges within the limits of the Diocese of Saskatchewan.

Mr. BLAKE. Pursuant to a notice I gave in reference to this Bill, I propose to move an amendment to it. It is of considerable consequence we should lay down a rule in reference to the holding of land in mortmain in the North-West Territories. I see no objection to institutions of this kind acquiring for their own use and purposes all the real property they can make use of, nor do I see any serious objection to their acquiring, by way of endowment, purchase, devise, or gift, or otherwise, real estate. On the contrary, in that country of which, as I said the other evening, real estate is the currency, it seems to me highly reasonable they should get, from the benevolently disposed, lands which will be ultimately of importance by way of accumulating an endowment fund; but I see serious objections to the dispositions of this Bill as reported from the Private Bills Committee. The Bill provides that the University may hold property in mortmain provided the revenue shall not exceed \$50,000 calculated at 4 per cent; or a capital value of \$1,250,000. There is no provision for the attainment of this capital value from anybody except the institution itself; and I think it would not be taking an illiberal view to say that it would be a very long time before the corporators would come to the conclusion that they had more than \$1,250,000 worth of real estate. That mode of restricting the holding of real estate does not appear to me the proper logical and reasonable mode. The true method to avert the evil we want to avert, viz.: the holding, for too long a time, in mortmain, land in the North-West, is that which has been adopted by the several Provinces—to prescribe the time in which land acquired as endowment, not wanted for their own purposes, shall be disposed of. In Ontario, twelve or fourteen years ago, we made a limitation of seven years. Corporations are allowed, of all descriptions of this character, to acquire by gift, devise, or purchase, real estate, but there is that limitation upon them—unless it is wanted for their own use and occupation, they must dispose of it in one way or another within seven years. Now, some friends have suggested that that period may perhaps be too short for the North-West. I do not wholly concur in that view myself, but I was not unwilling to treat the subject as liberally as was possible, and I adopted the suggestion of ten years. It seems to me that ten years is quite enough in laying down a general principle of acting with reference to these institutions, which we believe and hope will be numer-

ous in that vast territory, before it becomes divided into separate Provinces. I, therefore, move:

That the Bill be recommitted with instructions to add a proviso that the corporation shall, within ten years after its acquisition of any real estate, dispose of such real estate as is not required for the use and occupation or other like purposes of the corporation.

Mr. WILLIAMS. I simply wish to say that the Bill which has been placed in my hands, when brought before the Committee, contained no restrictions whatever as regards limitation of extent of territory which this corporation might hold. It struck me that this was rather a dangerous power to give a corporation of this kind, particularly in a new country, and that it was desirable that a limitation of some kind should be placed upon it. I suggested some amendments to the Committee, limiting the time which the real estate could be held under this Bill; but the Committee seem to think it desirable that no limitation whatever as to time should be made. Of course, if a general principle is to be laid down, and the House is to adopt the amendment of my hon. friend from West Durham, I am sure I am perfectly willing to accept it.

Motion agreed to; and the House resolved itself into Committee.

Bill amended and reported, and read the third time, and passed.

#### CREDIT FONCIER FRANCO-CANADIEN.

House again resolved itself into Committee of the Whole on Bill (No. 22) respecting the Crédit Foncier Franco-Canadien.—(Mr. Desjardins.)

(In the Committee.)

Mr. BLAKE moved the addition of the following clause:—

In case any person liable to pay or entitled to redeem any mortgage heretofore executed to the said company, at any time before the period at which the same is payable, tenders or pays to the company any part of the principal money and interest to the time of payment on such part, together with three months further interest in lieu of notice, no further interest shall be chargeable, payable or recoverable, at any time thereafter, on the principal money or interest so paid or tendered.

Amendment agreed to.

Mr. DESJARDINS moved the introduction of the clause providing that the company shall transmit a statement of its affairs annually to the hon. Finance Minister.

Amendment agreed to.

Mr. BLAKE. It has been represented to me, since the last discussion that the effect of the Quebec Act is to allow 1 per cent. per annum to be allowed to be charged for administration; and the practical result of our administration, as the Bill now stands, will be that this corporation will be entitled to charge 8 per cent. plus 1 per cent. for administration expenses, that is 9 per cent. If that be so, the result will be to place this company in a better position than other companies, and to bring about the result that was not intended by Parliament.

Mr. DESJARDINS. Borrowers might accept or reject offers made by this company; they were, of course, not bound to accept them.

Bill reported.

#### THIRD READINGS.

The following Bills were severally considered in Committee, read the third time, and passed:—

Bill (No. 24) to incorporate the Manitoba and North-Western Fire Insurance Company.—(Mr. Sutherland, Selkirk.)

Bill (No. 27) to amend the Act to incorporate the Ontario and Quebec Railway Company.—(Mr. Wells.)

## THE ACADIA POWDER COMPANY.

Mr. TUPPER moved that the House resolve itself into Committee on Bill (No. 40) to grant certain powers to the Acadia Powder Company.

Mr. WELDON. I think that a special report was made with regard to this Bill by the Standing Committee on Private Bills, in which the question of the jurisdiction of this House in this matter was reserved. No objection is, I may explain, offered to the Bill on its merits; the question, is, whether a company incorporated under a Local Act, as this has been, can be entertained by this House. I understand that this company was originally incorporated with a capital of \$150,000, the shares being \$1,000 each; and under the Act 43 Vic., the capital was reduced to \$100,000 with power to increase it to \$200,000; and these Acts remain in force. This has been a manufacturing company, and a certain section of their Act of incorporation gives them power to manufacture, sell, and extend their business throughout the Dominion; and the question raised is, whether this is a matter of contract, and as they have received their powers under Acts of the Local Legislature, whether this Parliament can deal with a company of this kind. This is a very important question, and I am sorry that my hon. friend from Bellechasse, who raised it, is not in his seat. There is another point to be observed. Under the Joint Stock Companies' Act, which was passed in 1869, the Government is empowered to issue letters patent to any company making application within certain limitation. That Act was very carefully considered when it was adopted by Parliament, and amendments to it have rarely been made since that time. We generally find that when a company does not incorporate under that Act, they propose that certain sections of the Act shall not apply in their case. It seems to me that this is a bad precedent for the House to establish, because the result of the continued application will be to render the Act inoperative. In justice to the hon. gentleman who introduced the Bill, I say that there are very good reasons in this case why section 18 of the Joint Stock Companies' Bill should not apply. There is another difficulty which I desire to point out. The Bill as amended provides that the increase of the capital of the Company should only be by a two-thirds vote, the Committee having suggested that amendment in accordance with the principle laid down by Parliament. Now, the Nova Scotia Act provides for an increase of \$200,000 simply by a majority, and difficulty may arise from a conflict with these two Acts. So far as the merits of the Bill are concerned, I have no objection to it, the only question to my mind being, first, the power of this Parliament, and, second, the propriety of acting under the Joint Stock Companies' Act.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. TUPPER. The question which the hon. gentleman has raised came up for consideration before the Private Bills Committee, and finally a conclusion was arrived at that the question might be considered by the House if the House deemed it desirable. The question itself is not at all a new one. The jurisdiction of this Parliament in matters of this kind has frequently been raised in other Sessions and very often discussed. During the last Session of this House a very full discussion of the matter took place upon the Act to incorporate an Electric Light Company. As far back as 1862 the members of this company took the benefit of the Joint Stock Companies' Act in Nova Scotia, with a double liability, which Act requires that not less than twenty-five shall subscribe a certain amount of capital, and pay in 25 per cent. thereof, and they have operated their business successfully ever since. In 1869, they came to the

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Legislature of Nova Scotia and obtained an Act of incorporation from the local Parliament of that year. In that Act the provision to which the hon. gentleman has referred was included, in increasing the capital stock of the company and giving them power to increase it still further to the amount of \$200,000, making it, in all, \$300,000. The Act for which application is now made is for the purpose of extending the operations of the company through the other Provinces outside of Nova Scotia; and just as the Electric Light Company desired, and as other companies desire special Acts—as, for example, the Pictou Coal and Iron Company in 1875, and the Consolidated Iron Company in 1874—this company desires that they may have power to operate throughout the whole Dominion. The hon. gentleman will agree with me that the last clause of the Bill, as reported by the Committee, was one which was very fully discussed there, and that I cited a number of precedents showing that section eighteen of the Joint Stock Companies' Act, which requires the companies to pay up 10 per cent. yearly until the whole capital is paid up, was excepted. The principle upon which the exception was made was that the company having proven that it was a *bonâ fide* concern, and having shown that special reasons existed for the exception, was entitled to the benefit of that consideration; and I showed that this company occupied a position far stronger in that respect than any of the others I mentioned because they were all untried experiments. The position of the Acadia Powder Company is far stronger. They have operated successfully ever since 1863; they first took advantage of the Joint Stock Companies' Act; there were twenty-five men of capital, who undertook to subscribe 25 per cent. of the stock; and the Act to which the hon. gentlemen referred will show further that, in 1869, when they applied to Parliament for a charter, their assets in cash and land amounted to \$50,000. Since that date there has been a further payment of capital, though I have not been informed of the amount.

Sir LEONARD TILLEY. Last Session a question like this arose in the Committee. A very strong opinion was expressed at that time by the legal members of the Committee as well as by the hon. leader of the Government. Under these circumstances, I would move that the Committee rise and report progress.

Progress reported; Committee to sit again.

It being Six o'clock, the Speaker left the Chair.

## After Recess.

## ROYAL SOCIETY OF CANADA.

Mr. TASSÉ (Translation). Mr. Speaker, I have the honor to propose the second reading of the Bill for the establishment of the Royal Society of Canada. As the preamble sets forth, this Society has for its object, to stimulate literary and scientific development in this country, to publish memoirs judged worthy of its adoption, to offer prizes for competition, and to create a museum of archives, ethnology, archæology and natural history. This is an undertaking as comprehensive as it is noble, which appeals for our best sympathy and encouragement. It will, in the first instance, justify the title assumed by this society. Presumptuous though it may appear for mere colonists, as we are generally called, I am proud to say that it has received the cordial approbation of Her Gracious Majesty Queen Victoria, who, we are happy to realize, at all times manifests the most lively interest for the development of literature, arts and sciences, not only in the United Kingdom, but wherever Her Imperial Sceptre extends—over Her vast domains on which the sun never sets. Far is it indeed from our aspirations to rival the famous Royal Society of England; but we wish to follow in its footsteps, inspired by its example, by

its glorious traditions, and lay the foundation for a grand and powerful literary institution in this great land of Canada. We are all aware that we are indebted to the enlightened foresight of His Excellency the Governor General, for the initiative in the foundation of this society. The Marquis of Lorne has not been satisfied merely to zealously discharge the duties imposed on him; to travel over and study with care our country, an immense country, as extensive as Europe, to exalt its importance, its resources and its future, in terms which have reechoed in the Mother Country, and which, in a word, have become our best emigration agent—if I may be permitted an expression which expresses so well the practical result of his speeches—but it has been his aim also to leave behind him the souvenir of a Mæcenæ, of a patron of letters, of science and art. This rôle of patron of the arts, becomes the more so that the Marquis of Lorne, inasmuch as he wields with as much distinction the pen, as his noble wife does the brush. Already he has done much for art in concert with Her Royal Highness the Princess Louise in establishing an academy, an exposition of art, and in taking under his protection young artists. He now desires to complete his work in founding a literary and scientific society, recruited from the ranks of our most distinguished literary and scientific men. The society embraces four subjects: 1st, French literature, history and archæology; 2nd, English literature, history and archæology; 3rd, The sciences of mathematics, chemistry and physics; 4th, The science of geology and biology. The number of members must be necessarily limited. Each section will comprise twenty, or eighty in all. It is impossible to examine this list without being agreeably surprised that in a young country like Canada, which is naturally absorbed in material pre-occupations, we have been able to find so many who have been deemed worthy of the choice of His Excellency. We may be surprised at the absence of certain names which do not appear for one reason or another. Some have even manifested for this degree of honor, the supreme contempt which Piron exhibited for the French Academy, when he wrote his celebrated epigram:

“Here lies Piron, who was nothing,  
Not even Academician.”

Others may console themselves for not seeing their names among the members of this society by the recollection of Molière, the great comedian, who not being able to secure admission to the Academy, inspired one of the Forty *immortels* to write the following verse, which alone was worthy of a seat:

“Nothing is wanting for *his* glory. Ours is incomplete without him.”

I observed a moment ago that the members of the society would be recruited from the different parts of the country, including Newfoundland. Thus the Royal Society of Canada has annexed by a literary chain the Island of Newfoundland, awaiting in the meantime for the distinguished leader of the Government to annex politically this Island, which alone is wanting to complete the glory of the great Confederation of the Provinces of British North America. Mr. Speaker, most useful and advantageous results will follow from those co-workers of thought, who heretofore have scarcely known one another. After having abolished the Custom House barriers between the Provinces, after having concluded a political union between them, which I trust will be indissoluble, it was desirable that this political federation should be crowned with an intellectual, a scientific and literary federation. It was, in a word, the crowning of the great structure erected by the statesmen where genius accomplished the work of Confederation. A long time has elapsed—it was in 1826—another Governor, Lord Dalhousie, established in the ancient city of Quebec a society which was called the

Literary and Historical Society of Quebec. A very modest society, it is true, but one which has rendered very important services, by the numerous memoirs which it has published on many subjects of the greatest importance, and yet which were least known in our history. It was this same Governor who erected a common monument to Wolfe and Montcalm, to remind the descendants of these two great warriors, who both died on the field of honor, that they can find in their past history that which will make them join in a common sentiment of respect and admiration for the examples of courage, honor and heroism, of which they can never be too proud. The Marquis of Lorne was not disposed to appear less enlightened and generous towards us, because the Royal Society of Canada, as the sections of which it is composed indicate, is not a society consecrated entirely to the language of Shakespeare and Byron. It contains an exclusively distinct section for French literature. Something over forty years ago another predecessor of His Excellency, of whose record we have no happy recollections, for he wished the annihilation of our race, passed a very severe judgment against us in a celebrated memoir: “Canadians are without a history and a literature.” Evidently Lord Durham had not read our history, for it is one of the richest, one of the most affecting epochs of which any race in the world can boast. Already has it inspired foreign writers—Longfellow and Parkman—with imperishable pages. As for our literature, there was justification for Lord Durham’s utterances. It had not been called into life. The breath of persecution and political contests kept its light under the bushel. But what progress under the new era!—under the era of liberty! What a rich literary growth! We have now universities, seminaries, colleges, convents, which are veritable sanctuaries of science and literature, frequented not only by our own children, but by hundreds of young gentlemen belonging to the best American families, who come to pay a brilliant and solemn tribute to the superiority of teaching which they receive from among us. We have orators, historians, poets, writers of fiction, and journalists, who have won reputation even in Europe, and whose works were reproduced, or favorably noted in the best reviews of France. What, therefore, would be the surprise of this presumptuous Lord Durham, if he could come forth from the tomb, where he was prematurely consigned by the misfortune of his mission to Canada, to see how completely passing events have falsified his anticipations of the future of our race, which, thank God, is still flourishing stronger and more powerful than ever. The eulogy of the French Academy, of these forty immortals of this great institution, the only one which is much thought of in the Mother Country—this eulogy is now unnecessary to make. We have its testimony to establish the importance of the Royal Society of Canada. We can judge of the very flattering and sympathetic terms in which it hails its foundation, if I may be permitted to read a letter addressed by the permanent Secretary of the French Academy to the Hon. Mr. Chauveau, former member of Parliament, and Vice President of the Royal Society of Canada. Here is the letter:

“I am in receipt, with the letter which you did me the honor of writing to me the third of this month, of the report which it contains of the inaugural meeting of the Royal Society of Canada, and I hastened to lay it in its entirety before the Academy at its last assembly. In organizing as you say in imitation of our French Institute, and in imitation of the Royal Society of England, the Canadian Academy has given to friendly nations a testimony of good will and affectionate esteem. The Academy thanks you for having informed it of your organization, and for having done so with so much cordiality, and in language so elevated, so pure, and so French. The old Academy of France delights to extend its right hand of fellowship to the new born Royal Society of Canada, and wishing that it may, after three hundred years of existence, be as flourishing as her elder sister has the happiness to be to-day. The speeches delivered at the second inaugural session have been greatly appreciated by my fellow members, who all applauded their eloquence. Particularly impressed with the sympathy

which your illustrious patron desires to prove and express for France, the Academy wishes you to convey to His Excellency the expression of its respectful gratitude.

"Accept also, Mr. Vice-President, our most sincere thanks, and permit me to add thereto the assurance of my highest consideration and entire devotion.

"CAMILLE DOUGET."

In order to enable the society to accomplish its work with success, that is to say, to open its courses, give prizes, publish its memoirs, establish a museum, it will be necessary, at all times, to come to its assistance, in appropriating each year a certain sum for the above object. I trust, therefore, that the Government, over which presides so intelligent a man, a man who has always proved himself a friend of literature, of science and art in Canada, will deem it his duty to ask an appropriation, in order to enable the Royal Society of Canada to accomplish, in the most effectual manner possible, the important mission which has devolved upon it. Persuaded that the Parliament which represents the collective wisdom and enlightenment of the country, will not hesitate to sanction it. We are aware that in the United States the Smithsonian Institute expends each year considerable sums of money to distribute its publications, so useful in nearly all branches of human knowledge, but we must not forget that this institution was largely endorsed by its founder a rich Englishman, James Smithson, who bequeathed it half a million of dollars. In many other countries where Smithson is yet unborn, and unfortunately there are very few of them in this country, the Governments have not hesitated to subsidize institutions of this kind. Each year, Mr. Speaker, we expend millions upon millions to construct railroads, to pierce tunnels, open canals, dredge rivers or harbors, in a word to increase the facilities of commerce and industry. I applaud all these expenditures, all these improvements, they are of a nature to increase a hundred-fold the wealth of the country, to facilitate inter-communication among the people, and to assign us a rank more and more important among nations. But, Mr. Speaker, proud as I am of material progress, we must not let ourselves be entirely absorbed by finance, by matter, by baser metal alone, with many others I will exclaim *sursum corda*. Let us also think of the pre-occupations, of the glory, of the utility of things in the mental order. In looking at matters in a practical light let us not forget that a simple scientific invention might change the economic condition of the world. Let us not forget that science alone can enable us to discover, to explore all the vast treasures which are concealed in the lands of our vast country. Let us not forget that science and literature united can do much to attract towards us public attention, to attract to our shores the vast flood of European immigration in search of homes, of bread and liberty. Let us not forget, either, that the most illustrious people have not been the richest or the most populous, but those who have been the most eminent for works of genius, those who have left behind them literary monuments more durable than the pyramids themselves, more lasting than brass *are perennis*. As I have the honor of sitting beside three gentlemen who bear the poetic names of Homer, Shakespeare and Burns, it will suffice for me to remark that the three great poets from which they, I hope, descend in a direct line, have done more to immortalize Greece, England and Scotland than their most eminent statesmen and distinguished warriors. A noble Frenchman, a sincere friend of our country, has delineated our true course, with a remarkable sagacity in the prophetic book which he has published in our behalf. Whilst, said he, in the United States, the public mind is engrossed in commerce, in industry, in its adoration of the golden calf, it belongs to Canada to appropriate with disinterestedness and a noble pride the intellectual, the scientific side of American life in giving preference to the cultivation of sentiment of thought and the beautiful. This is truly the mission of the Royal Society of Canada, it is a noble and enlightened mission,

Mr. TASSÉ.

worthy of our aspirations, of our most cordial endorsement. It is, therefore, with confidence that I ask its incorporation, persuaded that there will be only one vote in this Chamber, to adopt it, and to thank His Excellency for having adorned the country with a society so useful and so important.

Mr. ROSS (Middlesex). I am indebted to the kindness of the promoters of this Bill for the honor of being called upon to second the motion, proposed by the senior member for the city of Ottawa. The occasion of asking this House to consider the subject of incorporating a society bearing the name of the Royal Society of Canada is, I trust, an occasion of considerable interest to every member of this House. We have, Sir, been favored by those who have occupied vice-regal positions in this country with a large degree of attention to literary affairs. Besides performing the ordinary duties of their administration, our Governors General have repeatedly called the attention of Canadians to the importance of cultivating a literary taste, and developing a further acquaintance with those scientific pursuits, which would not only inform us as to the nature and extent of the natural resources of our own country, but enable us to keep pace with the progress of knowledge in other countries. It remained to His Excellency the Marquis of Lorne to suggest to us the formation of a society bearing a close analogy to the Royal Society of England, and having for its distinctive purpose the pursuit of scientific investigations, particularly in connection with Canadian affairs. You will see, by the preamble of this Bill, that its first object is "to encourage studies and investigations in literature and science." Sir, we appreciate the kindness of His Excellency in thus assisting us in our earliest endeavors to establish the literature of this country upon a purely scientific basis. Brought up as he was, in literary circles in the Old Country, in the air of Oxford and London, we can well understand how anxious he was that we, in Canada, less favored than the old land with such advantages, should at an early period in our history attend to those scientific pursuits which reflect such honor and credit on his native country. And, Sir, allow me to say, as a Canadian, that I believe the field to which he has directed our attention is an exceedingly interesting one. The geology of Canada must of itself, be a source of great interest to every Canadian. Having here the oldest geological formation in the world, formations which are identified with Canadian names, it is certainly of interest to us that we should still further pursue our investigations, and ascertain the true position and nature of these formations. Not only are such investigations interesting to Canadians from a purely scientific point of view, but also from a utilitarian point of view. Those formations indicate to a certain extent the mineral resources which contribute so largely to the wealth and prosperity of the country; and it is well for us that we should patiently and carefully examine them, in order to ascertain their extent and locality. Not only our geological formations, but everything of a scientific nature, will probably come under the purview of this society—the zoology, the history, the archæology, of Canada. Everything in connection with those scientific enquiries which reflect so largely the intelligence of a nation must be of interest to us; and it will certainly form no unimportant era in our history, if, as the result of the formation of this society, we receive broader views of these matters, and the people of this country become more intelligent and better informed with regard to them. But much as we shall value and appreciate the investigations of this society in these fields, to my mind the second purpose of the society, that is, to enquire into the history of Canada, and further elucidate those great events in our history which are of so much importance to us, must chiefly attract public attention. It is generally supposed that the history of Canada is a very uneventful one. Our historians so far have furnished very meagre details of the history of our country. I doubt very much whether we

have yet a really readable history of Canada. We have no Macaulay, no Collier, no Greene, no Freeman, to tell us, in interesting periods, the story of the leading events in our history.

Mr. LAURIER. We have a Garneau.

Mr. ROSS. Yes, we have a Garneau, who has dealt in great minuteness of detail, with the French period in Canada; but, with that exception, no man has written the history of Canada in such a way as to excite the interest and pride of Canada's sons. This is a great loss to Canada; and if this Society did nothing more than secure for us, in an interesting and readable form, the story of the events of Canadian history, it would confer upon us a great boon. The researches of La Verandrye, the discoveries of Champlain, and the explorations of Cartier and others, who endured toil and fatigue in Canada's early days—these, in themselves, form a very interesting chapter—nay, many interesting chapters—in the history of Canada; and this society will be doing us a great service, if upon these points it adds in any degree to our knowledge. Such historical researches have also a practical value. We are all aware of how difficult it is for us to learn the true boundaries of the Province of Ontario—and why? Mainly because certain missing links in the past history of the country could not be discovered. Certain proclamations, certain commissions to Governors, and certain maps were missing; and if this Society should supply these missing links by its researches in the libraries of the world, where they are perhaps to be found, its existence would be a very great boon to the country. Besides the bare information which we should obtain from these enquiries, there is a heroic effect which I think would be produced by a properly written history of Canada. The great struggle of the taking of Quebec has never been described—as I think it might be—as the battle of Waterloo was described by Allison, the great writer of the History of Europe—as the battles for English liberty were described by Macaulay. The great struggle of 1812, when Canadians defended their hearths and homes against our American neighbors, and the struggles of later years, when the invader was vigorously and courageously repulsed—these are yet to be written to show Canadians that their forefathers had courageous hearts and strong arms to defend their homes, and those institutions which were established when Quebec was captured in 1759. But this Society proposes also to enter the domain of literature. One of its primary objects, I believe, will be to cultivate a higher literary taste among Canadians. I think this is exceedingly desirable. I am pleased, as a member of this House, as a Canadian, as a citizen of a country whose future we need not fear, whose prospects are brightening every day, to know that an attempt is being made to cultivate a higher literary taste among our people. The literature of a people reflects their characteristics. Every reader of English literature knows that in every period of English literature the prominent author of that period reflects its national characteristics. The readers of "Lalla Rookh" know that Moore, in that beautiful poem, merely represented the voluptuous tastes and habits of Oriental life. The readers of Burns know that every line of his poems reflects the purity and sincerity of Scottish life, and the heroism and chivalry of Scotland's bravest sons. The reader of Cowper knows that, in his sweet domestic lines, he reads the characteristics, the habits and the happiness of England's cottage home; and the readers of Addison know that his works reflect the polish of the English Courts during the time in which he wrote. In the literature of France we have reflected the characteristics of the national life of each period. Where shall we find reflected the characteristics of Canadian life? Where are our Washington Irvings, our Burns, our Cowpers, our Shakespeares? Where

are those men with literary taste, and leisure, and disposition, to trace upon the pages of our literature the characteristics of our humble life, and of our efforts to establish ourselves as a new nationality? If this Society will cultivate this taste, if it will foster a deeper love for that "well of English undefiled," if it will cultivate a disposition on the part of our young people, either to peruse the literature of other countries, or to establish a standard of literary taste for Canada, it will do well; and those who may live to see the results, if they be such as I hope they may, will rejoice to know that we have had a Governor General, whose anxiety in this respect crystalized itself in the form of the Bill now before you. Yet, there is something more to be done. Although in some respects Canada has produced some few literary men—we have had a Haliburton and a Dr. Wilson in literature, and such men as Sir William Logan and Dr. Dawson in science—yet the scientific and literary tastes of our people are, indeed, too poorly cultivated. We have a population of over 4,000,000, yet how few men distinguished in literary, historical, or scientific pursuits can be named as Canadians. This should not be. It is exceedingly desirable that a higher literary taste should be cultivated, and I am pleased to be able to support a Bill which not only aims at cultivating a literary taste, but proposes to offer rewards, where rewards are merited, to any individual whose literary or scientific standing entitles him to that distinction. The rewards of literary pursuits in Canada are exceedingly small, and our constituency of readers very limited, much more so than in England or the United States. But besides being limited in numbers, their tastes are cultivated to a very limited extent. Though the constituency of readers be limited, a better cultivation would enlarge its extent and produce better results. As long as we lack the cultivation, we need not wonder at barren results. I trust in future years to see, as the result of the establishment of this Society, greater attention paid to scientific research, and to the history and archæology of this country. It is the attempt made to cultivate in Canada a literary taste, which will give to Canadians a distinct literary individuality. I have, therefore, great pleasure in supporting this motion.

Bill read the second time.

#### EMIGRANT SHEDS AND IMPROVEMENTS AT REGINA.

Mr. ORTON enquired, Is it the intention of the Government to place a sum in the Estimates for the erection of emigrant sheds, and for the improvement of roads and erection of bridges at Regina?

Sir HECTOR LANGEVIN. It is not yet decided where the emigrant sheds will be placed in that region. There will be one at Qu'Appelle.

#### MAIL ROUTE VIA REGINA.

Mr. ORTON enquired, Whether the mail route to Prince Albert and Edmonton will be *via* Regina?

Sir JOHN A. MACDONALD. It is very likely. A more suitable route is now under consideration.

#### REGINA PORT OF ENTRY.

Mr. ORTON enquired, Whether Regina is to be made a port of entry?

Sir JOHN A. MACDONALD. It will be made a port of entry.

#### BREAKWATER AT PETITE RIVIÈRE, N.S.

Mr. KEEFLER enquired, Does the Government propose to proceed, during the present season, with the erection of

a breakwater at Petite Rivière, N.S., for which provision was made by the vote of \$5,000 in the Supplementary Estimates at the last Session of Parliament.

Sir HECTOR LANGEVIN. This matter is still under the consideration of the Government.

#### SIR ALEXANDER GALT.

Mr. BLAKE enquired, Whether Sir Alexander Galt has at any time proposed to resign his present office? Whether it is understood that he intends to resign? And if so, at what time?

Sir JOHN A. MACDONALD. Sir Alexander Galt, for personal reasons, proffered his resignation. At the request of the Government he holds office until some time in the spring.

#### CANAL FROM POINT DES CASCADES TO LAKE ST. FRANCIS.

Mr. DE BEAUJEU enquired, Whether it is the intention of the Government to proceed, during the present year, with the deepening of the canal on the north shore of the St. Lawrence, from Point des Cascades to Lake St. Francis, and whether the Engineer has completed the plans required for this work, and stated the cost thereof?

Sir CHARLES TUPPER. It is not the intention of the Government to proceed with that work during the present year; and as the Chief Engineer of Canals has not completed the plans required for the work, it is impossible to state the cost.

#### INDEX OF CONFEDERATION DEBATES.

Mr. AMYOT enquired, Whether it is the intention of the Government to cause to be prepared, printed and distributed to persons authorized to receive the Dominion Statutes, an alphabetical and detailed index of the various subjects treated in the Debates on the Confederation of the Provinces of British North America?

Sir JOHN A. MACDONALD. This suggestion has been made for the first time on this question. There is a full index attached to the volume of Debates on Confederation which was published at the time. The Government will consider whether there is any necessity to issue a second index for the use of members.

#### BREAKWATER AT RED POINT, PRINCE EDWARD ISLAND.

Mr. DAVIES, in the absence of Mr. McINTYRE, enquired, Whether it is the intention of the Government to build a breakwater at Red Point, Lot 47, King's County, Prince Edward Island, next summer, or at any future time?

Sir HECTOR LANGEVIN. I have the honor to inform the hon. gentleman that we have no information about this proposed work.

#### MAIL CARRIAGE IN PRINCE EDWARD COUNTY, ONTARIO.

Mr. PLATT moved for copies of Orders in Council, Departmental Orders, and reports, correspondence, petitions, complaints, recommendations and reports from Postmasters, and others, in relation to the change of mail carriage since September 1st, 1882, from railway to horse carriage, in Prince Edward County; together with statement in detail of the routes, mail accommodation, cost of service and time of transit of mail matter under the former and by the present plan.

Motion agreed to.

Mr. KEFFLER.

#### VOLUNTEERS OF 1837-38.

Mr. WALLACE (York), in moving for copies of all correspondence relating to the application of John Stewart, of Woodbridge, one of the volunteers of 1837-38, for assistance, either by land grant or otherwise, for his services in the defence of his country during those years, said: In calling the attention of the House and Government to the case of John Stewart, I also wish to call their attention to the general question involved in this case, and to ask whether the Government intend to make any provision for these volunteers during the troubles of 1837-38. The Mr. Stewart to whom my motion refers served in the Niagara Peninsula and at Detroit. During his service he lost an arm, and, of course, has since been placed at a disadvantage in earning his livelihood. He is now over seventy years of age, and as he has no near relatives, he is to-day helpless and depending on his friends. I think it is the duty of our Government to look after such cases as this. No country is too poor to care for those who have served it in the field, and no Government can afford to ignore their claims. The British Government provides for its disabled defenders, hospitals and places of refuge, and provides large grants for those who have served their country during a certain number of years. In the United States they have provided for those soldiers who served during the four years of their war, and the last American Congress voted \$187,000,000 for the assistance of those who were either disabled, or wounded, or in any way injured in that great conflict. I think the time has now arrived when this Government should take up the cases of our own volunteers in those troublous times. Nearly forty-five years have now elapsed since then, and I think it is the duty of the Government at once to take the necessary steps to come to the relief of the survivors. I suppose there are some hundreds of them throughout the country—men who fought and upheld the honor of the British flag when it was assailed by foes within and from without. I think the Government ought to provide for them either by liberal grants of lands in the North-West, or by yearly grants of money to assist those who are so sadly in need of assistance. We find that the Government is recommending a pension to those who have occupied positions in the Public Service of this country, and the late Clerk of this House is now receiving nearly \$2,400 per annum. One twentieth of that sum would make these poor fellows happy, and I think the Government should lose no more time in rewarding those deserving men who fought the battles of their country in years gone by.

Sir JOHN A. MACDONALD. The House must be obliged to my hon. friend for having called attention to this matter. The papers will be brought down—if there are any papers. Most likely they will be confined to the application for assistance of the Government mentioned in this motion, and an acknowledgment of its receipt. These applications have been made ever since 1837, and they have never been granted. Before the Union of the Provinces, there was a certain allowance made for those who suffered personally in consequence of military services. After that we had the Rebellion Losses Bill discussed in both Upper and Lower Canada. I think that now, for any service rendered in 1837 in Upper Canada, application must be made to the Provincial Government of Ontario; and I may also say that for services rendered in the Province of Quebec, application must be made to the Local Legislature.

Motion agreed to.

#### CLAIMS OF PROVINCIAL GOVERNMENTS AGAINST THE DOMINION.

Mr. VANASSE moved for copies of correspondence, from 1st July, 1867, to this date, between the Dominion

Government and the several Provincial Governments of the Dominion, respecting the claims of each of the said Provincial Governments against the Dominion, for the repayment of sums expended by the Provinces on account of the Dominion for the Administration of Justice, in the several Provinces; that is to say, for the arrest, trial, conviction and maintenance of persons guilty of violating the Criminal Law; 2nd, Statement in detail of the claims settled, the date of settlement, the sums paid and the names of the Provinces to which the payments were made.

Sir JOHN A. MACDONALD. I have no objection to grant this motion; but the return asked for will be a very voluminous document, inasmuch as there has been correspondence from 1866 to 1867 between the Governments of the various Provinces and the Dominion Government for a readjustment of certain claims in connection with the administration of criminal justice. It will take some time to prepare this return, but it will be an important one, and the Government do not object to it.

Motion agreed to.

#### RECIPROCITY WITH THE UNITED STATES.

Mr. ROSS (Middlesex), in moving for all correspondence between the Government of Canada and the Government of the United States, or any Board of Trade in Canada or the United States, upon the question of Reciprocal Trade relations between the two countries on the general basis of the Reciprocity Treaty of 1854, said: Mr. Speaker, I have two objects in moving the resolution which I have placed in your hands. We were told previous to the General Election of 1878, when the National Policy was under discussion, that if the fiscal policy were changed, and a retaliatory policy, such as we have now, were adopted, the probabilities were that we would force the Americans at an early day into a renewal of a Reciprocity Treaty such as existed in 1854. You are aware, Sir, when the policy of the present Government was under discussion, hon. gentlemen opposite, being then in Opposition, the famous resolution on which they went to the country in 1878 contained the following clause:—

"That this House is of opinion that the welfare of Canada requires the adoption of a national policy which will encourage and develop an active inter-provincial trade and moving (as it ought to do) in the direction of a reciprocity of tariffs with our neighbors, so far as the varied interests of Canada may demand, will tend greatly to procure for this country eventually a reciprocity of trade."

This was part of that famous resolution, and on the basis of that resolution, or with that resolution as a text, the country was informed that the old fiscal policy of Canada was inimical to a renewal of reciprocal trade relations with the United States, that so long as we permitted the Americans to send their products into the Canadian market free, there was no object in their asking for reciprocal trade relations, but if we erected a Chinese wall on our frontier similar to the Chinese wall which they had erected, then we would have something to give them in exchange for more liberal trade relations. This view was propounded, not only in the resolution of the present leader of the Government, but in his speech on that resolution in which he made use of the following words:—

"I am confident that one great object in having something like a retaliatory policy will be, that if you are to have reciprocity in trade you will only get it in that way."

This sentiment was reiterated by his associates, it was echoed by the press, and it was expressed on every platform, in Ontario particularly, and, the country was prepared to suppose, nay to believe, that if hon. gentlemen opposite changed places with the then Government of the day, the necessary consequence of the change would be first, a protective tariff, which we have; and, second, a renewal of the old Reciprocity Treaty of 1854, or a treaty in somewhat

similar terms. We are now in the fifth year of this policy, and I am anxious at least, as one member of the House, to ascertain how far the predictions of those hon. gentlemen have been fulfilled. I am anxious to know now far they have had correspondence with the Government of the United States or with any other party with a view to prepare the way for this reciprocity treaty, which was then stated would be such a great boon to the people of Canada. In this view I am further encouraged by the statement made by the hon. the Finance Minister in his Budget Speech of 1881. He said:

"More than that: When the Tariff was brought down in 1879, it was stated distinctly that the Government was exceedingly anxious, if possible, to renew the Reciprocity Treaty of 1854, and as an expression of the feeling of this House, they gave the Government power to reduce *pro rata* the duty that we now collect upon the products, such as coal, lumber and grain and everything of that kind, in precisely the same proportion that the Government of the United States, or Congress, would think proper to reduce their duties, and even, if desirable, to remove them altogether. Well, Sir, we know that during the last Session of Congress, and they have been renewed this Session, there were petitions asking the appointment of a Commission to confer with the Canadian Government in reference to this matter. We do not know whether anything will grow out of that movement or not. It may result in an approach being made to our Government by the United States authorities."

Whether an approach has been made by our Government to that of the United States or not remains yet to be discovered. One would suppose from the authoritative character of the statement made in the Budget Speech that the hon. Finance Minister was speaking with knowledge of certain facts respecting this question. He has not placed the House in possession of such facts yet. I trust when this resolution is adopted these facts will be brought to our notice, and we will then see how far the efforts of hon. gentlemen opposite, towards securing reciprocity of trade, have been successful through the National Policy. But I have a second object in moving this resolution, and it is to call attention to the desirability of having reciprocal trade relations with the United States. Our commercial relations at the present time deserve our earnest attention. We have been for years expending large sums for the development of our internal trade. We have provided for our shipping one of the largest and most extensive systems of inland navigation to be found in the world. We have spent more than forty millions on our canals. We are building a transcontinental railway, to carry the expected trade of Japan by the shortest possible route to Europe. We have expended on this railway millions of money. We have provided facilities for our lumbermen in the way of booms and slides at an expense of \$1,651,000, which we expect will enable them to reach the markets in the easiest and cheapest way. We have provided for the protection of our shipping, along the islands, bars and shoals, and dangerous points on the sea coast—on both sea coasts, I might say—lighthouses at an expense of \$2,671,000. We have subsidized a line of steamers to open up trade with South America. We have also subsidized steamships to develop the trade between the Maritime Provinces and Liverpool; and for years we have subsidized the Allan line of steamers in developing direct trade between Canada and Europe; and, in various ways, we have spent enormous sums of money in developing our resources. Moreover five years ago we changed our whole fiscal policy, setting aside the traditions and teachings of England and of her political economists—Adam Smith, and Gladstone, and others. We have abandoned their teachings and adopted the protective policy of the United States with the purpose of developing the trade and the commerce of Canada. We have expended on immigration since Confederation the enormous sum of \$3,100,000, all to increase and develop the trade of this country; and to provide a population to consume the surplus productions of our country. Sir, this enor-

mous expenditure requires—if we are to keep pace with our necessities, a still further development of our trade. We are warned at the present moment, notwithstanding the predictions of hon. gentlemen opposite, with regard to a liberal home market, notwithstanding immigration and our internal facilities for trade and commerce that the home market does not develop as rapidly, or rather does not consume proportionately as much of our surplus produce, as we would have a right to expect. The population of the country since Confederation has increased only 30 per cent.; but our exports and trade, show an increase of over 80 per cent., proving that the home market consumes a smaller proportion of our produce, and that the surplus of our products has increased much faster than the consuming population of the country. As evidence that this is the case, if you examine into the details of these exports this fact will appear much clearer. For instance, in the year 1868, we exported to the value of only \$1,446,000 of minerals, while last year we exported of them over \$3,000,000 in value, showing in this particular an increase of over 100 per cent. Our fisheries exports have increased 125 per cent. In connection with the produce of our forests our exports have increased 30 per cent. The exports of animals have increased 200 per cent.; of agriculture, 150 per cent.; of manufactures, 70 per cent.; whereas as I said before, our population has increased only 30 per cent., and of this vast sum of our products, our consumption is not extending rapidly; and we must find some outlet suitable to absorb the surplus productions which we have to export. The North-West, a grain country, is being rapidly settled; but it will produce much more than its population can consume, and must find a foreign market for its surplus. It is said, that it has 150,000,000 acres—and the figure is even put at 200,000,000—but taking the estimate as 25,000,000, it will be quite apparent that the addition of 25,000,000 acres to our present area of cultivated lands, will largely increase our surplus produce, for which it will be necessary to find an outlet in foreign countries. Having then considered the nature and extent of our wealth, it might be convenient to state that of our present trade, over 90 per cent. is carried on between Great Britain and the United States, but a small portion of our trade being carried on with other countries. For instance, I find that last year Great Britain took from us exports to the value of \$95,571,802, and the United States, \$96,229,763. Whereas our trade with France amounted to only \$2,922,931; with Germany, to \$1,633,118; with South America, to \$2,314,779, and with China and Japan, to \$1,635,717; the balance being distributed among India, the West Indies (British and French) and other countries. The great proportion of our present trade is carried on, as I have already said, with Great Britain and the United States. It is our duty to be very careful in paying attention to the successful development of this commerce. In looking at the foreign markets, available for Canadian produce, I will first take up the subject of lumber, in relation to which we are met with competitors from the States of Northern Europe; for animals and their products, we have strong competitors in Central Europe and the United States; for grain and farm produce, we have competitors also from Russia, Prussia and Hungary, and India now, as well; and some of these countries compete with us at the present time most successfully. So then, we find while the opportunities for developing our trade with those countries, are limited, if we turn to the United States, the position is somewhat different. Our surplus produce, is just what their people require. This becomes very clear, if we examine into the nature of our exports. Last year out of our total exports from Ontario, \$37,067,000, that country took \$29,007,000, or 80 per cent.; from Quebec, of a total of \$38,195,000, they took \$6,288,000, or 16 per cent.;

Mr. Ross (Middlesex).

from Nova Scotia, out of a total of \$9,210,000, they took \$3,076,000, or 33 per cent.; from New Brunswick, of a total of \$7,474,000, they took \$2,798,000, or 33 per cent.; from British Columbia, of a total of \$3,149,000, they took \$1,573,671, or 50 per cent.; and from Prince Edward Island, of a total of \$1,887,146, they took \$628,183, or 33 per cent.; from Manitoba, of a total of \$646,119, they took \$102,402, or 16 per cent. So it will be seen that the increase in the facilities for extending our trade with the United States, in order to promote the absorption of our surplus products by that country, and that every effort we may make to remove disadvantages which hinder our admission into that market, must be in the interest of the Canadian producer. The raw material, which we have to sell is precisely the raw kind of material, which the Americans want to buy. They want to buy the produce of our mines and fisheries, of our forests, and of our agriculturists. In fact, last year, the Americans bought from us 60 per cent. of the entire agricultural exports of the Dominion of Canada; they bought 30 per cent. of the entire exports of our forests; and 30 per cent. of our entire export of animals. We have then here a very clear indication, where our real market is to be found; and if I choose to go further into the details, from an agricultural point of view, we will find that they strongly confirm this opinion. For instance, last year, our total exports of horses numbered 20,920, of which, they took 20,636; of our cattle we exported 62,108, and they purchased 15,914; of swine we exported 3,263, and they purchased 3,043; of sheep we exported 311,669 and they purchased 233,642; of poultry we exported \$149,804, and they purchased \$145,507; of eggs we exported 10,499,000 dozen, and they purchased 10,115,000 dozen; of wool we exported 1,053,000 pounds, and they purchased 931,000 pounds. They purchased nearly all our barley with the exception of about 70,000 bushels; they purchased our entire surplus of beans, one-half our oats, all our rye, except a few bushels, and nearly all the potatoes that Canada exported. Last year we exported 3,860,000 bushels, and they purchased 2,578,000 bushels; so that hon. members will see that the Canadian producer has largely to look to the American markets for the sale of his produce. But when the Canadian buyer goes to the markets of the world, he finds in many instances that the American market is the best in which he can buy, and we purchase from the Americans nearly as much as we sell to them. You will see then that the only direction in which trade can be most successfully cultivated, and cultivated most profitably to ourselves, will be in the direction of trade relations with the United States. In advocating those views we are encouraged by the fact that the old Reciprocity Treaty was very successful. The trade between the American States and Canada in 1853, previous to the adoption of that Treaty, amounted to \$17,000,000, but in 1862 that trade had developed under the Treaty to \$82,000,000—an increase of \$65,000,000 in those ten years, so the fact that the Reciprocity Treaty produced these marvellous results is an additional encouragement to us—looking at it from our own point of view—to endeavor to cultivate those trade relations which produce such satisfactory results. In the same way the Treaty largely developed the trade of the Maritime Provinces. In 1853 their trade with the United States amounted to \$6,671,177. In 1864 that trade had developed to \$20,277,615. Their best market, the market most coveted and relied upon by them, was the American market. It may be said that with the repeal of the Reciprocity Treaty trade in Canada has not declined. True it has not materially declined. Our trade in the United States has vastly increased since the repeal of that Treaty, but it has increased in spite of the difficulties and obstacles thrown in our way, and largely because we are able to find markets for our surplus produce elsewhere. That a Treaty like this would benefit Canadian trade has already

been proved by the existence of the old Reciprocity Treaty between England and France. Under the Cobden Treaty the trade of Great Britain with France developed from £16,000,000 in 1859, to £45,000,000 in 1877, and the trade of France with England increased from £9,000,000 in 1859, to £25,000,000 in 1877. It may be asked why was the old Treaty repealed? The repeal was the act of the Americans themselves, for which we are not responsible. We are told, in a Report made to Congress by Mr. Derby when Mr. Seward was Secretary, what the causes of this repeal were. I will read his words:

"The notice for appeal was given at a time when our country was deeply offended with Great Britain. In our great struggle for existence she had given her sympathy to our foes. She had denounced slavery, but established a slave Empire; she had built cruisers to destroy our shipping, and clippers to evade our Customs; there had been difficulties on the frontier, and these may have accelerated the fall of the Treaty—but the Treaty itself had serious defects. It was based upon the assumption that the two countries had made equal progress in the arts. It was well adapted to the Provinces, for they were devoted to the field, forest, sea, and mines. But the United States had devoted nearly one-third of their energies and capital to manufactures, and consumed at home the principal part of their raw material."

We have in this Official Report, no doubt, the cause of the repeal of that Treaty—a repeal perhaps not entirely unfortunate, but one which diverted Canadian trade from its old channels, and necessitated our seeking other channels in which to find a similar trade. Still times have changed; since the Treaty was repealed, now nearly twenty years ago, a friendlier spirit has grown up between the two countries, and, I think, it is our duty to show a willingness on our part, if not for the renewal of that Treaty, for the negotiation of another Treaty equally favorable to this country. Since the Treaty was repealed, we have no doubt prospered, and we are perhaps in a better position to negotiate for a Treaty than ever. We have almost assumed the proportions of a nationality. Confederation has been established on a firm basis. We have seven several distinct and separate Provinces combined in a confederacy which extends from one ocean to another. The area of our country now is almost equal to that of the United States. We have now more shipping; we have built many miles of railway; our population has increased; our resources are much greater; and we are in a position to approach the people of the United States in a manly and honorable way, and deal with them as one nation should with another. I would regret if in any attempt to open negotiations with the United States Canada should show a craven or a subservient position. We are not in a position to be crushed with any efforts which the Americans may make to destroy our trade, and we know, and perhaps their best thinkers know, that a Reciprocity Treaty such as our old one would conduce to the benefit and prosperity of the two countries. It is only in a dignified and manly spirit that I hope this Government or any Government would approach the people of the United States to open negotiations for a renewal of that Treaty. We are in a stronger position nationally to deal with the United States than ever before. Not only so but there is the fact that no more opportune time than the present could be found in the history of the two countries in which to open such negotiations. The arrangements which were made under the Washington Treaty will shortly expire, and we will then be in a position, as we were in 1854, to offer our fisheries as a consideration in any renewal of the Treaty. We have besides in the United States a much more friendly disposition towards Canada and England than existed in 1854. The jealousy of England which created that feeling does not exist now. That desire to coerce or crush out the Canadian nationality, which grew out of the Munroe Doctrine and produced an aggressive effect in this country, does not exist now, and to-day we have the national power, the area, the resources, the stamina and will-power which would enable us to treat with the Americans on a national basis.

We have besides a large mutual intercourse, we have railway connections between the two countries which, under the bonding system, places Canada frequently in business relations with the United States. All these circumstances, in my judgment, converge towards a justification for a renewal of that Treaty. By the opening of American markets to our natural products, by the facilities which those markets would afford for the sale of our products, by the exchange of our products with those of the United States, without the expense of long ocean freights, and by such advantages as we possessed under the old Treaty, I fancy the trade of Canada would develop much more rapidly and more profitably than it does now when we send our produce in such abundance across the Atlantic. I have much pleasure in moving this resolution, for the two objects stated, and I trust that if the Government has any information on this subject, we shall have it at an early day.

Mr. WHITE (Cardwell). If the hon. gentleman desired to have reciprocity between this country and the United States reestablished, I am bound to say that I do not think he has taken the best course to accomplish that object. For many years past, as this House is aware, this subject has occupied the attention of important commercial bodies in the United States, as well as the attention of public men on both sides of the line. Since the abrogation of the Reciprocity Treaty, we have taken frequent measures with a view of securing a renewal of that Treaty. The circumstances which led to the withdrawal of an important public man from the Government of this country at one time, arose from the efforts of the party then in power to secure a renewal of the Treaty. Subsequent efforts were made from time to time, and it is well known that almost immediately after the accession to power of the Liberal party in 1873, the late Mr. George Brown was sent to Washington to negotiate with the same purpose in view. The treatment that his efforts met with at the hands of our friends on the other side of the line, is fresh in everybody's memory. We know, Sir, that, although that Treaty, according to the estimate of some people—I am not going to discuss it here—surrendered everything, was, in fact, a complete capitulation of the interests of Canada to those of the United States, it was not accorded even a hearing in the Senate of the United States, but was rejected with all the ignominy that could possibly be applied to a document of that kind. Since that time, it is well known, an important trade body in the United States—the National Board of Trade—has, at almost every recurring annual meeting, passed resolutions in favor of closer reciprocal trade relations between the two countries; but it has always taken this ground, that it is for the people of the United States to make the first advance, in view of all that the Canadian Government and people had done in that direction. It does seem to me, therefore, that at this time—when, probably, from the fact of the abrogation of the Washington Treaty, we shall soon be compelled to consider the question of our relations with our neighbors on the other side of the line—such a speech as that to which we have just listened, is a most inopportune utterance to be made on the floor of the Canadian Parliament. What is the meaning of that speech? What is its obvious conclusion? It is this: that the future prosperity of this country is largely dependent upon the action of our friends on the other side of the line—that they have it in their power, if they choose to exercise it, to cripple the future development of Canada, by simply refusing us the trade relations which the hon. gentleman expresses so much anxiety to obtain. He commenced his speech by reading the resolution passed in 1877 or 1878, in favor of a change in the fiscal policy of this country. He read from that resolution the statement that the policy of Canada should be a policy which would, while protecting the industries of this country, naturally lead to closer reciprocal trade relations with the United

States. Well, Sir, what is the policy we have adopted? In the very Tariff Bill which was passed in 1879, which constitutes the fiscal policy of this country, there is a standing offer to our friends on the other side of the line to come into reciprocal trade relations, so far as the natural productions of the two countries are concerned. That Act, which is the basis of our present fiscal policy, actually contains a provision that as soon as the United States will remove the duty from any of the natural productions of this country, the Government of Canada, by an Order-in-Council, without waiting for the action of Parliament, will be in a position to remit the duty upon similar articles on our side. Surely, Sir, no more practical or substantial evidence could be given of the willingness of Canada, a willingness which has been exemplified on all proper occasions, to enter into closer trade relations with our neighbors. The hon. gentleman has gone over a number of figures, in which he undertakes to show that our true market is largely in the United States for our natural productions, and he intimates that if they would take off the duty, we should be able to largely increase our sales to that people. Well, Sir, for one who has listened for a number of Sessions to the speeches of hon. gentlemen opposite upon the question of the commercial policy of the country, who has frequently heard upon platforms and upon the floor of Parliament that it is the consumer who pays the duty, that it is a matter of no consequence to the man who sells whether there is a duty or not in the country to which he exports, that in fact all the duties we impose on the natural productions of the country have been so much taxes imposed on the people of this country, it seems surprising to hear that it is of any consequence whether our neighbors take off the duties or not. According to hon. gentlemen opposite, they pay the duties themselves; they are the people who are suffering, not we; and therefore we may look with perfect indifference to any action which the United States may take in regard to this question. But, Sir, we are not without hope, judging by the events of the last few years, that the policy which this country has adopted will verify the predictions made in the resolution of 1878, upon which that policy was based. It is quite true that for four years we heard from hon. gentlemen opposite that that policy was merely a temporary policy; we heard that as soon as the people of this country had an opportunity of expressing their opinion, they would condemn it; every speech made by hon. gentlemen opposite informed our friends on the other side that they would soon again be in the position that they were in when hon. gentlemen were on this side of the House, that is, that they would have our markets free, while we, on entering their markets, would have to pay tribute. I can understand the American people—shrewd and intelligent as they are, having regard to the hopes held out to them by hon. gentlemen opposite that this policy was not to be a permanent one, that the moment the people had an opportunity to express their opinion, they would express it adversely to that policy, I can quite understand that their game would be the waiting game, because they would believe that they would soon obtain the advantage of the opening of the Canadian markets without any concession on their part, by the return to power of hon. gentlemen opposite. Fortunately the people have had an opportunity of expressing their opinion. They have had, not the bald promise of the resolution of 1878, but they have had the Tariff itself; they have had the Act of Parliament and four years experience of that Act, and when the time of trial came, when they had the opportunity of expressing their opinion, what was the answer they gave? The answer is given in the fact that although ninety-two new members have taken their place this Session on the floor of this House the relative strength of parties has scarcely been perceptibly changed. From almost every Province of the Dominion certainly from all the large

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Provinces—majorities have been returned to support the policy of the Government. We may fairly assume that the practical influence of that result has made itself felt on the trade policy of our neighbors. We know that at the Convention held the other day at Detroit, a very substantial declaration was made in favor of reciprocal trade relations with this country, and in the discussions preceding the recent Tariff legislation in the United States, very strong arguments were used from quarters from which, before, we would not have expected those arguments, in favor of the remission of duties on a number of articles upon which duty is now charged when going into the United States, as for instance, on lumber. It is quite clear from the discussion there, that the people of the United States, at any rate, do not believe that the consumer, in all cases, pays the duty; because they believe that, after all, if the lumber went into the country free, instead of its being any cheaper to them, the chances were, it would cost exactly the same. Upon that ground the agitation in favor of the remission of the duty was defeated. We have seen already that, in the matter of the 10 per cent. differential duty on tea, which was adopted by the United States—which was the permanent policy of the United States in relation to this country—that differential duty has been abolished by the late legislation there. The tendency of discussion, therefore, and the legislation which has just taken place in the United States, point to the fact that, by means of the policy adopted in this country, and which enables us to offer something to our friends on the other side, when we come to deal with them for the renewal of reciprocal trade relations, we will be able shortly, I believe, to have the opportunity at any rate, of a fair and reasonable discussion of those relations between the two countries, which will end to the mutual advantage of both. This country does not, however, depend for its success on a Reciprocity Treaty. It can go on without one. Those who have watched the discussions which have taken place on this subject know that the policy of the United States in relation to it has been largely political. We know what took place at the Convention in Detroit in 1865, when the question of the renewal of the Reciprocity Treaty was under discussion. We know that one of the strong motives for the refusal of the people of the United States to renew it, was, as far as we could gather from what took place at the Convention, the fact that they believed the commercial success of Canada depended entirely on the continuance of a Treaty of that kind. We have continued to prosper since without it. The hon. gentleman himself admits that new markets have been opened to us, although he tells us that the United States being the nearest to us are our best markets. That may be true. The nearer the markets, the better for the country that sends its produce to them. Yet, during the past three or four years, the course of our trade has been in the direction of showing that we are opening up new markets of greater value to us than those of the United States. By the continuance of the policy we have adopted, by the opening up of relations with other countries than the United States, I believe in the future we will create a much greater trade and more commercial advantage than any ordinary reciprocity treaty with our friends on the other side could give us. I was glad to hear the hon. gentleman pronounce that eulogy on the policy of Canada. I was glad to hear him refer to the expenditures we have made, to the great developments which have taken place in our canal system and railways, and all our material interests; but, I could not help thinking how little his remarks to-day corresponded with those we have heard in the past from the same hon. gentleman, when, for the purpose of exciting the feelings of the people against the Conservative party he ignored altogether this magnificent development of our material resources, and talked of the increase of our public expenditure with the view of creating the impression that there had been a wasteful extravagance

on the part of the Government. We can very well put against the past utterances of the hon. gentleman in relation to our public expenditure, the magnificent eulogy he has passed to-day on the policy we have adopted—a policy for which hon. gentlemen on this side are to be given the credit, and which hon. gentlemen opposite did but very little to to assist or promote. I believe the true policy of this country is to go on as we have been doing in the past. If the opportunity occurs to have reciprocity with the United States on fair terms, we will accept that reciprocity; but nothing but evil will occur to this country if we go hat in hand to our neighbors to tell them our prosperity depends on their opening up their markets to us. Our true plan is to maintain our own dignity and policy, and by so doing, the prosperity which has marked our progress during the last four years, will, I believe with the caution now observed by merchants all through the country, continue to mark our progress in the future, and we will be able to live independent of any policy the United States may pursue, being always ready to meet them on fair terms for the adoption of such reciprocal trade relations as may be mutually advantageous to the two countries.

Mr. CHARLTON. Before this motion is adopted I ask the indulgence of this House for a few minutes while I reply to one or two points made by my hon. friend from Cardwell (Mr. White). He characterized the speech made by the hon. member for West Middlesex (Mr. Ross) as being inopportune. He charged that hon. gentleman with the desire of betraying our dependence upon the United States. I think this charge entirely unjust. I think that the speech of my hon. friend from West Middlesex is one that cannot be characterized, justly, as being inopportune. No intelligent man can place anything but a high estimate on the importance of trade relations between the two countries, situated as Canada and the United States are geographically, with their boundary lines extending across this continent and their commercial interests so closely blended together. Any hon. gentleman of this House who rises in his place for the purpose of suggesting any measure that may tend to produce more intimate commercial relations between these two countries, certainly cannot be characterized as having acted in a manner inopportune or inappropriate. The hon. member for Cardwell took occasion in the course of his speech to say some thing about the Treaty negotiated in 1874 by the Hon. George Brown, and although he did not directly assert that that Treaty surrendered everything to the United States, yet I inferred from his language that he had not at that time taken a favorable view of that Treaty. I am well aware that the party to which the hon. gentleman belongs did oppose that Treaty. Well, Sir, as the question of the character of that Treaty has been raised, in my opinion had it been ratified it would have proved a very great boon to the community. I believe that that Treaty was fully as well calculated to conduce to the prosperity of Canada as was the Treaty of 1854. I believe that the criticisms upon that Treaty made at the time it was under discussion in this House, were most unfair to the negotiator of it and most unfair to the character of the Treaty itself. It was a Treaty which went further, as a matter of course, than to provide for reciprocal trade in the natural products of the two countries; and I may say, that, in my opinion, it is perfectly hopeless to dream of obtaining a Reciprocity Treaty with the United States in the future which is confined in its operations to the interchange of the natural products of the soil of the two countries. Such a Treaty will, as the Treaty of 1854 did, work almost exclusively to the advantage of Canada. The United States, even under its present circumstances, as was shown by the hon. gentleman, is the market of Canada for a very large proportion of our agricultural products. Canada, on the contrary, does not afford a market for the natural productions of the United States, with the single exception of Indian corn

and a limited amount of pork—consequently, a Treaty of that kind we cannot hope to obtain, and if we ever do negotiate a Reciprocity Treaty with the United States it must be of the character of the Treaty negotiated by the Hon. George Brown, in 1874, which, as I see by the schedules before me, provided for the free interchange of a very large amount of manufactured articles. The hon. member for Cardwell states that our Tariff makes a standing offer for reciprocal trade relations between the two countries, confined to their natural products. Certainly it does. It makes a standing offer that never would be accepted, that never would be entertained; and if we ever hope to obtain such relations with the United States, we must make overtures quite different from those now upon our Statute-book. If this is the state of the case, some negotiations must be carried on, and I, for my part, can see no infringement of dignity on the part of Canada, to attempt to initiate these negotiations. I believe that we, at least, could not step out of our line of duty, and would do nothing that was an infringement of our dignity, if we were to indicate to the United States at this time that we were prepared to entertain negotiations for reciprocal trade relations, and were anxious to enter upon those negotiations. The hon. gentleman, of course, as was perfectly legitimate, in the course of his speech, brings the National Policy into question, and he lauds the operation of that policy. It is quite evident from the drift of his remarks that he entertains the opinion that the National Policy is a very good substitute indeed for the Reciprocity Treaty, if it is not superior in its operation to any Reciprocity Treaty that this country could negotiate with the United States; and I am of opinion that in reality when you get at the real sentiments of the advocates of the National Policy, a majority of them believe that, rather than sacrifice any of the features of that policy, we had better do without reciprocal trade relations with the country to the south of us. Well, as to the operations of the National Policy. I do not believe that any intelligent man in this House can say that that policy has yet received a fair trial; I do not believe it can be asserted that the fruits that policy was expected to produce has yet been produced. Of course, since its adoption, a period of great commercial prosperity has characterized not only this country, but all the commercial nations of the world, and it was only natural that Canada should share in the prosperity of the United States, Great Britain and other countries. But I must assert that the National Policy has not received a fair trial, and I believe that when the result of the operation of that policy is finally reached, it will be found to be a very poor substitute for reciprocal trade relations with that country which affords us a natural market for at least two-thirds of the products of our forests, mines and soil; but I only rose, Mr. Speaker, for the purpose of vindicating—although that was not necessary—my hon. friend from West Middlesex from the charge of having made a speech that was inopportune and unworthy the dignity of a member of this House. Another charge made against my hon. friend was, that he had, during an election contest and previous to the election itself, brought charges against this Government with regard to the increased expenditure, which his speech militated against. Well, Sir, he did bring charges against the increased expenditure of this Government, and these charges are just. The increased expenditure of this Government has been unduly great and extravagant; and at the proper time that gentleman will be prepared to show again, as he has shown heretofore, that this increased expenditure was unduly and unjustifiably great. I hope that the motion will be allowed. I do not think that by this motion we are really going to the United States with hat in hand, as the hon. member for Cardwell represented. I do not think that we are doing an act unworthy of our dignity as representatives of the people of Canada. I believe the time has come for, at least indicating to the United States that we are pre-

pared to treat again for some measure of reciprocity satisfactory to both countries; and if that overture is not entertained, we certainly shall have done nothing that is unworthy of our dignity, and nothing that is not in the interest of our country.

Mr. BOURBEAU (Translation). Mr. Speaker, I hope the Government will act in this matter as it has always acted: with great prudence. I believe that the present Government cannot be accused of not having made any necessary effort to procure for the country the commercial advantages which we possess. It is admitted that the Reciprocity Treaty made in 1854 between the Government of the United States and Canada produced good results, and facilitated our export of a great quantity of products to the United States, exchanging our products for theirs. But, as the hon. member from Middlesex has admitted, if the Treaty was not renewed in 1864, it was entirely the fault of the American Government, who deemed it unwise that this Treaty should be renewed. We are aware that they were compelled to adopt a National Policy, to repair the enormous losses incident to the war of secession. It was necessary for them to adopt a policy of protection to increase their revenue, which imposed on us immense losses in the export of the products of Canada to the United States, owing to the immense duties which the American Government imposed on Canadian products. The American Government, which profited by the heavy duties which it derived from Canada, had every interest not to encourage a Reciprocity Treaty between the two countries, because in view of the protective tariff which they had adopted everything turned to their advantage. One duty, therefore, remained for the Government of Canada to discharge, that was to adopt the same policy which the Americans had inaugurated. In 1877 the hon. leader of the present Government, who was then leader of the Opposition proposed to the Administration of the day to adopt a National Policy such as the American Government adopted in 1864. Is this not, Mr. Speaker, the way to induce the American Government to come to an understanding with us in the matter of a Reciprocity Treaty? Nevertheless I find among the Votes and Proceedings of the House that the hon. member from Middlesex was one of those who voted against the motion of the then leader of the Opposition. In 1878 the General Elections took place, and what was the programme of the party which sustains to-day the leader of the Government? That programme has been, that since the Government of the United States has been unwilling to enter into a Reciprocity Treaty with us, it was necessary for us to adopt a policy of Protection in order to convince the American Government that we protested against the duties imposed on our products exported to the United States. The electors of Canada have responded to the appeal of the candidates who had adopted this programme, and they reelected a great majority of these candidates. In 1879, after the General Elections, after the leader of the present Government had been called on to form an Administration, we adopted the National Policy. The hon. member from Middlesex did not see fit to vote for that policy, he did everything he could to oppose it; and the hon. member was not alone in his opposition to that policy, every member on the same side of the House followed that line of conduct. What has been the result of the adoption of this National Policy by the present Government? The result, Mr. Speaker, has been that petitions have been circulated in various parts of the United States and especially in the Eastern States; requisitions bearing a long list of signatures have been addressed to the Government of the United States asking them to propose a Treaty of Reciprocity to the Government of Canada. This, Mr. Speaker, proves that the present Government acted with wisdom, that the Government of Canada has made all the overtures necessary to protest against the policy of the United States, which crushed our exports by the high

Mr. CHARLTON.

duties imposed upon them entering the American Republic. If, therefore, the policy adopted by the Government has been so efficacious that it has forced the people of the United States to forward such petitions as I have before alluded to, I think the Government should be left unhampered as to the advisability of seizing a favorable opportunity for negotiating a Treaty of Reciprocity with the United States. For my part I will be glad to see such a Treaty; I think it would be advantageous for Canada. But it must be approached with pence; and I believe that to obtain this Treaty, we must wait till the Government of the United States realizes that it is to their advantage, also, that this Treaty should be made. The hon. member for Middlesex has quoted certain statistics. He spoke of importation and exportation. This is not the first time that these statistics have been given to us. I remember that, last year, the hon. member for Brant (Mr. Paterson) delivered an address in the same sense. He also cited statistics to prove that our exports had diminished since the adoption of the National Policy. I believe that those who sit on this side of the House have perfectly answered these statistics and these assertions. It is useless for me to occupy any longer the attention of the House to review subjects which have been fully discussed, and which are well understood by the members of this House and by the public generally. In taking my seat I deem it my duty to protest against the proposition of the hon. member from Middlesex.

Mr. McNEILL: I desire simply to reply to a statement made by the last speaker, which should not be allowed to go uncontradicted, as it is of importance. He has asserted that this wave of prosperity of which he boasts, has swept over all countries. I wish to call attention to the fact that there is one great country which affords a striking exception to that rule, and which is also a marked exception in its trade policy, I mean England. That country which has followed the policy of one-sided Free Trade, has not benefitted by this wave of prosperity which the hon. gentlemen says has benefitted all countries.

Motion agreed to.

#### PORTAGE ISLAND.

Mr. MITCHELL moved for copies of all correspondence between the Canadian Government and the Department of Marine and Fisheries, either with the British Government, or the Admiralty Department of that Government in reference to the transfer of Portage Island at the entrance of the Miramichi River, to the Government of Canada, together with all Reports and Orders in Council in reference to that subject, and all correspondence bearing thereupon. He said: I may state to the House, in a few words, the position of this question. In the early settlement of New Brunswick, when the territorial possessions of the Crown were handed over to that Province, Portage Island, at the mouth of Miramichi Bay and at the entrance to the river, was set aside on the charts as an Admiralty Reserve. The Island was leased to a number of settlers on the mainland for the hay which grew upon it, and for those privileges a small rental was paid. The Provincial Government from that time up 1863 or 1864 held possession of the Island, received the rent, which went into the Treasury of the Province, and the settlers, mostly French Acadians, settled on the mainland, were quite satisfied with the state of things which then existed. The Governor of the Province of that day, Mr. Gordon, desired, through some representations, that the Island should be transferred to the Admiralty Department, and it was accordingly so transferred, the Admiralty administering the affairs of the Island, and collecting the rents through their local agent. That condition of things continued until 1873 or 1874, during the time I was Minister of Marine and Fisheries. The administration of the Island did not give satisfaction. The agent of the Admiralty at

Halifax did not administer its affairs either to inspire them with confidence in the permanency of the arrangement, or give that satisfaction to which the people thought they were entitled. I brought the matter under the consideration of the Government of that day, and communication was opened with the Admiralty at Halifax, or with the British Government—for I am now speaking from memory, and am under correction if I inaccurately state the facts—for the purpose of having the Island again placed in the hands of the Dominion Government. The result of those negotiations was that the British Government consented to the transfer. The legal agent of the Crown at St. John, acting for the Department of Justice, was instructed to prepare the necessary papers. They were prepared, I believe, but whether they were ever signed, from that day to this I have been unable to find out. My object in bringing the matter before the House, and in moving for this correspondence, is to call public attention, and the attention of the Minister of Marine and Fisheries, to the position in which that property now stands; and I may say to him that it will give satisfaction to the people who occupy the Island—no person lives on it, although it is a very large Island, and is occupied, as I have stated, almost entirely by Acadian settlers on the mainland—if the Island can be transferred to the Dominion Government, so that the people may continue to pay their rents, which they have formerly paid, but which through some inaccuracy or neglect have not been regularly collected or paid, or regularly accounted for. The settlers, in order to secure permanency of occupancy, wish to be placed on a better footing; and I call the attention of the House to the position in which the matter now stands, with a view to bring it under the notice of the Department of Marine and Fisheries for the purpose of pressing on it the necessity of completing the negotiations which were commenced, and which have been sanctioned, by the Admiralty. I have no doubt the Minister of Marine and Fisheries will do what is necessary in this matter. Almost all the people interested are poor, and they desire that the Island should revert to the Dominion Government in order that their permanency of occupation may be fully established.

Motion agreed to.

#### REGINA.

Mr. CASEY moved, for—

Copies of Orders in Council locating the seat of Government of the North-West Territories, and headquarters of the Mounted Police at Regina, and directing the removal of the Lieutenant-Governor and other officials from Battleford to Regina, and of the Mounted Police from Fort Welsh to Regina, with statement of expenses connected with such removal.

Copies of all reports and correspondence from the Lieutenant-Governor of the North-West Territories, or other parties, on which the decision to remove the seat of Government to Regina was based; also of all correspondence with the Canadian Pacific Railway Company, or other parties, in reference to the precise location of the proposed town site of Regina, and to any alteration of such location from that first proposed; also, of all correspondence with the Canadian Pacific Railway Company, or other parties in reference to the interest of the Government in any lots in the said town site, or any arrangement between them and said Company, in regard to the division of proceeds of sales of such lots.

Copies of Orders in Council or other authority directing the construction at Regina of a Lieutenant-Governor's residence, Police Barracks and other Public Buildings, with copies of all advertisements for tenders, tenders and contracts for the construction of the same, and statement of all sums expended up to date on account of such construction.

Plan of township in which Regina is situated, showing owner of each section, or part thereof as far as ascertainable, and also which sections or parts thereof are included in the town site as at first proposed and as finally settled; with the location of the different Public Buildings and of the Railway Station.

Statement of value of Public Buildings and furniture lately in use in Battleford and at Fort Walsh, and now disused, with amount, if any, realized from sales thereof.

I wish to give some reasons for asking that these returns shall be brought down. It is obvious that the locating of a

point of such great importance, as the capital of the North-West Territory, and the future capital of a new Province, is a matter on which the public should acquire information. But, Sir, in this case, there is a special reason for asking the grounds which induced the Government to select this particular location: for the simple reason that those grounds are not obvious to any ordinary observer. It was, of course, necessary that the capital of the North-West Territories should be removed from Battleford, to some point rather more central, to the settlement which would likely spring up along the railway, and having railway facilities; but it was also naturally supposed that the Government would search for such a location as would be adapted by nature for the site of a large and populous city. Now, that is exactly what it seems to most explorers, that Regina is not; and it is for this reason, I say, we must ask for the reasons why the Government selected this place. It cannot have been because there is no wood within about twenty miles of the town site; it can have scarcely been because it is found impossible to procure good well water by digging at that place; and it can scarcely have been either on account of the presence of that classical stream Pile of Bones Creek, which was reported last summer, in August, when I was in the neighborhood, to be almost completely dry. It cannot have been altogether either on account of the good soil at that point. The soil is fairly fertile, as almost all the soils of the North-West are, where they are fit for cultivation at all; but it is a very tough clay, difficult to work, and is even more tenacious and muddy, during the wet season of the year, than is the celebrated soil of Winnipeg—and in every way, in fact, it is an unpleasant soil on which to build a city. It cannot have been for these reasons; and we must then suppose that the Government have had reasons laid before them, which are not known to the public or to this House, for locating the capital of the North-West Territories at this particular spot. It will naturally be supposed that before making this important location, they had got the report of experts, of surveyors, of special explorers, of Hudson Bay traders, and of everybody, who knew anything about the country, as to the most desirable site for this capital; and it will be reasonable to suppose that they selected the point, marked out by all these experts, as being the most desirable one for the future city. Of course, it may be objected that this most desirable point has not happened to be on the projected line of the Canadian Pacific Railway Company, but we are not to forget, Sir, that this railway is a great national enterprise, paid for entirely by the people of this country and built as a national work for the benefit of the people of this country. We are not to forget that the Government has retained a certain control over the location of this road—and I believe that the location of this road is subject to the approval of the Governor in Council—and we should naturally suppose then, Sir, that if this desirable site, which the Government had found out by thorough exploration, did not happen to be in the exact line projected in their own interests by the Canadian Pacific Railway Company, that the Government would, at least, bring such influence to bear upon the Company as to induce them to take their railway to the place where they desired that the capital of the North-West Territories should be. We will be glad to be informed by the right hon. gentleman, and the documents which he will doubtless bring down, as to whether such steps were taken, and whether a careful attempt was made to find out the most desirable site; and as to whether subsequently any influence was brought to bear on the Railway Company to induce them to take their road through that particular place, if it was not on the proposed line. But, Sir, rumor has stated, I do not know how correctly, or else there would be no necessity for making this motion, that the selection of this site was not made by the Government here, after it

had collected all possible evidence as to where it should be. Rumor has it that this selection was left in the hands of the Lieut.-Governor of the North-West Territories, a person who, of course, from his official position might be supposed to know something of what was required in a seat of Government; and rumor also has said, that this gentleman, who otherwise, no doubt, was competent to judge, was interested in certain parcels of land in the neighborhood in which it was supposed that this site would probably be chosen—that he had invested in one particular section, comprised in or adjoining the present town site of Regina. Of course, I do not know how correct that rumor is; but I find a very strong article in the Government organ at Winnipeg, which makes this charge more strongly than, perhaps, I should care to do myself. In referring to certain complaints made from the district of Assiniboia, the editor goes on to say:

"There is no denying it that Mr. Dewdney is unpopular throughout Assiniboia. It is out of the question, of course, for a man in his position to please everybody; and his acts will always be misconstrued by those dissatisfied with them. It is greatly to be regretted, however, that Mr. Dewdney should have afforded ground for the suspicion cast about almost everything he does. He had no right whatever, as the chief officer of the North-West Territories, to enter into speculations or become a stockholder in any of the multitudinous and rival land companies. He may say that he is or was interested in Section 26 at Regina, and that he holds shares in the Bell Farm, not as Lieut.-Governor, but as plain Mr. Dewdney. It is impossible, however, to distinguish between the two entities, more especially as Lieut.-Governor Dewdney and Mr. Dewdney have a common pocket.

"Lieut.-Governors in the North-West have unhappily come to be regarded in the light that high and low offices in India were regarded in the days of Olive and Hastings. Mr. Morris amassed a fortune in a few years, and Mr. Cauchon, of course, did likewise. It may be that those gentlemen did not abuse their positions or use to their own gain and profit the valuable information that came to them officially. But the fact remains that they came here poor and went away rich, and people will persist in connecting office with money-making as cause and effect. If Mr. Dewdney has made up his mind to follow the bad example thus set him, he may rely upon it that before his term expires he will land in a heap of trouble."

Now, Sir, these are the charges made, not by an Opposition organ, not by a paper partial to this side of the House, but by the Government organ at Winnipeg—by the *Winnipeg Times*, a paper which, as will be seen by the latter part of the quotation, is not particularly favorable to the Lieut.-Governor of Manitoba, who was appointed by gentlemen now sitting on this side of the House. This testimony is not that of a party enemy, but of a friend, who intimates, whether rightly or wrongly, that grave irregularities took place with regard to the selection of this site; and that Lieut.-Governor Dewdney was allowed to speculate in virtue of his position, and in virtue of the information and power in his possession as Lieut.-Governor. Of course, Sir, these are charges which the Government cannot allow to pass quietly, with respect either to themselves or to the gentleman in question—Lieut.-Governor Dewdney. If these charges are false and without foundation, they should be disproved at once; and nothing can be easier than to do so, by bringing down all the documents, reports and plans, &c., which will show us that Lieut.-Governor Dewdney had nothing to do with the selection of this town site. If it be shown by the correspondence asked for, that the decision was carried out entirely independent of the opinion of Lieut.-Governor Dewdney, of course this will at once, clear away the aspersions cast on his character; and more than that, the Government here will be freed from the charge of carelessness, and of connivance at his speculation, with which it is charged. Sir, I hope it will be found, for the sake of the Government, and of the Lieut.-Governor, and of our politics generally, that in deciding such an important question as this, the Government did not place Lieut.-Governor Dewdney in such an embarrassing and false position, as to ask for his advice about a matter in which he was personally interested; for I believe there is no doubt as to the fact that he is or

Mr. OASBY.

was personally interested in land, which has since greatly enhanced in value, in the location of this town site. With regard to some other points, on which I am asking information, I may say one of them relates to the change in the town site from the place which was originally proposed for it. If I recollect aright it was at first given out that the proposed town site would be comprised of four sections lying a little further west than those finally adopted, but it was latterly moved away from the river to a distance of one mile, so as to include or adjoin this Section 26, about which so much has been said. Now, it is not to be supposed that the location or change of location took place without the consent of the Government, and I would like to know the reasons which actuated them in giving it. Again I have asked for information as to the negotiations between the Government and the Canadian Pacific Railway Company and other parties interested in the town site of Regina, as to the division of the lots there, or the division of the profits arising from the sale of these lots. It has been stated by the correspondent of one of our papers, that the sale of lots in Regina was affected virtually by means of a lottery; that the lots were sold in blocks of twenty, by putting the numbers of twenty lots in envelopes promiscuously. The buyer who put down the money for twenty lots was allowed to take one of the envelopes, and this envelope might hold numbers nearly all of which were central lots, or a majority might be outside lots, or there might be a pretty fair division of both. In fact the purchaser was simply betting on the chance of getting more than he was paying for, and taking the chance of his getting less than he was paying for. This correspondent, who appears to be well informed, says that since the sales were made, Mr. Scarthe who is agent for the company commonly known as the Duke of Manchester Company, has offered to sell the remaining lots at a discount of 50 per cent., and has blocked a second sale of lots bought by speculators in the first instance. If this is true it is scandalous, and if untrue it should be disproven at once: I say that if true it is scandalous, because it would make the Government of the country a party to a transaction similar to that which took place in London not long ago in regard to which the press animadverted so strongly, and with regard to which cases are now in the court. It would make the Government parties to a lottery which might or might not be a swindle, according to how it was managed. It will be very easy to prove or disprove the truth of these statements when the documents are brought down. I have further asked by whose orders the different officials were moved from Battleford to Regina, and from Fort Walsh to Regina. It has been stated that the removals were made on the order of Lieut.-Governor Dewdney only, and that the expenditure incurred for building the Governor's residence, and other public buildings at Regina, was also incurred on his sole authority. I have also asked for advertisements for tenders with regard to these buildings, simply that we may see whether the usual check has been kept on the public expenditure in these respects. I hope that the correspondence will not be found to be as long proportionately as the motion, but that it may be brought down early enough in the Session to allow us to consider it, and to enable us, if possible, to clear the parties concerned from the no doubt undeserved aspersions which have been cast upon them.

Mr. ORTON. I cannot allow to pass without reply the unwarrantable and highly mischievous remarks of the hon. gentleman. He made wholesale charges with regard to the location of the Capital of Assiniboia, stating in the first place that it could not be chosen on account of the insufficiency of water. I had the pleasure of visiting that country and spending some three or four weeks at Regina. I travelled through a large portion of the country surrounding it, and I can state of my own knowledge that the

Pile of Bones Creek contains, and last summer did contain at the lowest time of the water, that is in October and the beginning of November, ample water to supply a population of 50,000 inhabitants at least. I took the trouble to ascertain from an engineer who was in charge of the laying out of that city what its capabilities were in regard to water, and he said he made a rough calculation, and with a proper reservoir built on Pile of Bones Creek he had little doubt that there would be ample water for a very large city; and from the amount of water which is passing down that stream every twenty-four hours, I feel pretty confident that he was right.

Mr. CHARLTON. How many cubic feet per minute passed down the stream?

Mr. ORTON. A rough calculation was made showing that, during twenty-four hours, 1,500,000 gallons of water passed down the stream during the lowest period of last season. But, independently of Pile of Bones Creek, it is not true that water cannot be obtained by sinking wells. A number of wells have been sunk. The railway company have found any amount of water at a depth of 200 feet. The hon. gentleman shakes his head, but I know it to be a fact. Water of excellent quality has also been found at several other places near Regina. Five miles off, is Burning Creek, a stream from which any amount of excellent water may be obtained if Pile of Bones Creek is not sufficient. Besides there is the Qu'Appelle River, which is only distant sixteen or seventeen miles from the city. So, I think, that the charge made with regard to the scarcity of water is without foundation. With regard to wood, I saw wood delivered in Regina during the time I was there last fall, at from \$7 to \$8 per cord. The wood is poplar, it is true, but it is good dry wood, such as they use in that country. As far as the fuel supply is concerned, however, not only Regina and its neighborhood, but the larger portion of the whole North-West, will have to depend in the future upon coal, and it is a well ascertained fact that coal exists to an almost unlimited extent in our great North-West. I have been informed, on good authority, that coal of a quality equal if not superior to that on Vancouver Island, and in many respects superior to the Nova Scotia coal, exists in almost unlimited quantities between the Rocky Mountains and Regina; so that there is no possibility of the want of fuel being a serious drawback to the selection of Regina as the capital of Assiniboia. With regard to the land in that neighborhood, I have travelled over a considerable portion of Manitoba and the North-West, and I challenge contradiction when I say that Regina is situated in the largest and most extensive tract of the richest agricultural land of the whole North-West, and I believe it will prove to be the most productive for the growth of cereals. With regard to the charge against the Lieut.-Governor of the North-West having an interest in Regina, all I can say is that I know nothing personally with reference to that subject, but I do know that the section of land in which he is said to have some interest is not less than a mile and a half from Regina proper, and I do not think there is the slightest possibility of that section becoming for many years a portion of the city. The city of Regina I think is excellently situated. I had an opportunity of visiting Qu'Appelle, formerly called Troy, as well as Fort Qu'Appelle. I must say that I very much admired the situation of Fort Qu'Appelle, which lies in the Valley of the Qu'Appelle, with banks on each side, at least 300 feet high. The difficulty there, is that the site is too small for a large city or a considerable sized town, and very great engineering difficulties would prevent proper railway accommodation being furnished at that point, in consequence of the high banks and the deep valley. Another point is that it was important to have the capital on the main line of the Canadian Pacific Railway, and the fact that the Government owned half the site made it important

that it should be fixed where it was. I do not think a more suitable point could possibly have been found for the capital of that fine Province. Moose Jaw is close to the limit of the good land. It is true there is good land beyond it, but it ceases to appear eight or ten miles beyond. The wisdom of the selection is shown by the one fact, that there is not a quarter section within fifteen miles of Regina that is not occupied by a settler. There are a great many old country people there, as well as people from Ontario, and some who came from inferior land in the Province of Manitoba. So that the country surrounding Regina, will at once be settled by a more dense population than any other part of the North-West is to-day. The land is not in the hands of speculators, but every quarter section is occupied by a settler. With regard to the Lieut.-Governor, I believe he is a highly popular gentleman in the North-West, and his action in this matter I shall leave to be dealt with by the Government.

Mr. TUPPER. There is just one remark of the hon. gentleman's that I would like to correct. I think he is mistaken in reference to the character of the coal in the North-West. I have had occasion myself to read some very interesting reports of that country, and although the coal deserves all the praise that any man investing in that article would desire, it does not possess the reputation of being superior to the Nova Scotia coal, but it has the reputation of being nearly equal to it.

Sir JOHN A. MACDONALD. I do not at all object to the length of the hon. gentleman's motion, and I shall prove that, in the most practical way possible, by adding to it a little before I sit down. The hon. gentleman has a right, certainly, to put all these questions and get all this information, and shall get it by-and-by, as soon as it can be brought down. I regret, however, that the hon. gentleman should deal in rumor when the character of a public officer is concerned. He says there is a rumor that the Lieut.-Governor chose the site, that he had sordid and interested motives in choosing those sections, and the hon. gentleman read a newspaper extract; and in order to attack the present Lieut.-Governor, he does not hesitate to sacrifice an old political friend of his own, Mr. Cauchon. It will be my duty to defend those three gentlemen. Mr. Morris was sent up by a former Government of which I was the head. He was a colleague of mine, and all will admit a man of standing and consideration in the country. As Lieut.-Governor he went to Winnipeg, and had nothing to do with the granting of land, any more than the hon. gentleman himself—perhaps did not take such a lively interest in the lands of the North-West as the hon. gentleman, but he committed the great sin of purchasing an eligible piece of property in the city of Winnipeg. He bought it not from the Government but from a private individual, and he had right to do so. He built some houses on it, and with the marvellous progress of Winnipeg, made I believe a large profit from the sale of lots on the land he purchased. All that was perfectly legitimate. So were the purchases of Mr. Cauchon, who was the Lieut.-Governor sent up by hon. gentlemen opposite when in power. He exercised his right of buying from individuals and I hope his expectations may be realized. So with regard to Mr. Dewdney: he went up as Land Commissioner under the first Lieut.-Governor, and had nothing to do with lands in the North-West. He was sent up to look after the Indians on their reserves, to be at the head of that branch of the Public Service. We have Indian Agents who are quite separate from the land officers, who have no more to do with the lands than the hon. gentleman himself. All they have to do is to see that the Indians are settled on the reserves, are peaceable, and, as far as possible, educated, and brought within the influence of civilization. About a year ago the Hudson Bay Company put some sections into the market. A friend of Mr. Dewdney's bought

some of them, and asked him to take an interest in some of the lots. He did so, a year before Regina was thought of at all. He did not conceal that. He told me at once that he had invested some money in Hudson Bay property, and I told him I hoped that he had made a good speculation. That is not the sole interest Mr. Dewdney had. He has an interest in a section at Qu'Appelle, and one at Regina, and, I believe, in a Hudson Bay lot further west. He has never denied having this interest, and had a right to buy a Hudson Bay Company's lot. The hon. gentleman says he ought not to have been consulted. Why? I am responsible for the selection of Regina. I asked Mr. Dewdney his opinion, having the highest opinion of his probity, ability and judgment. I asked him, as I had asked a great many others—

Mr. CASEY. What did the hon. gentleman ask Mr. Dewdney to do?

Sir JOHN A. MACDONALD. I consulted him, not only about Regina, but about the laying out of town sites, all the way from Qu'Appelle to Fort Calgary. I took all the evidence I could. I talked to everybody about the best places to choose sites. Those who were members of the last Parliament, may remember that the hon. gentleman who now leads the Opposition, very properly said, in discussing this question, that while we gave homesteads to actual settlers, we had no right to make them millionaires, and that it was the duty of the Government to reserve town sites so that the proceeds would go into the Public Treasury to recoup the Treasury of Canada for the enormous expense incurred in opening up and settling the country. That was a very sensible remark. It was announcing a policy which the Government had resolved to carry out and were carrying out. The moment the line of the Pacific Railway was established, a belt of one section deep on each side, was reserved so that the Government might see where the tendency of the population was to rest, and where there was speedy prospect of a town being established, so that the homesteaders, who were given, as a present, 160 acres of land to farm on, should not become millionaires by putting the whole of the money into their pocket. Besides that, the Government tried to find out where were the points along the line where towns would most likely spring up. In a country of that kind which is a level prairie, unless where there are streams of water, one place is as good as another and it is a mere accident where towns will grow. In fact the casual settlement of some respectable men and a post office being established, or a decent hotel at any one point, might form the nucleus of a town. But those points where there was any water were certainly the most likely places for the growth of towns. Consequently the Government reserved, not only the belt of a section on each side of the road from one end to the other, but also certain points. They selected the Pile of Bones Creek, where the land is as good as my hon. friend has described it, and where the water was in such a considerable body as to make it a desirable point for a town. They also selected Moose Jaw Creek, Medicine Hat, Calgary, Maple Creek, and other places, likely sites for towns, so that the proceeds of the sale of lots might come into the Treasury. There was great disappointment, among a large body of individuals, that Troy (Qu'Appelle), was not selected as the chief town. Why, Sir, because it is a very pretty place. It has been graphically described by my hon. friend who sits behind me, the consequence was that pretty much all the land was taken up by squatters. Some of them, I must say, squatted rather fraudulently, not with a *bona fide* desire to become settlers, but rather with the view—in their mind legitimate enough—that if they could get a lot they could make a profit by breaking up their homestead, or the preemption, into town lots. Government desired to select those places where the largest quantity of land in eligible places was free from settlers, where, without moving or incommoding

Sir JOHN A. MACDONALD,

any settlers who had gone up there, they might have land in the market. Pile of Bones was chosen for that. Well, one of their reasons, as the hon. gentleman pointed out, why this place was selected was, that it was in the immediate line of the railway. Now it was all important in the altered circumstances of the country that the Mounted Police should be gathered in from the various outlying stations where they had been scattered in the early settlement of the country. They were scattered all over in small bands. Perhaps that was requisite some years ago, but now that the railway is running through the country it was thought all important that the headquarters should be on the immediate line of the railway, and from that point, as the railway went east and west, they could be, in case of exigency, in case of disturbances among the Indians, of troubles between the whites and the red men—that they could be sent off from the central point, east and west, on the railway, and then going off on the prairies to the place where there was danger of conflict. The Commissioner of Mounted Police was sent to look for a good place, and he selected as being most eligible, a place in the immediate vicinity of Pile of Bones Creek, where there was a fine tract of land for a farm which they must have for their horses—for forage is enormously expensive there—and they selected that. That was the first idea of our having a town there. Then it was quite clear that, in order to make this town profitable, there should be some arrangement made with the Canadian Pacific Railway. If they were starting a town on their own suggestion and the Government were starting a town on their own suggestion, one might kill the other, and it is quite clear to everyone that it is the interest of the Canadian Pacific Railway to select sites for towns where towns are likely to grow, where the land will become valuable. For they have to make their money—and the hon. gentlemen opposite say they are going to make enormous sums of money out of the sales of those lands; at all events, it is clearly their interest to choose the very best sites. Well, Mr. Speaker, we consulted the Company. We knew that their interest was perhaps greater than ours, and that we were perfectly safe if the Canadian Pacific Railway Company and the Government agreed as to where the eligible sites would be. Well, the Government and the Canadian Pacific Railway Company did agree that this was an eligible site for a town; and if you look at the map which has been laid before the House, you will see that the Canadian Pacific Railway Company has selected the town of Regina as one of the places from which there may be a leading branch running to the North-West from Regina on towards Saskatchewan. The fact of its being the point of junction between a railway connecting the Saskatchewan and one running to the north at Regina, was sufficient to make it a large town of itself. But then it is true you cannot have everything. There is not water enough. We would rather have had that river considerably larger, but the streams there are not large. But a town was certain to grow there, it was eligible, it was in the centre of Assiniboia, and as my hon. friend has stated behind me, there are only one or two places elsewhere. They might have gone to Qu'Appelle, but the land was taken up, and, I think, the Government exercised, in the interest of the Treasury, in the interests of the Province, a wise discretion in not choosing a place where a very small portion of the proceeds from the sales of land would go to the Public Treasury, but would go into the pockets of the people who happened to squat there. There were only two places—Regina and Moose Jaw Creek. Moose Jaw Creek is too far West, it is not so near the centre of Assiniboia.

Mr. CASEY. How much further?

Sir JOHN A. MACDONALD. About forty miles. But while it is true that the land lying to the west of Moose

Jaw Creek is fit for settlement and is not the desert that it has been described—because we all remember the descriptions given in this House of that land being absolutely sterile, of no value whatever. It does not bear that character. It is good and fair land, and I believe it will be the seat of a large population. Yet from eight to ten miles west of Moose Jaw Creek the land becomes of a lighter description, and of the appearance, to persons who are not experts, of being sterile. It is inferior land to that which surrounds Regina, but there will be a large town growing up at Moose Jaw Creek. Forty miles is a considerable distance in a rich country like that, and the Government have reserved a large tract of land at Moose Jaw Creek for the same purpose that they have done so at Regina. Moreover, at the crossing of the Saskatchewan, the coal crops out, the rich coal which I must almost tell my hon. friend from Pictou is equal to Nova Scotia coal, and it is in unlimited quantities. Now, Sir, I think it is unfortunate that the hon. gentleman should attack a town which is just about begun. It is the unfortunate duty of hon. gentlemen opposite to attack the character of that country as a whole, it has been the style of hon. gentlemen opposite to abuse that country, and we have had it compared and said to be inferior to Kansas, inferior to Texas, inferior to every other country in the world. They have a habit of running down their own country, trying to depreciate the soil. Instead of giving a fair chance to the city of Regina and assisting the Government to sell their lands at a fair price, they publish to the world that any man who goes there is a fool, that it is not fit for a town, that there is no coal, no fuel, no water nor earth, but mud and scrubs. That is the description the hon. gentlemen give to that country. That is their idea of patriotism. This is not the first time that kind of patriotism has been exhibited by the hon. gentlemen opposite. Now, the Canadian Pacific Railway Company could certainly have no object in making the fortune of Mr. Dewdney, or conniving or colluding with him in making an improper site. They want to make money out of it, they are going to make money out of it; and the Government were so sure that they were the most likely men to make money out of it, that they simply said to them: Now, here, join us in choosing a good place. That place was chosen, the Canadian Pacific Railway Company agreed that was a good place, and they have agreed to make that a starting point for the railway running to the north. They know what they are about. They intend to make money out of their lots, and the Government have said to the Canadian Pacific Railway: Now, you can manage it better than the Government can, because your fortunes are concerned in it; we will put the land up to a given area; we will be a partnership; you take charge of it, and sell the lots, and return to the Treasury half the amount of the sales. That is the arrangement made, and I think we could not have a better agent than the Canadian Pacific Railway Company, because they get half of the proceeds of every lot they sell, the money received going into their own pockets, and adding to their revenues. As to the shifting of the site, I know nothing of it.

**Mr. CASEY.** In regard to this arrangement with the Canadian Pacific Railway, does the hon. gentleman mean that the Company keeps half of the profits from the sale of lots in the Government part of the town, for the trouble of management?

**Sir JOHN A. MACDONALD.** The hon. gentleman will see that every alternate section is ours, and every alternate section theirs. It is put into hodge-podge, they manage the whole thing and they pay us half. That is the agreement, and I think it is a very good one; it costs us nothing and the Company are very glad to do it. As to putting up buildings there, I believe the Government have bought two or three ready-made wooden houses, and have sent them there where they have been erected, some of these houses having

been constructed in Montreal, and others here. Lieut.-Governor Dewdney went to the enormous expense of adding two together, and that, I believe, is the Lieut.-Governor's palace. The Government do not intend to go to any expense there on buildings of a permanent character, until the cost of building is infinitely reduced. When the railway is finished, when lumber can be bought along the line cheaper, and when brick is made, and I am glad to say that in that region there is, I am told, first-rate brick clay, at a cheap rate, the Government will proceed to put up a brick Post office instead of a wooden one, and they may even venture on the extravagance of erecting a brick Custom House, because we are going to have a Custom House there, and if the Governor behaves himself very well we may change his two wooden ready-made houses into a brick one. That is simply the whole story. The hon. gentleman has said something about a lottery. I have read it in the newspapers. If anything of that kind has been done by the Canadian Pacific Railway Company, I think they have acted very improperly, and must take the consequences of such an improper mode of disposing of the lots. All they were instructed and authorized to do was to take the management of the whole town, to lay it out according to the experience of those in charge, and the Company have very experienced officers, such as Mr. VanHorn, who occupied a high position on the Northern Pacific, and who knows exactly what is required, and what is the most profitable and effective way to lay out a town. The town has been laid out with ovals, squares and other open places for public use, and no doubt it will form a good town. Notwithstanding the bad character which the hon. member for Elgin has given it, if you walk along some distance and look over your shoulder, you will see that three or four houses have gone up while you have passed along. I can bring down all the papers asked for; but I protest against attacks being made upon the characters of public servants. They are in a certain degree defenceless. They are necessarily under the guardianship and protection of the House, and they should not be attacked upon rumors, and certainly not on a casual remark of the press. The hon. gentleman should know the great power he possesses as a representative of the people, and the great responsibility that rests on him in making statements against officials behind their backs, and who, being defenceless, have the right to throw themselves upon the generosity and the justice of the representatives of the people. Attacks should not be made on them unless an hon. member has so far verified the rumors that he makes himself responsible for the attack. The hon. member for Elgin has admitted that, under present circumstances, Battleford was not a proper place for the seat of Government. What the future great towns will be in the great North-West no one can foresee. We can easily see where towns of reasonable and considerable size will grow up, but where the great cities will be established we must leave that to futurity. The hon. gentleman admits, however, that with a line of railway running through the country, Battleford is too far north. I believe Battleford has a future too, and I would be the last to disparage it. I believe that from its position it will be a considerable town. From the fact that there is no approach to it except by the slow and tedious navigation of the Saskatchewan, and that it is so far distant from the reach of immigrants, its progress has not been so great as was anticipated by hon. gentlemen opposite, and by the hon. member for East York, who selected it, when Premier; but that it will have a future, and be a town, I have not any doubt in the world. Meanwhile, however, it was quite clear that the Provisional Districts which have been established—and I think were divided with a good deal of skill—if I may venture to say so, will be several Provinces, each with its own capital, as Manitoba has its capital at Winnipeg. I believe Regina will be a

fine town, a very fine town, and will make a very creditable and respectable capital for Assiniboia. The other Provinces, Saskatchewan, and Alberta, will have their capitals by-and-bye; there will be plenty of towns there, and this one of Regina will not be one of the most insignificant. I beg to move the following addition to the hon. gentleman's motion, which, no doubt, he will accept, and I will see that it does not postpone the bringing down of the papers:—

Copies of Orders in Council locating the Head Quarters of the Mounted Police at Fort Ellice.

Copies of Orders in Council locating the Head Quarters of the Mounted Police at Fort Pelly.

Copies of Orders in Council, or other authority, directing the construction at Fort Pelly of Police Barracks, and other public buildings, with copies of all advertisements for tenders, tenders and contracts for the construction of the same, and Statement of all sums expended up to date, on account of such construction.

Copies of Orders in Council locating the seat of Government of the North-West Territories and Head Quarters of the Mounted Police at Battleford, and directing the removal of the Lieutenant-Governor, and other officials, and of the Mounted Police from Fort Pelly to Battleford, with Statement of expenses connected with such removal.

Copies of Orders in Council, or other authority, directing the construction at Battleford of a Lieutenant-Governor's residence, Police Barracks and other public buildings, with copies of all advertisements for tenders, tenders and contracts for the construction of the same, and Statement of all sums expended up to date, on account of such construction.

Mr. CAMERON (Huron). I do not think the right hon. gentleman has any substantial ground of complaint against the manner in which my hon. friend presented his case to-night. I do not think the hon. gentleman could fairly charge him with unfairness in basing his charges on alleged rumors. My hon. friend did not found them on alleged rumor, in so far as the conduct of the Lieut.-Governor of the North-West Territories is concerned. It is quite clear there must be something wrong, either in the mode the Lieut.-Governor administered public affairs there, or in regard to the instructions received by him from headquarters; otherwise it is impossible to understand the tone and attitude of the organ of the Government in Winnipeg on this subject. Now if the hon. gentleman rested his case on some rumor of the Opposition press, or on some statements made by those who do not support the Government, the hon. gentleman might fairly charge him with unfairness to the Lieut.-Governor; but here, Sir, is an editorial in an organ of the Government at Winnipeg, drawing the attention of the Government to the complaints, whether well founded or not I am not prepared to say, but to complaints, at all events, that exist and are widespread in that region against the conduct of Lieut.-Governor Dewdney; and I say it was the duty of the hon. gentleman (Mr. Casey) to have drawn the attention of the Government to this matter under the circumstances. Now the First Minister knows perfectly well, or ought to know from the public press, that during the last few days, a public meeting was held in one of the centres of population within the Province of Assiniboia, at which meeting, permit me to say, Sir, every man present, out of seventy-five, were supporters of the Government, save three; and at that meeting, Sir, resolutions were passed, complaining of the conduct of the Lieut.-Governor, and telling the hon. gentleman, that if he were appointed Lieut.-Governor of Assiniboia, he would be treated as Mr. McDougall was treated when appointed Lieut.-Governor of Manitoba, and that his entrance into the Province would be resisted perforce; and stating further, that the time for grumbling had now passed, and the time for action arrived. Now when one sees statements of that kind in the public press, which supports hon. gentlemen, and finds such motions and resolutions carried at a public meeting of the supporters of the Government, one cannot close one's eyes to the fact that some well-grounded cause of complaint must exist. I am not complaining of the Lieut.-Governor, I know nothing about him except when he was in Parliament, and I always then found him to be a respectable and intelligent gentleman. I am only mentioning that those things have

Sir JOHN A. MACDONALD.

taken place within the last few days in the Provinces of Manitoba and Assiniboia, and that they justify the motion now before the House. The *Times* goes still further, and insists that hon. gentlemen opposite must institute enquiries into the conduct of Lieut.-Governor Dewdney with regard to a matter so notorious and so public. If the statements are true, and they appear in the press of the hon. gentleman, and are endorsed by the hon. gentleman's friends, then I say my hon. friend (Mr. Casey) was perfectly justified in the course he has taken. Now, what I understood the hon. gentleman to complain of, with respect to the selection of Regina as the capital of Assiniboia, was that the selection of it was left in the hands of the Lieut.-Governor. Now, nobody complains of the Lieut.-Governor going to the North-West Territories, and investing his spare funds in purchasing there real estate, as long as he does not use his position, and information acquired in his official position, for the purpose of benefitting himself. I do not complain of it at all; but the ground of complaint against Lieut.-Governor Dewdney was that he had purchased a section (No. 26) in Township 18 or 19, Range 25, from the Hudson Bay Company, in connection with others; and the hon. the First Minister admits that this man who had purchased a section there, was the man who was authorized by them to select a site for the capital of the new Province of Assiniboia. Now, I say that if the hon. gentleman wanted an impartial and a fair selection, it is not exactly the thing to appoint for that purpose a man who is directly interested in the selection of the town site at Regina. For aught I know and say, at the present time it may have been the very best selection that could be made; but you cannot expect to get a fair, impartial, and intelligent judgment from a man who is himself personally interested in it. We know perfectly well there were rival towns, Qu'Appelle, South Qu'Appelle, Moose Jaw, and Regina, which was then called Pile of Bones; and to select a man interested in Pile of Bones to decide between these rival claimants for the capital of Assiniboia, does not appear to me, at all events, the proper thing. I am not going to say much about Regina, although I was there for a couple of days last summer; but if there is a river there, or a stream, out of which you can get water for a population of 50,000, all I can say is that I did not see it, although it may have been there. I do not mean to say that the country around Regina is not a fair country, or that there is not water enough at this place to accommodate a population of 3,000 or 4,000; but I am told—and I have it from a person living there—that this winter they have been paying 75 cents a barrel for water, and that Pile of Bones Creek is now frozen to the bottom! Of course, that may be so; and still there may be an abundance of water within easy reach. As to Qu'Appelle, of which the hon. gentleman has spoken, Fort Qu'Appelle and Moose Jaw, I can say as to those places that prettier town sites I do not think to-day exist beneath the sun; and I am quite sure that if the hon. the First Minister had devoted a few weeks to a visit to that interesting region of our Dominion, he would agree with me that either Qu'Appelle or Moose Jaw is infinitely superior, in so far as the eye is capable of enabling one to form an opinion on that subject, to Regina. At Moose Jaw or Qu'Appelle the hon. gentleman would find a river, and at the latter place four lakes, two on one side and two on the other side of the town site. There is there plenty of water and it is of a very good quality. The hon. gentleman knows that at Moose Jaw there is Moose Jaw River, a rapid running stream of clear water; and he knows that at Moose Jaw there is also Thunder Creek which empties into Moose Jaw, and has a very considerable volume of water. I venture to say that it is, at least, five or ten times as large as the stream Pile of Bones. The hon. gentleman knows that the land in the vicinity of

Moose Jaw is, as I believe, without exception, the finest twenty in the whole of the North-West region; although at miles west of it, it is not of so good a quality; yet, to the south and north of Moose Jaw and for fifty miles north of Moose Jaw, there is not finer land in the universe, and to the south of it as well; and although the land twenty miles west is not so good, still the land in the neighborhood is of first-class quality. Moose Jaw is only thirty-five miles from Regina; and if it had advantages—which I am not saying it had—but am only pointing out what appeared to me, from my observation, to have been the case—the distance in a large Province like Assiniboia, of thirty-five miles, could make very little difference in the selection of a capital. Now, I believe, that Regina will of necessity be an important place; it cannot help but be so. St. Petersburg was made an important place by force of circumstances, and the energy and perseverance of the Emperor; and so the hon. gentleman can make Regina an important city. I would be very sorry to say anything that could detract from the importance of Regina; but I do not think the hon. gentleman was quite fair in throwing across to this side of the House, whenever we speak on subjects of this kind, the charge of always depreciating the merits of that country. I do not think that there is any warrant for that, judging from what has been said in my hearing. As far as I am concerned, I believe, as to the neighborhood of Regina, that the land is fair; but I know that it is equally good at Moose Jaw and Qu'Appelle. As to timber: there was none that I could see within a range of eight or ten miles of Regina—and in that respect, perhaps Moose Jaw was not much better; so taking it altogether, the selection may be a fair one, although I think that Moose Jaw will, from its position, be an important place. I would be very sorry to say a word offensive of Lieut.-Governor Dewdney, which I would not utter were he in my presence; and I should perhaps say more, if he were, than I will now, because he is not here, and is not in a position to justify and defend himself. The hon. gentleman must however know perfectly well that there is widespread dissatisfaction in the North-West with reference to Mr. Dewdney. The instance I have given the hon. gentleman is clear evidence of this fact. The hon. gentleman must also know perfectly well, that there is very considerable dissatisfaction and discontent among the Indian tribes up there; and he must know perfectly well that the camp located at Broadview, last summer, was almost in a state of rebellion. He knows also, perfectly well, that Piepot's band was almost in a state of actual rebellion; and, as everybody who knows anything about the situation there can tell the hon. gentleman, perhaps better than I can, Piepots and his band were, last summer, grumbling and complaining loudly of the way in which they were used by the officials of the Government there; and when brought face to face with the Lieut.-Governor, this band charged him with misrepresentations and misconduct.

Sir JOHN A. MACDONALD. Now, I must really ask the hon. gentleman, in all fairness, if he wishes to bring the conduct of either the Government, or of Lieut.-Governor Dewdney, into question as to the management of Indians, to give notice to that effect, for this has nothing to do with Regina, which is under discussion.

Mr. CAMERON. I only mention this because the hon. gentleman must know of it, for these complaints were sent to the Department. If that is so, then I say the hon. gentleman's motion is quite correct, and he is not open to the charge of having done anything improper as regards either Regina or the conduct of Lieut.-Governor Dewdney. I have nothing more to say, but I thought it my duty to say this much as to opinions I formed of Regina as the capital of the North-

West, and as to the conduct of the Lieut.-Governor. This much I may say further that I quite approve of the policy of the Government with respect to taking advantage of these town sites for the purpose of putting the proceeds of the sale of Government lands there into the Dominion Treasury. I can see no reason why either the Syndicate, or the Duke of Manchester Company, or private individuals should get the benefit of the sale of these sites. I believe that their policy is correct. They have my approval, if that amounts to anything, and if necessary they will have my vote in support of the principle that, in opening up that country where enormous sums of money are being expended, the Public Treasury should reap the benefit of the sale of these town sites. With respect to speculators, the hon. gentleman says that the reason why one particular place was not selected was because the whole place was occupied by fraudulent speculators.

Sir JOHN A. MACDONALD. If I used the word fraudulent I used too strong a word. I meant merely to say persons who have no intention themselves of cultivating the soil.

Mr. CAMERON. I understood when the hon. gentleman used the word he used it in that sense. The hon. gentleman knows that within a radius of six or seven miles of the town of Regina there is not one actual settler. I know that when I was there last summer there were seven lawyer's clerks, ten ex-bank clerks, and a dozen other business men and numberless speculators.

Sir JOHN A. MACDONALD. You are quite right; that is certainly the case.

Mr. CAMERON. I am satisfied that there is not within six miles of the place one single individual who went there *bona fide* as a settler, with the intention of making his living off the soil, and I have no hesitation in saying that if you allow the speculators to take possession of that country you are doing it a grievous wrong.

Mr. SPROULE. If you look at the arguments which have been brought forward on this question, I think it becomes perfectly plain that the conduct of Lieut.-Governor Dewdney was perfectly disinterested if he had no investments there.

Mr. CAMERON (Huron). But he has.

Mr. SPROULE. I have it from himself that he has not. It appears that there were a number of sections of Hudson Bay lots in which he took one-twelfth interest, these lots being scattered over the country. Now, if he had used his position to have the seat of Government fixed upon his own property, then it would be reasonable to suppose that he was working in his own interest; but the very fact that his investment is upon Section 26, while Regina is upon Sections 19 and 13, is the strongest evidence that it would be no advantage to him to have it placed there. His land is outside the town, and we all know that land outside of a city like Ottawa, for instance, is worth no more close to the city than if it were five or six miles off. I was informed by Mr. Dewdney, when I was in Regina last fall, that he had no investments in Regina at all, except such as any private individual might have by taking advantage of the sale of lots. In reference to the selection of the town site it certainly does seem strange to the people of Ontario, that a selection should be made of a place at which there is no large body of water, such as the Ottawa River here for instance. It is not common in a prairie country to find large towns springing up as in one, for example, on the banks of large streams, for the reason that in such a country you cannot carry on manufacturing, and what then, what is the special advantage of a large body of water? The best water found in prairie countries for domestic purposes is that obtained from artesian wells. Why was it, when it was found in

Winnipeg that, in some particular places, there were artesian wells, the people sought to obtain that property? Simply because the water there was comparatively pure as compared with surface water. In the Western States and Territories the best supplies of water are obtained from artesian wells. The surface water contains alkali, which is not only unpleasant to the taste but unhealthy, and the deeper we go down in the ground the better is the quality of the water. One of the important considerations in making a selection of a town site is to have proper drainage—a matter much more important than to have a large supply of water, because if you cannot keep up navigation the water supply is of no great importance, whereas if you lack proper drainage one of the most essential requisites for a town is lacking. As to the method of selling the lots. When I was there, one of the arguments used was that all the shrewd business men of the country had endorsed the principle upon which these lots were sold. The man who was in charge of the business said to me: "I have no doubt you are acquainted with Mr. Cameron. I have an order from him for an investment of \$5,000 in these lots." It struck me that the plan of selling these lots was very fair, and while it may partake of the character of a lottery, comparatively speaking, it was no lottery. There were some lots in the centre of the town, others at a distance of three-quarters of a mile—some near the railway and others in the outskirts. While, between these classes, there were lots of various values. The plan was to put twenty of these numbers in an envelope at an average price of \$250—a plan which it seems to me had a good effect in preventing large speculators from buying up valuable lots in the centre of the town, and thus preventing the town from growing. This was done so as to enable every person to get a share in the site of the town, and to obtain valuable lots as well as those not so valuable. The system, therefore, struck me as being a very fair one, as it gave every person an opportunity of obtaining lots at the lowest figure. The hon. First Minister said that two parties were interested in the sale of these lots. So far as I remember, the Duke of Manchester's Company had one-third interest, the Railway Company one-third, and the Government one-third.

Sir JOHN A. MACDONALD. No; the Government have one-half and the Canadian Pacific Railway Company have the other half. What arrangement they chose to make in the way of underselling to the Duke of Manchester, I do not know; that is no affair of ours.

Mr. SPROULE. I was informed that the Canadian Pacific Railway Company had entered into a private agreement with the Duke of Manchester's Company. So far as the location is concerned, I can only say that there is an agricultural country for forty miles around Regina, which is as good as can be found in any part of the North-West. As for water, there is not much anywhere in Southern Manitoba, or between Winnipeg and Brandon; but the fact that they have lately obtained good water by sinking artesian wells, and that there is no absence of facilities for drainage, shows that the selection is a very good one. As to the Lieut.-Governor having an interest in it, I think no better evidence that he has no interest could be given than the fact that the town is on Section 19, while the section in which he is said to be interested is Section 26, and it must be a long time before he would be able to realize upon any investment there.

Mr. CASEY. I wish to say a few words in criticism of the reply made by the right hon. the First Minister. In the first place, I repudiate the statement that I wish to run down that part of the country. What I wish to do is exactly what I did do—point out that there were no salient features which the public could discern, making out Regina as a place preeminently fitted for a great city. That is admitted by every one, and has been, to some extent, admitted by

Mr. SPROULE.

the right hon. gentleman himself, who regarded the Pile of Bones Creek, as the only thing which marked it out as the site of a considerable town and the seat of Government; but the fact of there being a creek there at all, is disputed by the hon. member for East Huron, while the hon. member for East Grey says rivers are of no importance in the North-West, because no one drinks the water.

Mr. SPROULE. No; I said they are not considered of the same importance as they are in Ontario.

Mr. CASEY. The hon. gentleman has gone farther than I think I could have done, because he says the people of Winnipeg do not drink river water. I am bound to say that a good many people I saw in Winnipeg did not drink water from any source, yet, people there do drink river water, and the water works of Winnipeg draw their supply from the River Assiniboine. It stands to reason that the water supply of a new town like Regina must come from shallow wells, or from some neighboring creek or lake. It cannot depend on artesian wells, which may do very well for large cities which can afford them, but it is absurd to talk of every person in a small town like Regina putting down an artesian well. The right hon. member chose to attack me because he said I had attacked the character of the Lieut.-Governor, whose rights, and character, and position this House was bound to respect and guard in so marked and peculiar a manner. I think, Sir, I did not do anything that might be construed into an attack upon Governor Dewdney. I quoted the remarks of the Government organ in Winnipeg, which is supposed to be inspired from Ottawa, and all who know the gentleman who owns and edits that paper will believe that he is in sympathy with the Government here; and these attacks on Mr. Dewdney have gone abroad with all the force that is attached to them by people who regard them as indicating the feeling in Ottawa with regard to that gentleman. I have simply given the hon. gentleman an opportunity of disproving these charges. He says the papers will disprove them. I hope that is so; but I think Governor Dewdney is hardly fortunate in the defence made for him to-night by the right hon. the First Minister, for he tells us that he knew, before the selection, that Mr. Dewdney was interested—for Mr. Dewdney told him—in Hudson Bay Company's sections, not only at Regina, but at Qu'Appelle, and at various points along the line of railway. With that knowledge, he says that he subsequently consulted Mr. Dewdney with regard to the selection of Regina, and also of other town sites as far west as Calgary. Knowing that Mr. Dewdney was so interested, he did what he knew he should not have done—he placed Mr. Dewdney in an awkward and embarrassing position by asking him where he should fix the seat of Government in the North-West Territories. Well, Sir, those who met Mr. Dewdney last summer came away with the impression not that the Government consulted him in the selection, but that it was entirely in his own hands, and in those of the Canadian Pacific Railway Company. Of course we hope the documents will show that that was not the case, but that he was merely asked in a casual way where the capital should be, and his opinion had no real weight in influencing the decision of the Government. But if they show that he was asked to make a report upon the subject, and that the report favored this selection, the facts will require very serious consideration, and will certainly receive it from the country at large, if not from this House. The hon. member for East Grey corrected the right hon. the First Minister, and informed him that Lieut.-Governor Dewdney had no property near Regina.

Sir JOHN A. MACDONALD. He has one-twelfth interest in Section 26.

Mr. CASEY. The hon. member for East Grey locates Section 26 a little farther from Regina than does the hon.

member for Centre Wellington. According to my reading of the map, Regina is nearer 26 than the hon. gentleman believes it is, and as a necessity has added greatly to the value of that lot. The hon. gentleman says he did not choose Qu'Appelle because there were a large number of squatters settled there, but as the hon. member for Huron has pointed out the land around Regina is all covered with squatters of the most pronounced type, men who do nothing but sit in their tents and smoke their pipes all summer, and make no pretence of cultivating the land.

Sir JOHN A. MACDONALD. Those are not squatters they are speculators.

Mr. CASEY. Those are the people who are squatting on the land.

Sir JOHN A. MACDONALD. How would you turn them out? Would you send an army to dispossess them?

Mr. CASEY. How is the hon. gentleman going to turn the squatters off the Qu'Appelle Valley Farming Company's land? It appears the edict has gone forth that they must go. The hon. gentleman may send his Mounted Police to do the work, or Mr. Dewdney may be able to effect their removal by the mere exercise of his authority, without the support of an army, although they are *bona fide* settlers—emigrants who had settled there before the Qu'Appelle Valley Farming Company received its grant.

Sir JOHN A. MACDONALD. There is no such order gone forth.

Mr. CASEY. It was spoken of in the Winnipeg papers.

Sir JOHN A. MACDONALD. The Government will not have the power to take a man by the neck and turn him off. If the hon. gentleman selects a piece of land, he must be removed by legal procedure.

Mr. CASEY. An official of the Government informed those settlers that they must quit.

Sir JOHN A. MACDONALD. He gave them notice to quit. That is a legal process.

Mr. CASEY. I am glad to learn there is no power to turn these people off, and I am glad to hear the hon. gentleman is not going to turn them off. The greatest injustice would be perpetrated if legal measures were taken to deprive these people of their lands. But if legal measures could be taken in their case, they could be taken also in the case of the squatters at Regina. You should not make fish of one and flesh of the other. I need not go into the discussion of all the other possible sites for a capital. Moose Jaw has had its advantages pointed out, and I am told there is a place south of South Qu'Appelle where there is a beautiful lake quite sufficient to supply with water a city of any size, and I have been told of numerous places throughout the country, fit for the capital, vastly superior to Regina. If the Government had the country thoroughly explored with the view of selecting town sites, and compelled the Canadian Pacific Railway Company to divert the road to suit those places, many advantages would be gained, but no doubt it is impossible for the Government to compel the Canadian Pacific Railway to do anything. For their own reasons this Company changed the line of the road from the route carefully selected by Government engineers, and are taking the railway through a tract of country which does not offer so many suitable town sites. If the Canadian Pacific Railway had followed the original course, and struck the Saskatchewan Valley at some point, the line would run through a much more fertile country, containing a number of places suitable for town sites. As to Mr. Dewdney's house in Regina, which the hon. gentleman said is a couple of ready-made wooden houses, I am not aware that Mr. Dewdney has much opportunity at present to use it. But, at Winnipeg, last August, I saw a completed plan

of the residence to be made of brick, with coach houses and stables, and was informed by the architect that he had orders to put this house under contract.

Sir JOHN A. MACDONALD. I have the plans. They were sent to me, but the buildings will not be built for some time.

Mr. CASEY. I suppose not, for the bricks are not made yet. The hon. gentleman must not give us the idea that the residence of the Lieut.-Governor is a wooden building. Naturally the Lieut.-Governor should have a house consistent with the architect's description. With regard to attacking a public servant, I did not attack Mr. Dewdney, but I think the Government's conduct has been blameworthy on this particular occasion. It is absurd in the right hon. gentleman to attack anybody for criticising the actions of a Lieut.-Governor when he has done, himself, all in his power to remove any prestige connected with the office by the course he and his followers took with regard to the late Lieut.-Governor of Quebec. If the reverence he thinks ought to hedge in a Lieut.-Governor has disappeared, it is due to the violent attacks made by himself on that gentleman.

Motion agreed to.

#### EASTER ADJOURNMENT.

Mr. BLAKE. Can the right hon. gentleman inform us when we are to have the Estimates?

Sir JOHN A. MACDONALD. Next Wednesday. And I would also say that I had given notice that when the House adjourned on Wednesday next, I would move that it stands adjourned until Tuesday of next week at 8 o'clock. But Tuesday will be a Government day, and as not much business will be initiated, it has been pressed upon me that it would be better to adjourn until Wednesday at 3 o'clock and I give notice of motion to that effect.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 12:15 o'clock a.m.) the House adjourned.

#### HOUSE OF COMMONS,

TUESDAY, 20th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### CONSOLIDATED RAILWAY ACT.

Mr. MULOCK, in moving that, in accordance with the recommendation contained in the second report of the Select Standing Committee on Railways, Canals and Telegraph Lines, Bill (No. 15) to amend the Consolidated Railway Act of 1879, be withdrawn, said: The reason for this motion is, that when the Bill referred to came before the Committee, the hon. Minister of Railways intimated his intention to introduce a General Railway Bill, which would substantially embody the provisions of this Bill. Under these circumstances, I assented to the Committee reporting in the sense in which they have done; and, in accordance with that report, I beg leave to withdraw the Bill.

Bill withdrawn.

#### BANKS AND BANKING.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole on Bill (No. 46) further

to amend an Act intituled: An Act relating to Banks and Banking, and the several Acts amending the same.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the second clause,

Mr. ROSS (Middlesex). Is it the intention to have these lists of shareholders printed?

Sir LEONARD TILLEY. It is.

On the third clause,

Sir LEONARD TILLEY. The blank will be filled in \$100 penalty for over circulation not exceeding \$20,000.

Mr. FAIRBANK. We have banks with paid-up capitals from \$200,000 to \$12,000,000. That an over issue of notes of \$100,000 by the small banks would be a much more serious matter as related to capital than with a large bank, as in the one case it would be 50 per cent. of capital, and the other less than 1 per cent.

Sir LEONARD TILLEY. The over circulation is made in the cases of large banks with many agencies through anxiety of agents to keep out full circulation, but in the cases of smaller banks no increase has been found. It was thought proper to impose a penalty to cause greater care to be taken.

Mr. CASGRAIN. Is the penalty to be imposed on the directors personally, or the unfortunate shareholders? The former are the men responsible not the latter, and they should pay the penalty.

Sir LEONARD TILLEY. The shareholders participate in the benefit derived from the excess of circulation, and in most cases the directors are not responsible, as the excess often occurs through the agencies.

Mr. ROSS (Middlesex). How does the hon. member propose to recover this penalty?

Sir LEONARD TILLEY. There is the general law by which penalties are recoverable.

Mr. ROSS. Does it apply to this case?

Sir LEONARD TILLEY. Yes; there are no special provisions. I propose that the penalty for excess of circulation of over \$20,000 and under \$100,000, be \$1,000. In England, the penalty is equal to the amount of excess, but it is not considered desirable to adopt such a stringent measure here. We have to make the penalty something equivalent to the inducement to banks to increase their circulation.

On the fourth clause,

Sir LEONARD TILLEY proposed that the blank be filled in by \$250.

On the seventh clause,

Sir LEONARD TILLEY proposed that the blank be filled in by \$50.

On the eighth clause,

Mr. FAIRBANK. I would ask the hon. Minister to allow the bankers to continue to use these designations by adding the words "not incorporated," placing these words upon their signs and upon their stationery. The hon. Minister's only object is to prevent the public being misled, and the addition of these words must certainly do that. It is unjust to deprive individuals of names they have acquired in violation of no law, and which are valuable to them. I would urge at least that existing companies be allowed to continue the use of their business names with the addition named, and thus save their property in the name. To a man starting a new business, these names are of no value.

Sir LEONARD TILLEY.

The value consists in the established business. I would suggest, at least, that all existing institutions be allowed to retain their business names on that condition, so as to save their properties.

Sir LEONARD TILLEY. I do not think we can make any exception between existing companies and those that may be hereafter established. There is another point. Gentlemen have come here and pointed out that they did not wish the Act to go into effect until they had had an opportunity of using up their stationery, letter heads, &c. They did not wish it to appear that they had been driven to give up their name for fear it might awaken suspicions among the public as to their financial standing. Therefore, it is proposed that this Act go into operation on the 1st of October next.

Mr. FAIRBANK. I do not see what objection there can be to allowing men, who have transacted business under a certain name for many years, to retain it under the conditions proposed. It is quite a different thing with a man who establishes a new business, and who, knowing the law, will not adopt any name contrary to the Act.

Sir LEONARD TILLEY. I do not think the proposition can be justified, because, if it is needed to use these names, the provision should be made applicable to every one in order to remove the difficulty.

Mr. CHARLTON. I am unable to see why the hon. Finance Minister should not accept the suggestion, if the public can be protected against any misapprehension as to the nature of the banking company they are dealing with. It is not necessary for an individual, or a company, to be incorporated in order to become a banking institution. There is great force in the objection raised by the hon. member for Lambton (Mr. Fairbank), that this clause is interfering with private rights. Certainly many institutions have grown up under a name that has become valuable to them, and if henceforth they appear before the public with the words "not incorporated" on their letters, the public are thereby warned with whom they are dealing. It is straining a point to say that a banking association shall not be allowed to call itself what it really is, simply because it has not secured a charter.

Mr. O'BRIEN. In the constituency I represent, all its banking business is done by a private individual, under the name of the "Muskoka Banking Company." By his intelligence and enterprise, that individual has built up his business, and it is wrong to compel him to give up that name; it implies a stigma upon him. There is no safety in the name itself, of course. An instance happened in the county where I live, where a man was carrying on banking in his own name and giving a high rate of interest. He finally failed, and involved hundreds of people in serious loss. I hope the suggestion will be adopted, that a man may not be compelled to give up the name under which he has done business in perfect good faith.

Sir LEONARD TILLEY. I must confess there is much less objection to the proposition that has just been made by several members than there was to the first motion. Of course, the real object is to protect the public from deception, and perhaps that may be done by banking firms stating to the public that they are not incorporated. But it must be general in its application.

Bill amended and reported.

#### BILLS INTRODUCED.

The following Bills (from the Senate) were introduced, and severally read the first time:—

Bill (No. 90) to amend the Canada Civil Service Act 1882.—(Sir Hector Langevin.)

Bill (No. 91) to amend and consolidate the Acts relating to the Superannuation of the Civil Service of Canada.—(Sir Leonard Tilley.)

Bill (No. 92) to amend the Post Office Act of 1875.—(Mr. Carling.)

Bill (No. 93) respecting the Northern Railway Company of Canada.—(Mr. White, Cardwell.)

#### PUNISHMENT OF ADULTERY AND SEDUCTION.

The Order of the Day, for taking into consideration Bill (No. 13) to provide for the punishment of Adultery, Seduction, &c., being read.

Mr. CHARLTON. Mr. Speaker, the most essential provision of the Bill to provide for the punishment of adultery and seduction and like offences, was struck out in Committee of the Whole. A division was taken upon that motion; but of course, being in Committee, the ayes and nays were not recorded. I feel quite confident that the public will be curious to know what the sentiment of this House with regard to that matter is, and I would fain see that division recorded, so that the country may know what hon. members of this House favor a moral reform of this kind, and what hon. members are not in favor of it; and I shall take the step necessary, Sir, to convey that information to the public. I believe that the House, having had time to reconsider this question, many hon. members who recorded their votes for striking out the first clause, will, upon mature consideration, come to the conclusion that the essential portion of the Bill had better be preserved. We have just treated with a Bill which creates a new class of offences. This Bill was introduced by the hon. Minister of Finance, and it provides severe penalties for using a name, which, in my opinion, could properly be used, and which might mislead people to deposit money where that money would not be in as safe custody as if it were in the hands of a chartered bank. Well, Sir, I would ask the hon. gentleman if he considers it a greater offence to induce a man to deposit money, where it may possibly be lost, than to deprive a woman of her virtue, and lead a woman to ruin by using false pretences and making false promises. I believe, Sir, if that is an offence worthy of being dealt with as an offence, this other is infinitely more worthy of being so treated; the one is trivial compared with the other. No greater offence can be committed than that of seducing a female; and, Sir, I find, in the law, which is the foundation of all modern law—in the old Roman code—that the crime of seduction was dealt with with greater severity than is the case in any modern code. The punishment in the old Roman code for the defilement of the marriage bed was death; and the seduction of an innocent female, or a widow of virtuous character, led to the confiscation of one-half of the offender's estate if the man who perpetrated the crime was of honorable condition; and if of low condition, the punishment was corporal punishment and imprisonment. This law stood on the Statute-books for centuries in the old Roman code, which is the foundation of all modern law. There is under the old canon law of France a provision by which the seducer was compelled either to marry the female, or to settle on her a dowry. By the law of Prussia, the seducer is punished with imprisonment to-day; and, in France, it is the practice of the courts holding jurisdiction as Assize courts, to direct that a person guilty of seduction shall be compelled to settle an annuity on the victim. Having cited all the laws bearing on the fact that this offence is treated as a crime, I may also state that in nearly all the commonwealths to the south of us, this offence is treated as a crime. Under the old Roman code, in Prussia, and practically in France and other countries, great care is taken to protect female virtue, and enactments exist with regard to the rights of minors, affiliation, damages, &c. I believe, that having pointed out that the law exists in all

these cases, and adding the additional information that, in England, a Joint Committee of the Lords and House of Commons have recommended that seduction be made a crime—and beyond doubt, it will be made a crime in England very soon—I believe, for all these reasons which I now place before the House, that this House cannot properly refuse to reenact this first clause. I am anxious, Sir, to see the Dominion of Canada have the honor of being the first British colony to take this step in the right direction with regard to this offence; and I move, Sir, that the consideration of this Bill be referred back to the Committee of the Whole, with instructions to add the following as the first clause:—

Any man who shall, under promise of marriage, seduce and have illicit connection with any unmarried female of previous chaste character, shall be guilty of misdemeanor, and shall be punishable as hereinafter mentioned: Provided, in the case of an unmarried man, that subsequent marriage of the parties, or a *bonâ fide* offer of marriage on the part of the defendant, may be pleaded in bar of a conviction.

Mr. CAMERON (Huron). Surely the Government are not going to allow this motion to pass without making some observations upon it. The question is one of considerable importance, and it is amazing to see that the Government, who are responsible for legislation of this kind, in fact for all kinds of legislation, are about to allow to pass, without a single observation, a motion which proposes to refer the Bill back to Committee for the purpose of inserting the clause which was struck out before. I do not think that is the way in which a Bill of this kind should be treated. I do not speak now of the impropriety or the propriety in inserting the clause in question; but we surely have a right to expect that the Attorney General of the Dominion, or his representative in this House if there be such an individual, should express his views upon the subject, in order that members may be better able to form a judgment upon the propriety or impropriety of a clause of this kind. Yet, Sir, you were about to call for a vote and the Government are silent; they are dumb, they open not their mouths, and the House, as a whole, as well as their own followers, are utterly uninformed as to what course they intend to pursue with reference to this Bill. I suppose they will regard it as they have regarded nearly every other question—call it an open question, and one half the Government vote one way and the other half will vote the other way. The other evening, when this Bill was under discussion, the hon. the First Minister opposed this clause upon three grounds. First, because of the lamentable result which, according to his view, would follow its adoption—that lamentable result being the blackmailing of innocent men. His second argument was that this provision of the law was an innovation—a new principle in the laws of both England and Canada; and his third, and, from his point of view, the most important argument, was that such a clause would drive the young men out of the country. Now, as to the blackmailing argument, I do not see that it is sound or valid. If it were, we would not be able to make any changes in the Criminal Law, because every such law that we pass is liable to be abused, and there may be more or less blackmailing. It is known that we have now no Statute which makes this offence a criminal one, but there are numberless other offences against females which have become crystallized into Acts of Parliament. We have the crime of rape—forcible connection with a woman against her will—and everybody knows that the argument of the hon. First Minister would be stronger as applied to that crime, than to the one which the hon. gentleman proposes to create under this Bill. Yet we all know very well that that argument is not sufficient to induce Parliament to repeal the law with respect to that crime, or to prevent Parliament from making it a criminal offence in the first place. There is another crime on the Statute-book which illustrates the same thing. Every lawyer knows that having connection

with a girl under ten years of age was, and I believe is yet, a capital felony. Now, we can conceive that in a case of that kind the parents of a child of such tender age might very readily suggest a charge against any individual for the express purpose of levying blackmail. But that consideration did not prevent the Legislature from treating it as a crime. A similar offence perpetrated against a girl between the age of ten and twelve years is a misdemeanor, but the fact that blackmailing might be practiced in such cases did not prevent the Legislature from making it a criminal offence. I ask hon. gentlemen opposite if they are prepared to strike out that clause merely upon the ground that there may occasionally be cases of blackmailing. I say that there is nothing in the argument which the hon. gentleman used for the purpose of defeating this clause, because, if there were, he could apply it to almost every one of our Criminal Laws. His next argument is that this is an innovation—a new principle in our laws. But that argument is also without reasonable foundation—if it did prevail there are scores of offences which would go unpunished altogether. If such a principle as that were to be observed no new offence could ever be added to the category of crimes. If we are to make no changes in our law, if we are not to gather wisdom from the passing years, if we are not to legislate to make new offences, the sooner we know it the better; but if we are to have that liberty, there is no reason why this offence should not be made a criminal offence. The fact that this is an innovation—that it has not hitherto been the law of this colony, is no reason why it should not be made the law now, if we think, in our judgment, that cases are arising every day in which it becomes necessary that the strong arm of the law should interfere for the punishment of the offenders. But I deny that this is a new principle in our law, or in the law of England. Everybody knows that having illicit connection with the first person in the realm is a capital felony; everybody knows that having illicit connection with the second female of the realm is made a capital felony. We know that a Commission was appointed by the Imperial Government to investigate and codify the Criminal Law, and that Commission recommended that Parliament should pass an Act providing that the seduction of a girl under twenty-one years of age, should be a misdemeanor, punishable by two years in prison with or without hard labor. The principle is one which is recognized in England and is recognized in Canada, and my hon. friend simply proposes by this Bill to carry it one step further. The English Statute to which I have referred is 24 and 25 Vic., chap. 100, section 49, which read as follows:—

“Whosoever shall, by false pretences, false representations, or other fraudulent means, procure any woman or girl under twenty-one, to have illicit carnal connection with any man, shall be guilty of a misdemeanor, and being convicted thereto shall be liable, at the discretion of the court, to be imprisoned for any term not exceeding two years, with or without hard labor.”

That is the law of England to day. What is the clause which the hon. gentleman proposes to add? It is practically the very clause I have read, only he does not limit the operation of the clause to females under twenty-one years of age, and I take it that in ninety-nine cases out of a hundred coming under his Bill they would be such cases as are specified in the English Act. My hon. friend's Bill provides that if a person under promise of marriage accomplishes his purpose, he shall be guilty of a misdemeanor and liable to imprisonment. The English law is that if the same purpose is accomplished by fraud, or false pretences—not under promise of marriage, as in the Bill before the House—he shall be guilty of a misdemeanor, and may be imprisoned for two years, with or without hard labor. I say that this is practically the principle of my hon. friend's Bill. The offence is not made a criminal offence unless the defendant or prisoner accomplishes his

Mr. CAMERON (Huron).

purpose under promise of marriage, which he fails to keep—in other words, by misrepresentation or false representation, fraud or deceit, and therefore it comes within the class of case provided for by the English law. We have a Statute in Canada which was intended to be, but is not, a transcript of the English law. In 32 and 33 Vic., chap. 20, section 50, it is provided that:

“Whosoever, by false pretences, false representations, or other fraudulent means, procures any woman or girl under the age of twenty-one years, to have illicit carnal connection with any man other than the procurer, is guilty of a misdemeanor, and shall be liable to be imprisoned in any gaol or place of confinement, other than a penitentiary, for any term for less than three years, with or without hard labor.”

That is the law now, and my hon. friend's proposition is not an innovation. Surely, if a man is guilty of the offence covered by the English and Canadian Acts, and liable to be imprisoned for two years, because he is the instrument by whom some unfortunate female is made the victim of some third person's lust, there is no reason why the man who himself commits the offence should not be punished. The clause which my hon. friend proposes to add to the Bill practically provides that if a man by fraud accomplishes his purpose, he shall be guilty. The law as it now stands provides that if a man by fraud induces somebody else to commit the offence, he shall be guilty. Now, if it is a crime in the one case, it appears to me to be a greater crime in the other. The hon. gentleman's third ground of objection I shall say nothing about, except this—that if we are to lose the vigorous, healthy, active young men of this country, because they commit crimes of this kind, I say let them go. One regrets to see the large exodus from this country. That emigration I object to; but I think the class of men affected by this Bill, and who emigrate, are a class of men who leave their country for their country's good, and I do not think this clause should be rejected because some men might find themselves in the position of being convicted under it, and to escape conviction leave the country. It appears to me that there is no weight, no force, no logic, and no argument in any of the propositions the hon. gentleman lays down, and, therefore, I shall support my hon. friend's motion to go again into Committee of the Whole.

Mr. ROBERTSON (Hamilton). It is not extraordinary that I cannot agree with the hon. gentleman who has just addressed the House. I hold that the arguments already adduced against the proposed provision are unanswerable. After thirty-five years' experience at the bar, I think I can say that in ninety-nine cases out of every hundred of seduction brought before the courts, the innocent female always blamed the man, and said the act was committed under a promise of marriage. This clause not only declares that a man who shall “seduce and have illicit connection with an unmarried female of previous chaste character shall be guilty of a misdemeanor,” but it holds out an inducement to disreputable women by providing that “in the case of an unmarried man, a subsequent marriage of the parties, or a *bona fide* offer of marriage on the part of the defendant, may be pleaded in bar of a conviction.” To the woman who is not sufficiently careful of her own virtue, this provision holds out a direct inducement to charge a man with having seduced her, because, in order to get out of it, he is obliged to make an offer of marriage or pay a sum of money. I submit that that is a most dangerous kind of legislation. Although this matter has only been before this House for two or three weeks, it was discussed very fully and very ably in the last Parliament by the hon. gentleman who introduced the Bill. Yet we do not find that the public press have taken up his views to advocate them. On the contrary, when they have noticed the subject at all, I find that they do not agree with the hon. gentleman. I have before me a paper published in the interest of hon. gentlemen opposite, the Hamil-

ton *Times* of the 16th March, which is edited by an able man, who understands, I suppose, how these things work in the country, and it says of this Bill :

"Mr. Charlton's Bill making seduction a crime punishable by fine or imprisonment has been passed through Committee with some amendment. Sir John Macdonald objected to one clause on the ground that it would be an encouragement to designing women, lost to shame, to compel men to marry them, or to extort blackmail. A marriage under compulsion would undoubtedly tend to misery. Sir John's objection on this head was, in our opinion, well taken. Nor should our law be such that a man is punished and a woman rewarded for crime in which both are participants. At present prosecutions for seduction are conducted, and damages are awarded, under a legal fiction, the parent or guardian being empowered to sue for loss of service. If damages are to be awarded at all, the law setting forth the ground of damage should be plain. The legal fiction should be abandoned. But we are not favorably inclined to the enactment of a law which relieves a woman from the guardianship of her own virtue by substituting a recompense for its loss. Parental training in the right path and the fear of the social consequences of indiscretion should do more to strengthen woman's refusal than dread of fine and imprisonment can do to prevent man's solicitation. Mr. Charlton's motives are excellent, but we doubt if he has selected the best remedy for the evil he desires to suppress."

I think there is wisdom in every word and line of that article, and I have seen nothing in the papers in the opposite direction. The hon. member for Huron speaks of the crime of rape. It is well known that any person making a charge of rape is obliged to surround her evidence with such circumstances as to satisfy the court and jury that she is telling the truth. Many a woman appears before a justice of the peace and charges a man with having committed a rape upon her; but when it is found that she made no great resistance, or, immediately after the act was committed, confided the fact to her parents or some of her friends, these circumstances very materially affect the truth of her evidence. The case cited by the hon. gentleman of a girl ten years of age is not a parallel case. It is incredible that a child under that age could suggest such a thing unless it took place; and I never heard of a father or mother making such a charge, for the sake of blackmail, as would bring their daughter's misfortune to light. This question was fully discussed when the matter was last before the House, and this motion should not be carried.

Mr. FOSTER. There may be some peculiar and occult reason why a matter like this should be discussed entirely by lawyers, but I think it is also a question for good common sense; and that is why, though not a lawyer and not able, therefore, to talk about the nice points which come up in the statutes, I feel I would not be doing my duty did I not say a few words on this subject. I am in favor of having the first clause added to the Bill, if possible, with the proviso struck out. I am not very much in favor of that proviso, but rather than lose the clause I would retain the proviso. I have listened attentively to all the arguments which have been brought up against this clause, and I confess now, as I did the other night, I have not heard any sufficient argument to make me vote against it. One argument used the other evening was this: that you cannot make men virtuous by Acts of Parliament. I apprehend the object of this Act is not to make men virtuous, but to punish those who are not virtuous—who are immoral in one of the worst ways in which a man can be immoral. While I am not in favor of passing a law which would say to a man: you must have virtuous thoughts or you shall be punished, I am in favor of passing laws that will allow a man to be punished who has not the fear of God before him. An hon. friend stated he did not think this clause would promote the cause of virtue or morality among women. That is a manlike, but not a very manly, argument. This is not to promote the cause of virtue and morality among women, but to keep down immorality amongst men. I say what I always believe to be true, and what I cannot help but believe to be true—that if men were as virtuous in the main as

women are we should have much less of that class of crime to deplore, and much less reason for this clause. We must not, it is said, pass this law because somebody will be blackmailed. I appeal to lawyers of ten, twenty or thirty years standing to say what, in all the cases brought before them, has been the proportion of cases of successful blackmail. Can they point to one of a hundred in which an innocent person has come to grief in which the sham has not been exposed. That is the common sense view. It is my opinion, founded on observation, that in the long run, blackmail cases come to the ground and the innocent stand out clear. This clause ought to be enacted for three reasons. First as a new act of justice. A man persuades another that a certain kind of money is good and induces him to take it. You can put that man in the felon's cell, because he has defrauded his brother man of \$50, \$20 or \$10. You take a man on the train who plays three-card monte, and though he does not do it without the connivance of the victim, yet, because it is a fraud, you punish him. But were a man under promise of marriage, one of the most sacred promises that can be given, robs a woman of her virtue, we are told we must not make that a criminal offence and punish him, for fear some poor fragile lord of creation may be blackmailed. As a matter of fair, even justice, this being one of the worst kinds of fraud, the man who commits it should be punished. There is another reason for leaving in this clause. That is because it will be a protection. I know, and we all know, there are men in this country who glory in this kind of thing. They are few, but still there are some. The only means by which you can deter a man like that is to hold up the loaded whip before his face and eyes. What does he care for public sentiment? He snaps his fingers at it. What does he care for damages? He has plenty of money, and a thousand dollars or so are nothing to him. We have, therefore, to resort to imprisonment and the felon's penalty as a deterrent for such class of men. For the protection of female virtue we ought to put a penalty against such persons. I read, the other day, of an actual occurrence in one of our Provinces within the last two months, which will serve as an illustration of the evil sought to be guarded against. A father has brought up his child, a young girl, who knows very little of the world, who was innocent. Some "oiled and cur'd Assyrian bull, smelling of musk and of insolence," comes down into the rural neighborhood, and by chance shines on the horizon of the innocent and guileless girl. He pays her attention, gets into her good graces, makes her believe he loves her, promises marriage, and under that promise robs her of her virtue. A few months pass. There is the dreary tale of abortion. A coffin is sent with the remains. Do you mean to tell me that that father ought not to have some weapon placed in his hand by which he could place such a villain as that into a felon's cell? I have one other simple consideration to adduce, and that is if we refuse to pass this clause we will put a premium on lawless acts in such a case as I have spoken of, because the sentiment of justice is in every man's heart; and the father or the brother who loves a daughter or a sister in that way feel that punishment should be given and justice should be done. He turns to the Statute book and finds nothing there. He then takes the revolver, and the bullet does its deadly work. We ought not to give a man any excuse for that; but the public laws of the country should give him an instrument by which he could protect the ones dear to him when they are threatened in this way.

Motion (Mr. Charlton) to recommit, agreed to on the following division:—

YEAS:  
Messieurs

Allen,  
Auger,  
Bain,  
Barnard,

Fleming,  
Forbes,  
Foster,  
Gillmor,

McLusac,  
McLellan,  
Mulock,  
Paint,

Béchar, Benson, Bernier, Blake, Bourassa, Bowell, Brecken, Bryson, Burns, Burpee (Sunbury), Cameron (Huron), Campbell (Renfrew), Casey, Casgrain, Catudal, Charlton, Cochrane, Cockburn, Colby, Cook, Outhbert, Daly, Davies, Dickinson, Dundas, Fairbank, Farrow,	Gordon, Guillet, Gunn, Hall, Harley, Hay, Hilliard, Holton, Innis, Irvine, Ives, Jackson, Jamieson, Keefer, Kinney, Kirk, Kranz, Landerkin, Laurier, Lister, Livingstone, Mackenzie, Mackintosh, McMillan (Huron), McCrane, McIntyre,	Paterson (Brant), Patterson (Essex), Pickard, Platt, Ray, Reid, Ross (Middlesex), Scott, Scriber, Somerville (Brant), Somerville (Bruce), Springer, Sutherland (Oxford), Taylor, Thompson, Tilley, Trow, Tyrwhitt, Wallace (Albert), Watson, Weldon, Wheler, White (Cardwell), White (Hastings), Wigle and Wilson.—91.
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NATS :  
Messieurs

Abbott, Amyot, Baker (Victoria), Bell, Benoit, Bergeron, Bergin, Blanchet, Blondeau, Bossé, Bourbeau, Cameron (Victoria), Campbell (Victoria), Carling, Caron, Cimon, Costigan, Coughlin, Coursol, Curran, Daoust, Dawson, De Beaujeu, De St. Georges, Desaulniers,	Desjardins, Dodd, Dugas, Dupont, Ferguson (Welland), Fortin, Fréchette, Gagné, Geoffrion, Gigault, Girouard (Jac. Cartier), Girouard (Kent), Grandbois, Guilbault, Haggart, Hackett, Hickey, Homer, Hurteau, Kilvert, Labrosse, Langevin, McDonald (C. Breton), Macmaster,	McMillan (Vandreuil), McCallum, McCarthy, McDougald, McNeill, Maasue, Mitchell, Montplaisir, Orton, Pinsonneault, Pope, Rinfret, Robertson (Hamilton), Robertson (Hastings), Small, Sproule, Tassé, Tupper (Cumberland), Tupper (Picou), Vanasse, Wallace (York), White (Renfrew), Williams and Wood (West'ld).—73.
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House resolved itself into Committee.

(In the Committee.)

Mr. CHARLTON moved to insert the following clause as section one of the Bill :—

Any man who shall, under promise of marriage, seduce and have illicit connection with any unmarried female of previous chaste character, shall be guilty of misdemeanor and shall be punishable as hereinafter mentioned; provided that in the case of an unmarried man a *bonâ fide* offer of marriage may be pleaded in bar of a conviction.

Mr. McCARTHY moved, in amendment, that after the word "provided" inclusive, be omitted.

Mr. CHARLTON. I am willing to accept the amendment.

Bill reported.

Mr. CHARLTON moved that the Bill be now taken into consideration.

Mr. CAMERON (North Victoria). When the Bill was under discussion the other day, I suggested that what was then the fourth clause, should be amended in this sense: that the corroborative evidence that is requisite in order to prove the offence, should be corroborative evidence applying to the whole offence. As the clause now stands, if the witness was corroborated on only one part of her testimony that would be held to be sufficient, and would open the door to very grave improprieties. I, therefore, move that the Bill be referred back to Committee with instructions to add

Mr. FOSTER.

these words at the end of the fourth clause, "proving the offence to have been committed."

Mr. CHARLTON. I think it would be a monstrous provision to enact that the evidence of the female should amount to nothing in these cases. The Bill provides that the evidence of the female shall be corroborated by other material evidence, and that the evidence of the defendant may be tendered and taken in his own behalf. To enact that the evidence of the female shall amount to nothing, and that the offence shall be proven without reference to her evidence, is simply to enact that the provisions of this Bill shall be inoperative.

Mr. BLAKE. I really think the meaning of this is hardly what my hon. friend who moved it supposes it to be—at least, it goes a great deal further than he stated to the House he wished. As I understand it, his object was to make it clear that the corroborative evidence should have regard to two particular circumstances, and not only one circumstance, which combined constitute the evidence, namely, the seduction, and the fact that it was under promise of marriage. What he proposes is, that there should be corroborative evidence proving the offence to have been committed, that is to say, as the hon. member for North Norfolk (Mr. Charlton) has remarked, that there should be evidence irrespective of the evidence of the female altogether, which was proof of everything.

Mr. CAMERON (Victoria). As the case now stands, it would be sufficient if there were corroboration in any part of the case which was material to the whole. I do not think it is desirable that the law should be so altered. I am quite prepared to accept the corroboration as stated by the hon. member for West Durham, that it should prove the entire offence, but if it does not cover all that constituted the offence under the indictment, the female's evidence should not be sufficient to secure a conviction.

Mr. CHARLTON. The case may be very properly left to the court, there is the law and there is the evident intention of the law. The evident intention of the law further is that the man accused shall have every safeguard thrown around him; his own evidence will be accepted and the evidence of the female must be corroborated, and let the court state what is the proper amount of corroborative evidence that should be furnished. There are a thousand circumstances which we cannot conceive here. We cannot define the measure of corroborative evidence that should be required, we can only state broadly that corroborative testimony must be furnished.

Mr. McCARTHY. This House should enact what they desire to be carried out, and not leave the matter to the courts. It might be reasonably urged that the proof of promise of marriage alone would be the corroboration intended by the fourth clause; but certainly that would not be reasonable. It may not have been that the offence committed was induced by promise of marriage. It may be that the parties were engaged and that afterwards, perhaps as much by one as the other, the offence was committed.

Mr. CHARLTON. Clause 5 provided that—

"The evidence of the complainant shall be admissible, but shall not be deemed sufficient to sustain a conviction unless the name is corroborated by other material evidence."

Mr. WHITE (Cardwell). Would it not be better to allow the amendment to stand as a notice, so that hon. members might understand what they were voting on. This is a very important feature of the Bill, and we should have an opportunity of knowing the terms of the amendment. Having voted already on the question I should like to give the Bill full effect and not seek to destroy it by a side issue. I beg to move the adjournment of the debate.

Mr. IVES. The hon. member for Cardwell, who, I believe, voted with us in the last division, does not desire, I think, to place the Bill in such a position that it cannot be further considered this Session, and that practically would be the effect, if his motion were carried, because the Bill would go at the foot of Public Bills and Orders.

Mr. SPEAKER. It would remain in the same position on the paper.

Mr. IVES. The Bill died from the same disease last year.

Mr. WHITE (Cardwell). I have no disposition whatever to defeat the Bill by a side wind; on the contrary I am anxious, as it has reached this stage, that the Bill should pass. But it is desirable that the House should have the terms of the amendment before it in order that it could vote intelligently.

Motion (Mr. White, Cardwell) agreed to; and debate adjourned.

#### FRAUD IN RELATION TO CONTRACTS.

House resolved itself into Committee on Bill (No. 5) for the better prevention of fraud in relation to contracts involving the expenditure of public moneys.—(Mr. Casgrain.)

Bill reported.

#### CONSOLIDATED RAILWAY ACT AMENDMENT BILL.

Mr. WHITE (Renfrew), in moving the second reading of Bill (No. 69) further to amend The Consolidated Railway Act, 1879, said: When I introduced this Bill, I explained to the House that my object was to impose on railway companies the duty of erecting fences, or rather of being liable for any damages arising through the non-erection of fences, whether they had received notice to provide fences from the adjoining proprietors or not. I may say, Sir, that my first inclination was to restore the condition of things which existed before 1868, and which still exist in the Province of Ontario; that railway companies should be required to erect and maintain fences, where they expropriate or take lands for the use of the railway, whether such notice as I have mentioned, was given or not, but when I considered the fact, that a great many railways pass through large tracts of land where the erection of fences is not necessary, I came to the conclusion that I would only ask the House to declare, that, in cases where damages occurred to adjoining proprietors through the non-erection of fences by railway companies, which had taken land there for the use of the railways, they should be liable for such damages as might have occurred. I need not point out to you, Sir, or to the House, the fact, that few of the owners of land expropriated or taken for railway purposes, are aware that it is necessary to give to the railway companies notice to erect fences; I know one or two cases—and perhaps there have been others—and one decision at all events in my own county, where in view of the fact that the proprietors had not given notice for the erection of fences, the railway company was held not to be liable for damages which occurred through the running of their trains. It seems to me it could not have been the intention of the Legislature to declare that railway companies should be relieved of what I conceive to be their plain and manifest duty when they take and expropriate lands through a settled country for the use of the company. It is their manifest duty to guard against cattle, horses and other animals straying upon their lines. The object of this Bill is to declare that, in cases where damages are sustained by adjoining proprietors, the railway company shall be held liable therefor.

Mr. MACKENZIE. Does it not seem proper that, if the Government have a Bill to amend and consolidate the Railway Act under consideration, these small measures should be embraced in that Bill, instead of encumbering the Statute book with three or four Acts.

Sir HECTOR LANGEVIN. Mr. Speaker, we have adopted this rule, since the beginning of the Session, that such Bills should pass their second reading, and then be sent to the Railway Committee, where, if they relate to a matter, which the Government intend to include in their Bill they can be ordered to stand over or be withdrawn, their provisions being inserted in the Government measure. In this case, that course had better be adopted, as has been the case with two or three other Bills which have been before the House.

Bill read the second time.

#### PUNISHMENT OF WIFE-BEATING.

Mr. ROBERTSON (Hamilton), in the absence of Mr. Wood (Brockville), moved the second reading of Bill (No. 81) to amend the Criminal Law and to make special provision for the punishment of persons convicted of wife-beating. He said: This Bill is very short and simple; but it makes a very material difference with reference to the Criminal Law, its object being to make punishable by fine and imprisonment, persons guilty of wife-beating, the punishment being that of being whipped, and I suggest that it be read the second time, and referred to a Select Committee composed of Messrs. McCarthy, Tupper (Pictou), Davies, Wood (Brockville), Weldon, Cameron (Victoria, Ont.), Cameron (Huron), Girouard (Jacques Cartier), Amyot, Casgrain, and the mover.

Bill read the second time; and referred to Select Committee.

#### LEASES OR LICENSES TO FISH.

Mr. WELDON, in moving for a Return of leases or licenses to fish on rivers in the Provinces of New Brunswick, granted by the Department of Marine and Fisheries, and the annual rent received on each; the number of leases or licenses cancelled or surrendered, and showing up to what date the annual rents have been paid, said: This matter is one which at the present time is in a very unsatisfactory state. Under the Fisheries Act power was given to the Minister of Marine to grant licenses to fish where the exclusive right to fish did not exist by law before that time. Under that law and shortly after the Act was put in operation the Minister of Marine issued a number of licenses, assuming the right to lease the privilege of fishing in the various rivers of New Brunswick and Quebec, which rivers and portions of rivers were licensed to parties who paid an annual rental to the Government. Shortly thereafter disputes arose between the parties who held land along these rivers—which were of course above the tidal waters, not navigable streams. These disputes between the riparian proprietors and the lessees formally came before the Supreme Court of Canada, which decided that the leases were not tenable. The result has been that the lessees have been put to great trouble and expense, injunctions having in some cases been obtained from the Supreme Court of the Province, restraining them from fishing in these waters. An Order in Council was passed on the 14th day of June, 1879, which was no doubt intended to do away with the effect of the decision of the Supreme Court. It provided, in effect, that no person should exercise the right of fishing in these waters unless he obtained a license from the Department of Marine and Fisheries. Some of these parties, pending the decision of the whole question by the Supreme Court, applied to the Department of Marine and Fisheries for licenses, holding that while they

enjoyed the rights as riparian proprietors to fish on their own lands, they were at the same time willing to comply with the regulations of the Department and take out licenses. In some cases parties were required to give information as to their title to their lands, and refusal to give this information was followed by a refusal of a license. Attempts were made to enforce the Order in Council in a very arbitrary manner, and though I do not blame the Minister I think the conduct of his subordinates should be censured. It has been decided by the Supreme Court of New Brunswick that the Order in Council is illegal; although the appeal has been taken to the Supreme Court of Canada, that appeal I understand has not been pressed. The result has been, that in a few cases actions have been brought through which the Dominion Government has had to pay a sum of about \$5,700, on account of the efforts of their Fishery Inspectors to enforce the order. The lessees were obliged to go on paying the rent—if not to May 1st, 1883, at least to May 1st, 1882. I think it is the duty of the Government to take steps in the direction of a satisfactory settlement of the whole question. The trouble appears to have been that these regulations were imposed not for the protection of the salmon fisheries, but merely for the purpose of obtaining revenue, and the result has been, I fear, in some cases the destruction of the salmon fisheries on some of the rivers.

Mr. McLELAN. I shall have great pleasure in bringing down the correspondence to which the motion refers. I may say without entering into details that I hope soon to prepare a scheme by which these fisheries will be properly protected.

Motion agreed to.

#### MOTION FOR RETURN.

Motion for the following return was agreed to:—

Return of number of Cadets that have graduated at the Royal Military College since its establishment; the number who have obtained commissions in the Imperial service; the number who have been appointed to the permanent militia corps; also, names of any officers appointed to "A" and "B" batteries of artillery since February 6th, 1880, who have not graduated at the Royal Military College, and of those appointed who graduated at the College.—(Mr. Weldon.)

Sir LEONARD TILLEY moved the adjournment of the House.

Motion agreed to; and (at 5:45 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

WEDNESDAY, 21st March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### PRIVATE BILLS.

Mr. ABBOTT moved that the time for the reception of the reports from the Committee on Private Bills, be extended to a period of four weeks from this date, in accordance with the recommendation of the Committee on Banking and Commerce.

Motion agreed to.

#### THE ESTIMATES.

Sir LEONARD TILLEY delivered a Message from His Excellency the Governor General.

Mr. WELDON.

Mr. SPEAKER read the Message as follows:—

LORNE.

The Governor-General transmits to the House of Commons, Estimates of sums required for the service of the Dominion, for the year ending 30th June, 1884; and, in accordance with the provisions of "The British North America Act, 1867," he recommends these Estimates to the House of Commons.

GOVERNMENT HOUSE,  
OTTAWA, 1st March, 1883.

Sir LEONARD TILLEY moved that the said Message and Estimates be referred to the Committee of Supply.

Motion agreed to.

#### TEMPORALITIES FUND OF THE PRESBYTERIAN CHURCH OF CANADA IN CONNECTION WITH THE CHURCH OF SCOTLAND.

Mr. CHARLTON, in moving that Bill (No. 30) to amend the Act of the Dominion of Canada, 45 Vic, chap. 124, respecting the Temporalities Fund of the Presbyterian Church of Canada in connection with the Church of Scotland, be withdrawn, said: I explained, upon the second reading of the Bill, that the losses sustained by the fund had left the board unable to meet the charges upon it. The Bill introduced was designed to enable the board, by making deductions on certain classes of the payments called for, to meet their obligations. There were four classes of payments. There were the payments to the original beneficiaries who created the fund, and who are known as the original commutants. There were twenty-nine of these. There were, next, payments to those called privileged ministers, of whom there were nine, each receiving \$400, and there were two retired ministers receiving the same sum. These constituted the second class of persons receiving payments. The third class of payments was an amount of \$2,000 annually to Queen's College; and the fourth class was to those known as beneficiaries, ninety-two in number, each receiving \$200 a year. The proposal of the framers of the Bill was to reduce the allowance to the beneficiaries 25 per cent., and the allowance to privileged ministers and retiring ministers 25 per cent. It was supposed that this proposal met with the approval of all those interested in the four different classes of payments. It was found, however, on the introduction of the Bill, that the proposal did not meet with universal approval. The privileged ministers claimed that their rights have been secured by the Synod in the order of seniority. They claimed that first of all the duty of the board was to preserve the rights of the original commutants and save sufficient capital to pay that class. Next to the beneficiaries came privileged ministers and the payment to Queen's College; and next retired ministers, seventy-five of whom were added at the time of the union. Delegates from the different bodies met here, and a conference was held last night. An attempt was made to reconcile differences of opinion and interests, in order that a Bill satisfactory to all might be introduced. We got so far as to obtain the consent of the gentlemen representing the commuting ministers, to allow the two retired ministers and three of the privileged ministers on the retired list to enjoy their full allowances; but they resisted any demand for the six remaining privileged ministers to receive their full allowances; and as it became evidently impossible to reconcile the differences of opinion, it was thought best that Parliament should not be called on to settle their differences, that there should not be an unseemly wrangle before the Private Bills Committee, but that the Bill should be withdrawn, in the hope that, in the course of twelve months, this matter, which imperatively calls for legislation, would be so arranged as to reconcile all differences of opinion, and secure the introduction of a Bill acceptable to all classes receiving payments from the fund. It is for this

reason that I, as promoter of this Bill, ask to be permitted to withdraw it.

Bill withdrawn.

#### EASTER ADJOURNMENT.

Sir JOHN A. MACDONALD moved that when the House adjourns this day, it do stand adjourned until Wednesday next, at three o'clock p.m.

Mr. BLAKE. I regret the hon. gentleman has proposed so long an adjournment. I have always felt that the Easter adjournment, circumstanced as we are, should be made very brief indeed. Some hon. members are able to avail themselves of the Recess to go home; but a very considerable number are quite unable to avail themselves of the adjournment for that purpose, and to those therefore, the increased length of the Session has no corresponding advantage whatever. My own impression therefore, is, that the Easter adjournment should be for the shortest possible space of time. I make this observation with added force on this occasion, because we have arrived at a very advanced period of the Session, and the present condition of the public business is wholly unprecedented. The business is further behind than I recollect at any similar period during previous Sessions. Government measures of a debatable character are not at all advanced; the Estimates have only been brought down to-day, and this adjournment will cause the financial statement to be at least a week later. It is obvious, if the Session is to terminate in the ordinary time, we shall be required to pay very severely for the idle hours which we have been called upon to spend during the last six weeks, therefore there ought to have been a short adjournment, in order that we might, as early as possible, commence the serious business of the Session.

Sir JOHN A. MACDONALD. Well, Mr. Speaker, the adjournment is for a little longer time than has usually been the custom. We have usually adjourned from Thursday until the following Tuesday, but there has been a strong expression of opinion, not on the floor of the House, but from a large section of the members, to the effect that, really on Thursday they felt they ought not to be called upon to sit; and then those who leave the city cannot get back here until Tuesday night, and it is quite obvious—Tuesday being a Government day—that it would be absurd to commence the discussion of any Government measure at eight o'clock in the evening; therefore we have postponed the assembling for business one day longer—until Wednesday at three o'clock, which is not losing any time under the circumstances.

Mr. MACKENZIE. I think, Sir, the usual practice has been to take simply Friday and Monday.

Sir JOHN A. MACDONALD. No.

Mr. MACKENZIE. And then, if I recollect rightly, we met on Monday evening at that; but we are now taking three additional days, I suppose, because we are so tired out with the last six weeks' work, and we must have a long rest.

Motion agreed to.

#### JAMES H. JACQUES.

Mr. IRVINE enquired, Whether James H. Jacques, of the Town of Woodstock, New Brunswick, has been appointed to any position in the Civil Service; and if so, what is the position to which he has been appointed, the duties of such position, the salary attached thereto, and the date of his appointment?

Mr. BOWELL. Mr. Speaker, James H. Jacques was appointed by Order in Council on the 27th of June, 1882, in the place of W. T. Drysdale, resigned, as preventive officer

and clerk in Her Majesty's Customs at Woodstock, New Brunswick, and his duties are those of a clerk and preventive officer in the Customs service; salary, \$500 per annum.

#### WEIGHTS AND MEASURES ACT.

Mr. IRVINE moved the following resolution:—

That it is expedient to amend the Weights and Measures Act of 1879, by providing that the weight equivalent to a bushel of the following articles should be those hereinafter set forth:—

Oats.....Thirty-two pounds.  
Timothy seed.....Forty-five pounds.

He said: I ask the indulgence of the House for a few moments, while I discuss a matter of considerable importance. When the Weights and Measures Act of 1879 was brought before the Parliament of that day, it was evidently given very little consideration, if I may judge from the report of the discussion which then took place on the propositions of the Government, as it appears in *Hansard*. I may state that the hon. Minister of Inland Revenue of that day, Mr. Baby, when the Act was passing through the House, used these words:

"By the 18th section, heaped measures were prohibited. This was taken from the English Act now in force, which enacted that when a bushel was sold it should not be heaped. It would be, as said in French—*mésure rasée*, and would be a protection to the farmer."

I would infer from that remark that the custom heretofore was to heap the measure, and that the 18th clause of the Act declares that the measure should not be heaped. This is what the clause says:

"In using a Dominion measure of capacity, the same shall not be heaped, but either shall be stricken with a round stick or roller, straight and of the same diameter from end to end, or if the article sold cannot from its size or shape be conveniently stricken, shall be filled in all parts as nearly to the level of the brim as the size and shape of the article will admit."

The only voice raised in the Parliament of that day was that of Mr. Houde, who called the attention of the hon. Minister to the question in the following words:—

"Mr. Houde said that he would take the liberty of drawing the attention of the hon. Minister of Inland Revenue to the fact that there were a good many farmers and traders who thought that it would be better to put the bushel of oats at 32 lbs. instead of 34 lbs."

The hon. Minister, in reply to Mr. Houde, said:

"Now as to the weights of different grains and vegetables, we would say that they had been in existence for the last twenty-five years. If the hon. gentleman would refer to the Consolidated Statutes of Canada, he would therein find the same provisions. When the hon. the ex-Minister of Public Works introduced this law a few years ago, no objection was then raised to the weight of grain and vegetables as then fixed by law. He could not, therefore, venture to meddle with them, at least for the present."

Seeing how little discussion took place at that time, I think it may not be out of place for me to give my opinion as a practical man, allowing, at the same time, any other hon. gentlemen to take the same way of ascertaining the truth of my statement as I adopted myself, namely, by actual knowledge and measurement. I say that when 48 lbs. was placed as the equivalent of a bushel of timothy seed, a mistake was made, because no bushel will hold more than 45 lbs. Then, as to oats, though that cereal varies very much if we take the quality ordinarily raised in the country, 34 lbs. cannot be put into the ordinary Winchester bushel, which is the standard we use as well as the Americans. In the States of Maine, New Hampshire, Massachusetts, Pennsylvania, Michigan, Minnesota, Illinois, and several other States, 32 lbs. of oats is made the equivalent of a bushel measure; but in the Parliament of Canada, with very little consideration or discussion, it was declared that 34 lbs. is the proper equivalent. I say the bulk of the testimony in the States bordering on our country is in favor of the 32 lbs. standard, and it rests with those who declare to the contrary to show why our standards should differ from the

one so generally adopted by the Americans. I call upon the lumbermen of Ontario and New Brunswick, to state why they should ask the farmers of those Provinces to give them 34 lbs. in every bushel of oats, while the Americans are satisfied with 32 lbs. And I call upon the millers of Canada to give a reason for the difference. Perhaps we have not far to look for the reason. The reason given by our people is, that very few of the laboring class, or the farmers, ever enter the Canadian Parliament, and that while they have men who claim to represent the poor, in reality there are few or none of their own class to stand up for the rights of laboring men, of whom I am one myself, and for whom I have a great respect. In the United States, this matter is one which is settled by the State Legislatures; and it is not uncommon for laboring men and farmers to have seats in these Legislatures, where they can protect their own interests. As the matter is one which has never been brought up before, I do not think I need apologise very much for taking the part of my brethren. The first reason for which I ask this change to be made is, that it is a matter of right and justice; and the second is, that it is a matter of convenience. When we take up our newspapers to read the prices in New York or Boston, we should know that the bushel means exactly the same quantity in both countries, so that we could make comparisons between them. I am a practical farmer and laboring man myself, and I am proud of the fact; but personally I do not care what the standard is, because, like many other farmers, I do not raise grain to sell. I turn it into pork, butter, cheese, or horses, so that I buy far more grain than I sell. I appeal to this House on behalf of the poor farmer, who has no capital to purchase stock, and who cannot wait for years for a return from his crops, but who is obliged to sell his grain the moment he gets it out of the ground. I maintain that such men have not that representation or consideration in this House that they should have. In their interest, this Parliament should take into consideration this simple question: why the Canadian farmer is required to give 34 lbs. to the bushel, while Americans are willing to do with 32 lbs.? It appears, from the Trade and Navigation Returns, that we export 4,000,000 bushels of grain per annum, 2,000,000 bushels or more of which go to the United States; and I think that is a strong reason why the measures in the two countries should be uniform. I thank the House for the attention it has given me.

Mr. COSTIGAN. This motion, as I understand it, applies only to two articles, oats and timothy seed. By the Act passed in 1879, the weight of a bushel of oats is fixed at 34 lbs., and that of a bushel of timothy seed, I think, at 48 lbs. The hon. member says that that law was passed without much consideration by Parliament, because there was very little debate, and he thinks it should now be amended. For my part, I think it will require some stronger arguments than the hon. gentleman has used to show any necessity for altering the law. This is the first time since 1879 that I have heard of any dissatisfaction existing in the country with regard to these two measures. It is very well for the hon. member to pose here as the special representative of the poor man; but I think his argument is a little inconsistent. If he is really serious, and wishes to do the poor man a service, I think it must be some consolation to him to know that if the farmer who has to sell his grain gives two pounds more than he ought, the poor man who has to buy gets two pounds more. The hon. gentleman cannot argue in both ways; he must take one side or the other. If he argues in the interest of the farmers, he must show that they have been injured by this Act; but up to the present time no indication has been given that any dissatisfaction exists; no petition has been presented to this House, no complaint has been made to

Mr. IRVINE.

my Department, or to the Government. Therefore, I think the proposition of the hon. gentleman to amend the law is hardly justifiable.

Mr. PICKARD. As the hon. member for Carleton (Mr. Irvine) called upon the lumbermen to speak now, and give the reasons why they exact 34 lbs. to the bushel, I wish to say that I bought several thousand bushels of oats from the hon. member's county this winter, and I never exacted 34 lbs. to the bushel, but bought them by the 100—three bushels to the 100. When I buy 4,000 pounds I know that I get 120 bushels—that any boy can calculate by multiplying by three; but it would not be quite so easy to divide the 4,000 lbs. by thirty-two. I never heard of a farmer in his county making any complaint.

Mr. POPE. I have had something to do with oats as a lumberman, and I have also had something to do with raising them; and I also had something to do with the law as it stands, before the remarks the hon. gentleman has read from *Hansard* were at all applicable to it. Every single item in this Bill was discussed here very fully, not in 1879, because the Bill of that year was only for consolidating the laws, it being understood that they were right and just laws. The hon. gentleman claims to be the defender of the poor man. What in the world has the poor man to do with this question? If he sells a bushels of oats that weighs 32 lbs., he gets the value of 32 lbs. for it; while if he sells a bushel of oats that weighs 34 lbs., he gets the value of that amount. It is nonsense to say that this question has not been fully and fairly discussed in this House. There have been other farmers here besides the hon. member. The people are accustomed to the present measures, and it is difficult for me to understand why the hon. gentleman wants to change that which is the custom of the country, and which the people are fully acquainted with. I do not see the slightest reason for changing the law.

Mr. IRVINE. I have no doubt this motion will be lost, but something may be lost and found again. I was very sorry that the hon. Minister of Inland Revenue raised such a childish question as his distinction between the farmer and laboring man. When I used the latter term I did so with reference to farmers alone, to distinguish between rich and poor farmers. The former do not depend on the sale of their grain, for they purchase more than they raise and use it in stock raising; but the poor farmer, not having his farm well stocked, must sell his grain, and if he is not properly called a laboring man I do not know what he is.

Mr. PICKARD. It would be better if the hon. member from Carleton would cast his oats to the wind, then he would have no trouble in getting 34 lbs. in the bushel.

Mr. TAYLOR. So far as I am concerned, I have never heard a complaint from any of the farmers on this subject. If a change were made it should be an absolute one, prescribing a uniform standard throughout the Dominion. In Ontario, a bushel of peas weighs 60 lbs.; in Montreal it must weigh 66 lbs. A bushel of oats in Ontario weighs 34 lbs., in Montreal 32 lbs. Why my hon. friend should propose the change he does I cannot understand. I hear of no complaints, and I buy all kinds of grain by the standard in use in Ontario. I have bought oats 40 lbs. to the bushel, and barley 53 lbs. to the bushel, but have paid according to the weight. If any change be proposed, it should be that grain be purchased by the 100 lbs. Every year I buy 200,000 or 300,000 bushels of grain, and have never heard any complaint either from farmers or merchants.

Mr. SPROULE. Having been connected for some years past with a large number of Agricultural Societies, I have frequently had occasion to see grain weighed and measured. In Ontario good oats will weigh 36 lbs. to the bushel. I

do not wonder that the Americans should adopt a standard of 32 lbs., because when the western oats come in they scarcely ever weigh over 32 lbs. to the bushel, Canadian oats will weigh 35 lbs. per bushel. If the grain has come to proper maturity and is well filled, it will keep pretty close to the present standard, and I see no injustice in retaining it.

Motion negatived.

#### COMMITTEE ON STANDING ORDERS.

Mr. BEATY, in moving that a Message be sent to the Senate requesting their Honors to unite with this House in the formation of a Joint Committee for the purpose of revising the Rules relating to the duties of the Committee of Standing Orders in each House, and specially whether one Joint Committee of both Houses should not be named to do the work of the said Committee for both Houses; and also, informing their Honors that Messrs. Daly, Casgrain, Gunn, Dawson and the mover, will act as members of such Committee on the part of this House, said: The suggestion was made to the Committee whether the present notice requiring two months is not too long, causing unnecessary and great expense to parties seeking legislation, and whether the time could not be limited, say to one month. Some went even further, and questioned whether only one publication should not be made in the *Official Gazette*, with regard to Private Bills, as this ought to be only a matter of record, not being generally read, as the literature of the *Gazette* is not of that attractive character which commands persual generally throughout the country, while more strictness should be required with reference to publication in the local papers. It was also urged that the time within which petitions for Private Bills should be presented to the House should be limited to twenty days, and the presentation of Bills to thirty days; and that these times should be fixed periods, not to be departed from unless with the sanction, or under the direction, of the House, and not by the Committee. The appointment of a Joint Committee of both Houses was thought to be very important, for the purpose of passing on the preliminary notices, and the Bills in the first instance, as the double work of the two Committees was quite unnecessary. These matters were not merely informally discussed or talked of, but suggested. The idea was, that we should appoint a Committee to meet a Committee of the Senate on the subject. The object is also to bring under the consideration of the Joint Committee the question whether our Joint Committee for both Houses should not take these preliminary notices into consideration and determine them without having two Committees to hear the evidence on Private Bills which are introduced into this House. The Senate Committee have already suggested the names, and, I believe the Senate has also appointed a Committee for the purpose of meeting a Committee of this House, the object generally being to reduce the length of time for which notices are required for Private Bills, and reduce the expense. The facilities for communication through the country are so great that it is thought unnecessary to continue a special publication of this kind for two months; and that it would be more advantageous to parties interested in Private Bills to adhere strictly to the notices in local papers.

Mr. BLAKE. I do not see any serious objection to the appointment of the Committee, but I do see objection to the general line which the hon. gentleman has chalked out as to the mode of dealing with the periods during which Private Bills may be presented. I agree that the time might be shorter. My own idea would be to provide minimum time before the Session of Parliament commences. I believe at the present time it is two months, but I think my hon. friend from Hochelaga, the other day, said that the difficulty was that the *Gazette* summoning Parliament for the

despatch of business, is issued within a shorter period than two months from the date of summons, and therefore, if those who were interested in Private Bills waited for that particular *Gazette* to give notice, of course, they could not present their Bills for a considerable time after the commencement of the Session. I do not think that is a very good excuse, because we know, as a rule, when Parliament is to meet, and it is quite competent for those who are promoting Bills, to give their notice in November or October if they like, instead of waiting for that particular *Gazette*. Still, I do think we would expedite the presentation of Bills if we made the regular period to be counted from the day on which Parliament met for the despatch of business; and if instead of saying two months from the period at which the petition is presented, we said one month or five weeks from the meeting of Parliament, that would obviate the necessity of this prolongation the hon. gentleman refers to. What is the reason why those who want Private Bill legislation in this House cannot follow our Rules, and have their petitions presented within ten days from the opening of the Session? There is no reason in the vast bulk of cases. In any exceptional case in which the emergency has arisen, we have always readily opened the door and allowed any petitioner to show us why he did not come in earlier. But the vast bulk of these cases are either Bills for the incorporation of companies, or Bills for the amendment of charters, the causes of which, or the views that lead to which, have arisen in ample time for the promoters to give notice within the regular period, and to have their Bills ready. Now, we provide that there should be sent in a draft of a Bill with the cost of printing, in order that they may be printed before we come here at all, and that we may be ready at once to go on with that Bill. We know that that is not done. We know that our laxity results in those Bills not being prepared, and they are hurriedly prepared here, frequently by members of Parliament who are called upon to discharge these extraneous duties which do not properly devolve upon them. I say, then, that it would be a very unfortunate thing if we were now to declare that the time for the presentation of petitions for Private Bills should be enlarged to twenty days. On the contrary, let us shorten the period, but let us prescribe that that shortened period should be given so long before the Session as that the petition may be presented within a very short delay after the opening of the Session. Look at your Bills Committee as it stands to-day. Look at the Order paper of the Railway Committee. I do not know how many there are, but there are two disposed of, and I suppose there are thirty or forty more to be disposed of in the stress and strain of the Session which is now coming on. There are heavy orders before the Banking Committee, and before the Private Bills Committee, and, to-day, we have passed a resolution extending the time for the reception of the reports of Committees, four weeks, so that the bulk of the reports will be coming in three or four weeks from this time. How much consideration will be given to them after that period arrives? An hon. member has more than once said that it is the bad Bills that come late. It is true that these objectionable Bills come in late, and there is this reason why they should come in late: early in the Session the Bills Committee have begun to scrutinize the legislation and to get it into some sort of shape. We spend two hours in the beginning of the Session on a Private Bill, whereas towards the end of the Session the practice is to run these Bills through in ten minutes. There may be a discussion about the preamble, but once that question is settled all the details of the Bill, towards the latter end of the Session, are hurried through rapidly without our having given it sufficient attention. A man may come up next Session and show us a clause in a Bill that looks very objectionable, and he will quote that very clause as a precedent for a precisely similar clause in another Bill. We then find that

the first Bill was hurried through Committee without consideration, and that precedent is invoked for further objectionable legislation. I do hope that it will be one of the objects of this Joint Committee to insure, by extreme rigidity, to be departed from only upon special ground and excuse, that this cardinal rule shall be adhered to which provides that petitions for Private Bills and the Bills themselves should be got before us at the earliest practical moment after the Session commences.

Sir JOHN A. MACDONALD. I would ask my hon. friend, if there has been any report on this subject from the Committee on Standing Orders?

Mr. BEATY. The Committee, instead of making a report, suggest that the motion should be made in this way. They simply suggest the names of persons to go on the Committee.

Sir JOHN A. MACDONALD. I quite agree with the remarks of the hon. member for West Durham, as to the necessity of our standing by our rules more strictly than we have hitherto done. He has always made most praiseworthy efforts in this direction, and has been trying to bring on the Private Bills business of Parliament at the time when we can give it proper consideration. For some reason or other we have failed in attaining the object which was attempted by the alteration of the rules. The truth of the matter is this: that the great cause of delay is simply the laziness and inattention of the solicitors of the various incorporated companies who are employed by the promoters of private bills to bring them before Parliament. They are too lazy, or too procrastinating rather, to have those measures prepared within the regular period. They trust to the good nature of Parliament to enlarge the time for consideration of petitions and for the presentation of Private Bills, and the consequence is that which the hon. gentleman stated. Bills which require careful consideration and which invite distrust are purposely delayed, I fear, by the promoters, and when I use the word "promoters," I do not mean the members introducing the Bills, or having charge of them, but parties outside, whose interests are concerned in having the Bills become law. Those promoters, I say, I fear frequently retard the Bills, and allow them to lag in the House in order to be rushed through at the end of the Session, when the House, after being exhausted in discussing public matters, is unwilling to be delayed by the consideration of Private Bills. I do not know a remedy for that evil, except a firm resolution on the part of the House to resist any such attempt. As the hon. gentleman has truly said, when an exceptional case arises, when there is a sudden call for the passage of a Private Bill, when it can be explained to the House that the ordinary notice could not be given, that the regular period of publication could not be had, the House is always most favorable, indeed too favorable, in considering such exceptional cases. Everybody knows that Parliament will always meet at the end of January or beginning of February, and every one knows perfectly well when notice should be published both in the *Gazette* and local newspapers, and when that is not done the parties are to blame and they really should be punished. We might have been discussing all the Private Bill legislation during the last four or five weeks; if the Bills had been printed and in the hands of members they might have been considered and passed, and the House would have been profitably employed in considering those measures. I rather dislike the form in which the motion has been drawn, inasmuch as it begs the question. It sets out "That a Message be sent to the Senate requesting their Honors to unite with this House in the formation of a Joint Committee for the purpose of revising the Rules relating to the duties of the Committee on Standing Orders in this House." But the House has not yet come to the conclusion that the Rules require revision. In the first place an expression of opinion must be

Mr. BLAKE,

received to that effect. They have been formally settled after most careful consideration. There was a special Committee of which I was a member, and of which the hon. member for West Durham was a member, on the subject, and the Rules as revised are not in full force. Then, with all due respect to the Committee named by the mover, to revise the Rules, I think the hon. gentleman ought to reconsider the names. They ought to be composed of members possessing great Parliamentary experience, and those who have paid attention to the construction of the Rules of the House, and the principles on which they have been framed, and to such only should be committed the power of dealing with a subject of this kind. After a report from the Joint Committee has been presented, it will be very difficult for the House to express an opinion at variance with the Committee's conclusions. For these reasons, I would suggest to the hon. member that we should allow the debate to be adjourned for the purpose of allowing him an opportunity to remodel the resolution.

Sir LEONARD TILLEY moved the adjournment of the debate.

Motion agreed to; and debate adjourned.

#### TIMBER OF INDIAN LANDS IN ONTARIO.

Mr. McNEILL, in moving for a return of all documents and correspondence relating to the granting of licenses to cut timber, whether pine or any other description of timber whatever, on Indian Lands, within the Province of Ontario, from 1875 up to the present time, said: In making this motion, I venture to claim, for a few minutes, the indulgence of the House while I offer one or two observations explanatory of the reasons which have induced me to ask for these papers. I am sure in doing so I will meet with the indulgence of hon. members, for I have already experienced great kindness at their hands. The circumstances to which I wish to draw their attention are circumstances of great importance, not only to a considerable number of my own constituents, but to all settlers upon Indian lands throughout this Province, upon which large timber licenses prevail. I have said that this measure is of great importance to settlers, and it is of special importance to many of my own constituents; and the remarks I am about to make will be confined to those matters which affect my own constituents. It is a matter of so much importance that it really amounts to this—whether many of those people are to support themselves in comparative comfort, or whether they are, on the contrary, to be subjected to a long struggle with poverty of a very oppressive description. The circumstances connected with this matter are somewhat remarkable. I may say with regard to settlers on the Saugeen Peninsula, which I have the honor to represent in this House, that they have the misfortune to be very poor people, and I think that is a reason which only makes it more appropriate that their interests should be considered by this House, and by a Government which, in the policy it has adopted, has done so much to benefit the poor man in this country. The lands of these people are, unfortunately, of a very poor description in some parts; they are of a very variable character, and the land there is in its quality very dissimilar. In some parts of a lot you will find very good land, and in other parts of the same lot, land which is valuable only for the lumber which grows upon it. Owing to this circumstance my predecessor (Mr. Sproat) called the attention of the right hon. gentleman to the fact that these lands had been in the first instance valued too highly, and requested him to take into consideration the circumstances of these poor people, and have a revaluation made; and in accordance with that recommendation the right hon. gentleman did take the matter into consideration and ordered a revaluation of the lands to be made by a gentleman who

was thoroughly conversant with the state of that country, and was thoroughly competent to carry out that revaluation. This revaluation was made; but unfortunately no steps could be taken to put it in force, as the Government of the right hon. gentleman was defeated, and the Government of the hon. member for East York took its place. I say "unfortunately," Mr. Speaker, because it was most certainly unfortunate for my constituents. When the Government of the hon. member for East York came into power, Mr. Gillies, who recently represented North Bruce, in this House, experienced, I understand, a good deal of trouble in inducing that Government to carry out this policy. I think I may say so, as I have heard him state so on the public platform, and take a great deal of credit to himself for the hard work he had been obliged to undergo in order to induce hon. gentlemen opposite to carry out the policy of the right hon. gentleman, and reduce the price of the lands of these poor settlers in the Saugeen Peninsula. However, Sir, eventually, and I think this was in 1875, Mr. Gillies succeeded in inducing that Government to carry out that policy, and the price of these lands in the Saugeen Peninsula was reduced. A number of the settlers there were then in great hopes that now a good time was in store for them, but, Mr. Speaker, unfortunately they were woefully mistaken. If any hon. gentleman, who has had experience in farming matters, has been kind enough to follow me in the observations which I have made, he will understand that it was of the greatest possible importance—that, in fact, it was a matter of vital importance to these poor people—that they should be allowed the privilege of cutting the timber on their lands. Poor men—very poor men—who enter upon bush lots, are obliged, in the first instance, for the first years of their occupation, to look very largely to the timber growing on their lots for their support. It is by the sale of this timber that they are enabled to support their families in great measure, nay, almost entirely. It is by the sale of the timber that they are enabled to provide themselves with flour, and to pay their store bills, small as these are generally, to provide themselves with oxen to work their lands, or to pay for the oxen which they have obtained on credit, or to pay for the oxen which they have not obtained at all; for, Sir, it is too true, that many of these poor people have gone into that country unprovided with oxen and unprovided with horses, and have by labor in the logging fallow, which it is absolutely painful to contemplate, endeavored to keep over their heads a house, and secure food for their families. Well, Sir, prior to the accession to power of hon. gentlemen opposite, these settlers in the Saugeen Peninsula had the right to cut and sell the timber upon their lots; and as I have said, this right was of vital importance to them. One of the complaints which they made at that time, was that the dues which they were obliged to pay to the Department were too high. These dues were charges or tolls on their timber; and these tolls or dues were paid into the Department, and the settlers were credited with that amount by the Department, these dues ceasing to be payable when the patents for their lots were issued. Well, Sir, I ought to have said that there existed over the Saugeen Peninsula at this time, or over a great part of it, a license to cut timber. It was a license granted to Cook & Company, but it lapsed, however, upon lots which were taken up for actual settlement. If I have made myself clear, it will be seen, that in 1875, when the policy of the right hon. gentleman had been carried out, and when the value of these lands had been reduced, the settlers were very much benefited. This policy was further carried out in this respect—that fifteen acres of each lot were reserved to the settler, upon which he could cut timber without having to pay any of these dues at all. Therefore you will perceive that at this time the position of the settlers in the Saugeen Peninsula, had been

very much improved; but, Sir, a most extraordinary circumstance occurred soon afterwards. In 1877, this circumstance happened. In that year, an Order in Council was passed, which permitted lumbermen to come upon the lands of actual settlers, for three years after they had entered into possession, and to cut down timber upon them—and the most valuable part of the timber, the pine, before the very eyes of the settlers, and to carry it off. In this way, if I have made myself clear, was taken away the principal means, by which the settler could support himself and his family during the first years of his occupation. This enabled the lumbermen, for three years after the settlers came into possession and entered upon their lots, to carry off, in fact, their means of subsistence. I have heard, since I took my seat here, remarks made about the poor man. This was, however, legislation for the poor man with a vengeance. We have heard wonderful diatribes from the hon. gentlemen opposite, as to the amount of interest which they took in the poor man. They have constituted themselves into apostles, so to speak, or a sort of charitable-political-poor-man's indignation society; and we have had wonderful pictures portrayed of the policy of the right hon. gentleman, and of his cruelty to the poor man, who was almost perishing of cold, and was deprived of his food and clothing by the policy of the right hon. gentleman. Well, Sir, this is the manner in which hon. gentlemen opposite, when they obtained the reins of power, legislated for the poor man. That was the theory with regard to the poor man, but it was a theory which certainly does not seem to have been put in practice in this case. I believe that hon. gentlemen opposite are generally regarded—on our side of the House, at least—as being theoretical rather than practical politicians, and so far as the people in the Saugeen Peninsula are concerned, they have found that out to their cost. It may be asked, and very naturally asked, how did it come about that such an extraordinary enactment as this should be put in force by hon. gentlemen opposite. The answer to this question is really the most extraordinary part of this extraordinary story. If I am not misinformed, there has been a Streams Bill introduced in the Provincial Legislature of Ontario. Most of us on this side of the House have heard of such a measure; and we know that it was introduced simply for the public good. We know that it was introduced simply for the purpose of preventing a lumberman from carrying on his operations in such a manner as would interfere with the public weal. We know, too, that it was not introduced at all for the benefit of any political supporter of that Government; and we know that one of the items in the political creed of hon. gentlemen opposite is, that they should not follow too closely in the wake of the Provincial Government—that they should not by any means hunt in couples with that Government; and it may be that the reason hon. gentlemen opposite introduced the extraordinary provision to which I have referred was just to show their perfect independence of that Government, and proceeded in this matter on a principle diametrically opposite to that, which, as they alleged, actuated Mr. Mowat in passing the Streams Bill. It would be a very strange thing if it were to prove that this measure was introduced at the instance of a supporter of hon. gentlemen opposite then sitting in this House, for the benefit of a friend of hon. gentlemen out of doors; and unless I am misinformed such will prove to be the fact when these papers are brought down. If I am not much misinformed it will be found that this measure was introduced at the instance of an hon. gentleman, a supporter of the Government of the hon. member for East York, in favor of a lumbering firm in Manitoulin. At all events, we shall see when the papers come down. I am informed that it was proposed in a letter of April, 1877, and was carried out by Order in Council in November of that year. I know, at any rate, that my constituents are groan-

ing under the affliction at the present time. There was a flimsy plea and flimsy excuse, as I understand, put forward for the passing of this Order in Council, and it was that by the passing of such a measure a larger amount of funds would be received by the Indian Department for the benefit of the Indians. I say that was a flimsy excuse and a flimsy plea, for it is quite evident that such an enactment as that would have the effect of preventing settlement upon those lands. It has had that effect in the Saugeen Peninsula, and would also have the effect of preventing settlers who did so upon those lands from paying for their lots, because they would be unable to sell the timber. If it was desirable that additional tolls should be paid for the timber upon such lands, then, I say, that upon such lands as were sufficiently valuable to excuse that imposition, the settler should be the person allowed to cut the timber, and that the lumberman should not be allowed to come forward and carry off his means of subsistence. So far as the Saugeen Peninsula was concerned, such a provision would have been most unjust and would simply have taken away what those poor men ought to have had, but would have been princely generosity as compared with the policy of hon. gentlemen opposite. In conclusion I would just say that these lumbermen, not content with this additional privilege, for which they paid nothing at all—this privilege of being permitted to cut timber for three years on the lands of the settlers—claimed to be allowed to cut, not only the pine but the cedar which grew on those lots. The right hon. gentleman has stepped in for the benefit of the settler and has, I am glad to say, put an end to that pretension, and I hope he will see his way, as I understand he does, to put an end to this most cruel and oppressive enactment altogether. These men who are settling in the Saugeen Peninsula, and the men who wish to settle on our Indian Lands throughout the Province are people of our own. They are inhabitants of the Province of Ontario, and they do not want to be driven out of this Province either to the North-West or to the United States. I think they have the first claim upon these lands. They are better able to take advantage of them and turn them to the best account than settlers would be coming from the Mother Country, or from the continent of Europe, who know nothing whatever about bush work. Therefore, I say, I sincerely hope the right hon. gentleman will endeavor, as soon as possible, to give these poor people the full use and advantage of those lands to which they are really the natural heirs. Before sitting down, I wish to say that I would like to amend the motion by inserting after the word "from" the word "January;" and I would also like to ask, in addition to the correspondence, for the Orders in Council.

Sir JOHN A. MACDONALD. If there are Orders in Council, they can be got by an Address instead of by an Order of the House. The Clerk will alter the motion accordingly. I do not at all object to bringing down these papers and informing the House how far the wrongs mentioned by the hon. gentleman in his very clear and able speech, have been inflicted on these people, and how they can be remedied. Of course, until these papers come down it will be more than useless to discuss whether the policy has been wrong, and if so, how far it can be remedied and the settlers in the Saugeen district relieved from the injustice of which the hon. gentleman complains so strongly. It is no part of my duty, at present at all events, to impugn the policy or the actions of the Government in 1874 or 1875, with respect to the licenses which have been issued for the cutting of timber on lands sold to settlers. The land is very poor in many places, but exceedingly valuable for its timber, and, all things being equal, the settlers would have the first right to the timber. A deputation from the settlers of the Saugeen district came down some time ago, and I think the con-

Mr. McNEILL.

clusion came to was, that the licenses should extend only to pine, and that spruce, cedar, and other woods, should fairly belong to the settlers. Some of the licenses varied in their terms from others, but as a rule the privilege conferred by the licenses was to cut merchantable pine. This matter is now before the Government, having been brought before my Department by the hon. gentleman. I cannot go quite so far as my hon. friend, in saying that the Government have made up their minds that these licenses should be revoked. That is a matter which has to be very gravely considered. While every protection should be given to the settlers on these different lands, still the vested rights of parties who have licenses and who have invested considerable sums of money in getting out timber and bringing it to market, must be fairly considered and protected. The matter is now engaging my attention, and I hope in a few days to be able to come to some conclusion, which, perhaps, may be sent down to the House, together with the papers for which the hon. gentleman has moved. I wish to be distinctly understood as expressing no opinion, either adverse to the licenses, or to the claims set up so forcibly by my hon. friend on the part of the settlers.

Mr. DAWSON. There is a large extent of Indian land in the district that I have the honor to represent, the District of Algoma, and the settlers there feel the same hardship that my hon. friend from Bruce (Mr. McNeil), has spoken of, that the wood is being taken from their very doors. I know of other cases in which pretended settlers buy large tracts of land, not Indian land, solely with the view of cutting the timber, which is unfair both to the lumberman who holds a license, and to the honest settlers. But in the case of the Indian lands, which are comparatively small in extent, the lumbermen go to the settlers doors, and cut not only pine, but cedar and hardwood. Licenses are given even for cutting cordwood on the Island of Manitoulin. These things are felt to be great hardships, and I think some change should be made by which the wood would be left to the settler, who, I feel confident, would be willing to pay a little more for his land in order to be so protected. His wood gives him employment in the winter, and enables him to have something to sell, and I think, considering all the hardships and privations which he has to put up with in that new country, he should be allowed to have his timber. There is no doubt that it has been an advantage to him to get his land at a low price. Much of the land in Manitoulin Island, which was purchased at 50 cents an acre, is now worth \$50 an acre, owing to the exertions of the settlers. In other parts of Algoma, beyond the range of the Indian lands, the Ontario Government reserves all the pine, but no other timber, and even that provision is felt to be a hardship. The timber is being rapidly cut down on the vast tracts of timber land in the district of Algoma. Giving the Government of Ontario credit for all its expenditures on colonization roads and otherwise, and charging them with all the timber cut, there would be a balance of some \$1,150,000 left from dues collected from that vast region. Why does the present Government of Ontario want the great disputed territory? Simply that it may sweep off the forests, which, it claims, contain \$120,000,000 worth of wood. I have always held to the principle that the natural resources of these wild districts are the just inheritance of the people who go to settle in them, and I say that any policy that would derive a revenue from the timber that grows in the disputed territory, and spend that revenue elsewhere, would be a false and bad policy. The true policy is to spend the proceeds from timber in the district where it is cut, so as to provide for its wants in the future. I have much pleasure in seconding my hon. friend's motion.

Mr. ALLEN. There are no settlements in the Dominion which require more sympathy than those referred to by my

hon. friend from North Bruce. These lands, the most miserable in our western country, were sold at an unfortunate time for the settlers—immediately after the Russian war, when the prices of lands were inflated. The people did not know what they were purchasing, and I know instances of settlers buying lands at \$4, \$6 and \$7 per acre, which to-day are not worth 50 cts. per acre. I believe the Government acted very wisely in charging stumpage or a duty of \$2 per 1,000 feet, and applying the amount towards the liquidation of these purchases, in many cases, farmers having received the full payment of their lands through these dues. If these dues had not been collected, lumbermen would have purchased the lands and taken the timber, and in the end have had the lands for less than they paid in stumpage dues. I do not wish to say anything against either side of this House, but, I hope sincerely the Government will take into consideration the position of these unfortunate settlers, and relieve them of their difficulties. They are in debt without the means to pay it. As regards the quality of their lands, a man might walk 500 yards over some farms and not touch anything but rocks. I hope the Government will make arrangements by which the settlers will be relieved of their indebtedness on these unfortunate lands—both the price and the interest.

Mr. McCALLUM. I have received some letters from the County of Bruce, with reference to this subject. I would say that though lumbermen may be very desirable citizens, settlers are of still greater consequence to us. What the latter complain of is, that when they settle on a lot of land, the lumbermen may come in, take away the timber, pull down their fences and destroy their crops, and nothing can be done to them. I have the honor to support a Government, which I believe will not continue a policy under which a lumberman may obtain a license to cut for three years all the timber on a settler's lot. When I was informed of this abuse, I really could not believe it. I am sure it is the intention of the Government to treat all the settlers fairly, and will remove the present grievances. The sooner this Order in Council is annulled the better. We are expending a large amount to bring emigrants into this country, and it is necessary we should endeavor to retain those we have here.

Motion agreed to.

#### PERSONS ENTERING MANITOBA BY RAIL.

Mr. BLAKE, in moving for a statement of the number of persons entering Manitoba by rail during each month of the last calendar year; and of the number of persons leaving Manitoba by rail during each such month; also, for all correspondence, reports, data and statements on which are based the estimates made by Government of the number of immigrants who have settled in each Province of Canada and in the North-West Territories during the year; and of the number of Canadians who have left each Province or Territory or the Dominion during the year, said: I moved last Session for a return similar to this, and my hon. friend assented with his willingness, but he did not, with his usual businesslike promptitude, bring down those returns. I hope my hon. friend will this year bring down the information. Several statements have appeared at different times in the press, and we have the semi-official statement made by the hon. member for Pictou, in the debate on the Address, as to the immigration into the North-West. The hon. gentleman gave us the total number, which must, of course, be based on the aggregates in each Province, and, therefore, we must have the number settled in each. It is material we should have all the data upon which the estimates are based.

Mr. POPE. I shall be very glad to bring down the information required, but as all information of this kind will come down in my report which will be ready a few days

after, if not before we meet here again, I would ask the hon. gentleman to allow this motion to stand until he sees my report, and knows what he will then want. I can say to the hon. gentleman that, so far as the immigrants coming into the country are concerned—into the North-West—their numbers are ascertained by actual count, by the reports from the ships, by the returns of the agents in Quebec and Ontario. Every immigrant from the United States having goods to enter, enters them at the Custom Houses, and the returns from the Customs' offices show the actual number of settlers from the United States. There can be no mistake about that. Those people coming from the United States this year, and so entering their goods, amounted to over 30,000. Now, Sir, I can quite understand that hon. gentlemen opposite will doubt the correctness of any report we may make, but it must be remembered that there are corroborative circumstances. We must remember that people will be governed by their interests wherever they go. Now, why is it that we have 30,000 people coming into Canada this year from the United States, when two or three years ago we only had 8,000? Can the hon. gentleman think of any reason? Here are my reasons. The largest number of these people came back to the Province of Quebec from the manufacturing centres of New England. When they went away we had no manufactures or employment to give them, but now we have, and that is the reason why 20,000 Canadians returned to Canada this year. They are now coming back here because they can find labor at home. I suppose hon. gentlemen opposite will hardly credit me when I tell them that over 50,000 people settled in Manitoba during the past year. They say that these people have gone to the United States, and that just as many are going now as ever. Now, I put it to the common sense of hon. gentlemen, and ask them if there is not another reason why the artisan and the laborer are now coming back to this country from the United States, and why our own people are not going to the Western States? The reason is that we have a great West of our own that we are opening up, and the numbers going to the West of the United States are very much less than formerly. This year, how many do you think have gone to Manitoba and to our North-West? Something like 69,000, and of these about 34,000 went from Ontario. Of course, I cannot give the exact numbers, I give them approximately, but from the best data I can get, and I say that 34,000 of those people went from the Province of Ontario. Then I deduct from that number 17½ per cent.—which was the ratio adopted at one time for those who remained in the North-West when the emigration was much smaller than it is now—and that was supposed fairly to represent the proportion of those who returned to Ontario that had left that Province. I believe it is a fair proportion now, and according to it we find that over 34,000 of the people who settled in Manitoba and the North-West went from Ontario. I am repeating this for the benefit of hon. gentlemen opposite. I desire to stop the crying aloud of those hon. gentlemen that we are losing people from Ontario—for that has been the burden of some of the speeches of my hon. friends opposite. Now I believe that, instead of Ontario losing she is actually gaining. I have excellent data for believing that over 50,000 immigrants went into the Province of Ontario during the last year, and as 34,000 left that Province, that would give a surplus of over 15,000 as representing Ontario's gain during the year. My method of proceeding to ascertain these numbers is to count every man that comes across the border. But if the hon. gentleman asks me to give him definite and positive figures, I say I cannot do so. I consider all the circumstances, and draw my conclusions from those circumstances. In regard to the hon. gentleman's motion, everything there is bearing on the question will be brought down by the time the House resumes work after Recess.

Mr. BLAKE. I shall now be able to contrast the hon. gentleman's speech with his return when it comes down. The hon. gentleman ought to remember the old French proverb that *qui s'excuse s'accuse*. I did not accuse him of making any misstatements about immigration. I did not say a word about the figures, as to whether they were right or wrong. I wanted to get the facts, the data, the materials, upon which these statements were made. I did not combat them. I am prepared to deal with them when they come down—when I have ascertained what they are. But the hon. gentleman was ready to be attacked; he thought these figures required defence, and he proceeded to lug in, the N.P., and the number of men that came into Quebec, &c. Sir, that is premature. When we get the facts and get the hon. gentleman's data we will be able to deal with them. In the meantime, he has given us some idea of what his motive is for forming a judgment, and what his principles of action are. He says that some time ago when the emigration into Manitoba was very small, it was easy to ascertain, and he did ascertain, that 17½ per cent. of those who went in came out again, and he believes that is the proper estimate to make to-day. He says he is not certain, but he is satisfied, that the same proportion will hold, and he has adopted the proportion of the early and small emigration as applicable to the much larger emigration of to-day. He may be wrong, but I want to see what the data are upon which the hon. gentleman makes out that 17½ per cent. is the proper deduction for those who have not permanently settled there. The hon. gentleman says that 34,000 went in from Ontario, and he estimates that 31,000 remained. But he will find, I think, if he makes a very small sum in arithmetic, that the deduction is about 9 per cent. instead of 17½. It would require about 38,000, according to his own calculations, to remain, in order to make 17½ per cent.

Mr. POPE. There were 38,000 who went in.

Mr. BLAKE. The hon. gentleman said 34,000.

Mr. POPE. Then, I made a mistake in the figures.

Mr. CASEY. There is one item in regard to emigration to Manitoba which, perhaps, did not exist when the hon. gentleman established his 17½ per cent. rate, but which does exist now, that is, the dissatisfaction produced in the minds of people who have settled there, especially during the past season, by the difficulties they have met with in obtaining homestead entries, or in some cases in obtaining any land at all upon which they could settle. I know of many instances, in one district especially, that south of the Pacific Railway and beyond the western boundary of Manitoba, where hundreds, I might say thousands of settlers were disgusted at the manner in which they were treated by the Government. They went there, some early, others in the middle, and others rather late in the summer, but at no time could they obtain any certain assurance as to whether it would be possible for them to secure homesteads of land which had been surveyed and advertised in the public press as being open for settlement. Three times in the course of last season those lands were shut up from settlement by orders received from here, and three times they were opened. Every time they were opened, there was a rush of settlers there, but by the time they arrived and selected lands they were told that the lands were closed to settlement, and they could not obtain homesteads there. Some of those parties stuck to their lands and ultimately succeeded in getting their entries. Among them was a gentleman I know personally, highly connected in England, who had gone out there with his sons to take up land near Moose Mountain. He passed through the processes of being told that he could obtain entries and that he could not, but he stuck to the land he had selected, and late in the fall he got his entry. But that gentleman, who was at first enthusiastic about the North-

Mr. POPE.

West, has since written advising his friends to go to Dakota, or some other Western State, instead of Manitoba where such annoyance and uncertainty prevailed about getting land. This is not an ordinary case. This gentleman is a man of standing and influence in his own country, and would probably have been the means of bringing hundreds of settlers to the country. I met in my travels across the prairie scores of other prospective settlers returning in disgust from the finest districts in the whole territory, stating that there was fine land there, and land which suited them in every particular, but on arriving at the place they found it was either locked up or granted to some of the large companies which have obtained immense tracts of land outside of the railway belt. This state of things will tend greatly to increase the number of persons leaving Manitoba. And while I am speaking on this point, I wish to urge strongly upon the Government—not from any spirit of fault-finding, but with an earnest desire to induce them to make better arrangements for the future, and in the honest belief that if the First Minister saw the disadvantage of the present system he would change it—the necessity of having something settled and fixed in the rules respecting the taking up of land. When we publish to the world that large tracts are open for settlement, we should see that there are land offices in those neighborhoods, and as many land offices as possible, so as to afford the greatest convenience to settlers, and they should be kept continuously open, at least during the whole of the season during which the publication is first made. If it is desired to close the offices, that should be done during the winter, and ample notice given to intending settlers; but it is a simple fraud that either European immigrants, or people from the older Provinces of Canada who go in to take up land, should be told, after they have selected a location, that they cannot make an entry. That has, however, been the practice for years in regard to lands in the North-West. I am sure if the First Minister knew how the policy is regarded there, and the anathemas hurled at the land office by settlers who find it impossible to obtain homesteads, he would look into the matter more closely and adopt a system which would have the advantage of dealing fairly with those whom we are trying to induce to settle in that country.

Sir JOHN A. MACDONALD. I do not see that the remarks made by the hon. gentleman are quite relevant to the discussion going on at this moment; but the hon. gentleman has got the North-West strongly impressed on his mind, and brings it into everything. He resembles a character described by Charles Dickens, who brought in Charles I on every possible occasion. I dispute the accuracy of his facts, and I say they are not facts. In all surveyed portions open for settlement, homesteads can be had. There is a large body of men in Manitoba and the North-West who pose as settlers, who claim the rights of settlers and who are the men who make the noise. They are men who go there for the purpose of speculating, who are not *bona fide* settlers—men who go out there, some of them being Members of Parliament—and endeavor to secure lands claimed and owned by settlers, and who place men as squatters on lots, on the understanding that they are to be paid a certain commission, the speculator securing the land. The whole effort of the Government has been to prevent these land-sharks, whether Members of Parliament or not, from going into the North-West and trying to keep out would-be settlers from Europe and the older Provinces of Canada, and to protect them from those combinations of men who are really preventing the settlement of the country. I say so distinctly. With respect to *bona fide* settlers who go into the North-West, a great many of them wander all over that vast territory. They go on unsurveyed land where they cannot make an entry, because they can only make an entry for land after it has been surveyed. There

have been certain reservations made; coal and mineral lands have been reserved; railway lands have been conveyed absolutely to the Canadian Pacific Railway under the arrangement. Then there are railway lands for sale, and out of the profits from them the enormous expenditure to which the country has been put to in building the Pacific Railway is to be returned to the Public Treasury. There are school lands, Hudson Bay Company's lands, reservations made for Indians, reservations made of probable town sites, reservations made under the Act of Parliament, passed in the first place by the hon. gentlemen opposite when in power, and continued by the present Government, of mill sites and property of extraordinary value, which are reserved for the purpose of recouping the Treasury for the drain made upon it to secure the settlement of the country. Every effort has been made to facilitate the settler in finding his land. Of course, the system has been experimental in the first instance. Since 1871, when we secured possession of that country, the number of officials sent up there has been by slow degrees increasing. The number grew under hon. gentlemen opposite with the development of the country; it is now growing still further owing to the increasing development of the country. The hon. gentleman (Mr. Casey) has declared there should be more land offices. The Government are endeavoring to open offices in all districts where surveys have been made, and where the country is open for settlement. We do not wish to have an unnecessary army of agents or officers there; and it is the interest of the Government—it is the desire of the Government—to have as many and as efficient officers there as the demands of immigration will require. It is true, Mr. Speaker, that the immigration has been very large—has been exceedingly large during this last year; and the immigrants have scattered all over that country. They have not kept within the surveyed districts; but have, and it is their right, roamed over the whole of that country—gone everywhere. People going to look for places suitable for settlement, and to make a home for themselves and for their families, have a right to indulge their own fancies and their own tastes; and a great many go off to sections of the country which cannot possibly be surveyed in one year, or in two years, or in three years. From the foot of the Rocky Mountains to Red River, immigrants are scattered all over the land. There is no one district in which these immigrants are not found; and it would be impossible, without undergoing enormous expense, to provide the whole of the machinery, over every part of that vast section of this continent, by means of which entries could be given, or to make surveys wherever immigrants may choose to go according to their tastes, according to their caprices, according to their fancies. The surveys which were finished last season were very large—about 300 townships having been surveyed, and more blocked out; and the Government will ask Parliament this Session for a larger amount for the purpose of surveying more extensive sections of the country. Instead of finding them, as has hitherto been the case, a necessity along the line of the Pacific Railway, we will have surveys made in the various districts over that part of the continent which seem from the flow of immigration to be ready for immediate settlement. The surveys are to be undertaken at Edmonton, at Calgary, all over the Belly River section, and in the whole of the coal district; and the Government will be very glad, and my Department will be very glad, to get surveys made by as many competent surveyors as they can find for that purpose. Every competent surveyor, who will undertake to go up there, can obtain ready employment in this regard from the Government. There is a difficulty—or rather it is not a difficulty—but there is a complaint proffered that patents do not issue so rapidly as they ought. Well, it has been a slow process, as I have had occasion to say before. Hitherto the issue of the patents has been a

slow process, owing to the sanctity which the British Constitution has always thrown around the application of the Great Seal to any document, be it big or be it little. The Bill, which I am happy to state is printed in French, at least, and which I shall ask the House to consider when we meet after Recess, will provide very largely for the removal of that source of complaint; but I will say this—that the delays in Canada in the issue of patents, have not at all been equal to the delays that have taken place in the United States. The law, as it now stands, provides that wherever the local agent gives a certificate of three years settlement and the right to have a patent issued, the patent shall issue. Well, experience, I am sorry to say, shows that this is a very unsafe principle of action. Certificates have been given improperly; certificates have been given to speculators improperly; and certificates have been given to agents, who are the servants of speculators, improperly; consequently the Government have been obliged, through their officers, to cancel some of those grants for patents, on the ground of fraud. This has operated hardly in some instances, that is to say, innocent people have bought some of these grants in good faith that the party selling had acquired the right to their patents; and complaints arising from this cause have operated to a very considerable extent, as a charge against the land system; but still, Sir, it must be done. If there has been fraud practised, and a man has no right to a patent, he cannot sell more than he has himself; and however important it may be in the interest of the purchaser, still the rights of the Crown must be protected and the law must be carried out. In the Bill which is before the House, there is provided this one additional protection: that when the local land agent has given a certificate, that the homesteader has acquired the right to the deed, and all the evidence is forwarded, and when they have received the revision, approval and sanction of the Land Commissioner, who is stationed at Winnipeg, then the certificate given by the local land agent, with the approbation of the Land Board of Winnipeg, shall have all the effect of a patent. That evil will, consequently, be very much removed, if this Bill receives the sanction of this House. Of course, Mr. Speaker, it is the interest as well as the duty of the Government, to satisfy the needs of the large rush of immigrants and settlers who are going into that country; and I believe that, on the whole, the settlers, the *bona fide* settlers, who have gone into that country, are well satisfied with the way in which they have been treated in entering it. I also believe that very much of the increased immigration which is that going into the North-West this year, will be caused by the favorable accounts sent home to England, and sent home to Europe, by settlers who have already gone there, and that these favorable accounts will be the chief reason for the increase in the immigration of the year 1883 over the immigration of the year 1882.

MR. CASEY. I merely wish to refer to a matter personal to myself. The hon. gentleman disputes the accuracy of my statement. I can merely say that it is based on the statements of men who I have every reason to believe are *bona fide* settlers, and who have gone up there from Ontario for the purpose of settling; on the statements of land guides, and of land agents, who affirmed that the offices were closed at certain times. This will be settled by the answer to the return which my hon. friend from North Norfolk moved for, asking for the Orders in Council with regard to these matters; and I think it will be found, as I have stated, that land offices were closed three times during the last season. Of course, I only mention these things, not for the purpose of injuring the country—because I have every reason to wish the country well—but to have these grievances redressed if possible.

Motion agreed to; and (at 6:05 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 28th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## RAILWAYS AND CANALS BILL.

Sir CHARLES TUPPER introduced Bill (No. 94) to amend an Act respecting the offices of Receiver-General and Minister of Public Works, as to the powers of the Minister of Railways and Canals.

Mr. BLAKE. Explain.

Sir CHARLES TUPPER. The object of this Bill is simply to remove a defect in the existing law. It was intended by that measure, as the House knows, to transfer to the Minister of Railways and Canals all duties pertaining to the railways and canals, and that, wherever the term "Minister of Public Works" appeared in any former Act, it should read, after the passage of the Bill, "Minister of Railways and Canals." But it was found when the question came up, that the words "railways and canals under the control of the Government" had been introduced, in fact, limiting the powers of the Minister of Railways and Canals to deal with matters of that kind, unless they were under the control of the Government. The object of this Bill is to remove that defect in the former Act, and provide that in relation to everything touching railways and canals, where the term "Minister of Public Works" appears in former Acts, it shall read "Minister of Railways and Canals."

Bill read the first time.

## BILLS INTRODUCED.

The following Bills (from the Senate) were introduced and read the first time:—

Bill (No. 95) further to amend the Interpretation Act.—(Sir John A. Macdonald.)

Bill (No. 96) respecting booms and other works constructed in navigable waters, whether under the authority of Provincial Acts or otherwise.—(Sir John A. Macdonald).

## COMPILATION OF DEPARTMENTAL REPORTS.

Mr. ROSS (Middlesex) moved the following resolution:—

That in the opinion of this House, it is desirable, as near the close of each financial year as possible, to publish a digest of all the Departmental reports containing such information in regard to the financial condition of the country, its commerce, shipping, imports, exports and population, and such other statistics as may, in the judgment of the hon. Minister of Agriculture and Statistics, be in the public interest.

He said: We publish annually, at very considerable expense, a great number of Departmental reports, some of which are admirably prepared, and all of which contain a variety of information exceedingly useful. These Departmental reports and the other printing connected with Parliament, cost us, last year, some \$135,000. This is a very large sum to spend on printing in connection with this House, when we consider the extent to which the information contained in these reports is distributed among the public. Take, for instance, our Trade and Navigation Returns, which contain a mass of very valuable information—they alone cost, last year, the sum of \$5,360, each copy costing about \$2.50. The difficulties in distributing that information to any great extent are considerable, and the number is so limited that it is quite certain that but a small portion of the community are placed in possession of these returns, and consequently but a small portion of the people have access to the information which they contain. In the same way

Mr. CASEY.

Public Accounts and other Departmental reports are so limited in number—(although they cost a very large amount of money—that the information which they contain is very indifferently distributed. The idea which I have in the resolution placed before the Chair is, to have a digest of these reports prepared from year to year as nearly after the close of the financial year as possible. If this were done and the digested information distributed to members of the House, and to the public generally, the main facts which these reports contain would be in possession of members, perhaps before the House met, and could be published at such a small cost as would enable us to distribute them much more freely than is done at present. Besides, the difficulty of getting at the information contained in those reports is very great. Although the arrangement could not very well be improved on, I do not know that I could offer any suggestion on that point, yet it requires considerable experience in the study of those reports to enable, even members of this House, to reach the information which they contain. A condensed report of the information in these reports would give the main facts in connection with the public affairs of this country in a much more convenient and useful shape to the public. Besides, these reports are of no use whatever, or scarcely any, for purpose of comparison. When we want to ascertain the progress of the commerce of this country we have to fortify ourselves with all the Trade and Navigation Returns from Confederation. True, there are some comparative statements in the returns every year. But they are incomplete. Generally it is a comparison of two years—this year and last year. In some instances they date back to Confederation, but in very important particulars these are very defective; and we require, in order to ascertain the progress of the commerce of this country for the last thirteen or fourteen years, to look through all the returns for that period. This is inconvenient, not only to members of this House, but to others who might wish to inform themselves on this subject. In the same way, if we wish to find the cost of our railways year by year, or the progress of our post office system, or other matters in connection with the affairs of this country—the militia, or immigration—we have to take down the returns of the respective Departments and look through each year by year; and in this respect, perhaps, the most faulty of all our Departmental reports—if I may call it a report—is the Census Return. In each return we have, of course, the Census of the decade which it is supposed to cover, but there are no comparative statements to enable us to arrive readily at the increase of our population, or the resources of the country. I think this is a great inconvenience and loss, not only to members of this House, but to journalists and others. The advantages of the system which I propose are briefly these: In the first place, we would be enabled, if such a system as I have indicated were undertaken, to publish most valuable statistics at less expense. A small edition of some of these expensive returns might be issued, and a large edition of the digest could also be published, and in that way it could be more generally distributed among the people. In the next place, this digest to which I call your attention, would give more information than the Departmental reports. It would be less in detail and more general. If a journalist, for instance, wishes to make a comparative statement showing the progress of the country, its commerce, shipping, expenditure of population, he has to refer to his library, and, at very great difficulty, get the information which is sought. A compendium, such as I refer to, would place this information readily at his disposal, and, I venture to say, if it were more easily got at much more valuable information of this kind would be distributed among the community. We find here, in connection with the labors of the Session, a very great

difficulty often in making those comparative statements which are required for purposes of debate. Nothing would be so valuable to members as a well prepared and carefully compiled statement; which is now only obtained by the members of this House after a laborious search through volume after volume of the Trade and Navigation Returns. These returns could be prepared in the shape indicated, and then a conclusion would be more easily arrived at, and much more valuable information would be given. If we want to send abroad, to other countries, a comparative statement of Canadian trade, and of our commerce and shipping since Confederation, we find that we have no valuable documents, no digest, which we can mail to any person in England who wishes to secure such information for immigration or other purposes; and to obtain a statement of this character, we must search through a long series of Sessional Papers; and a small compendium, such as I have indicated, if put in possession of those connected with the political affairs of the country, would be exceedingly valuable. Now, why do I urge this matter upon the attention of the House? I urged it last year; and I have repeatedly done so, for the reasons which I have already given, and for another reason. We find that our constituency of readers for such a report as this, is too small to enable us to hope that the deficiency will be filled by private enterprise, as is the case where such information is published in connection with the Library at Washington, and where the constituency of readers is very large, so that a book like that pays the enterprise of a private publisher. In England, also, the Statesmen's Year Book is issued by private enterprise; but, in Canada, we have no such a constituency of readers, and I doubt very much whether private enterprise would go to the labor and expense connected with the preparation of such a work as this. I hope, though I do not see the hon. Minister of Agriculture in his place, that the other hon. members of the Government present will see the importance of preparing such a compendium as that to which I have called attention, because the labor it would occasion cannot be very great—an intelligent clerk, connected with the Department of Agriculture, could do the work very readily—and it would not entail much expense; and the expense of preparing this work, would, moreover, be more than met by the saving made in connection with the publication of the Departmental reports; and while it would be valuable to the House, and the country generally, it would in itself compensate largely for the cost of the undertaking. I hope, Sir, that the Government will entertain my proposition favorably; and that next year, when we meet again, we will have a compendium prepared in such a way as I have generally indicated, giving us all this information ready for the use of members and for distribution among the public. We receive frequently here, letters from constituents, asking for Departmental reports and Blue-books, and, as I have said before, the number is so limited that the demand cannot be met; but a large edition such as called for, and prepared in the way indicated, could be prepared, and it would enable us to place in the hands of our constituents this valuable information; and it would be valuable, not only to them, but it would also educate the country regarding the resources and progress of Canada. I hope that the House will entertain favorably the resolution which I propose.

Mr. BOWELL. Mr. Speaker, I have no doubt that a compendium—as my hon. friend terms that information—compiled from the different Departmental reports, would be of great service, particularly to members of the House during the sitting of Parliament; but I question very much whether the expense to which he has referred would be as limited as the hon. gentleman thinks it would be. I am quite satisfied that to prepare the statement asked for in his motion, so far as the Customs Department is concerned, would entail the necessity of a duplicate staff. You will

readily understand that to compile the statement requested it would be necessary to have full returns from each port in the different Provinces of the Dominion, and from those returns that compilation would have to be made. Now, when I tell you that to compile the Trade and Navigation Returns for publication the general work of the office has to be allowed to remain in abeyance nearly three months, and then brought up afterwards, the House will understand what would be required, if we were, at the end of every year, to commence again and go through the different reports of each Department in order to compile the statement required in this motion. Having discussed this matter with the Commissioner, and with those who are more particularly acquainted with the work that would be imposed on the Department, I have the very best authority for saying that it would require nearly double the staff we have at present; and so far as the comparative statement to which my hon. friend has referred is concerned, I think that the Trade and Navigation Returns provide them for the House and for the country, and, as a rule, they are published in newspapers for the information of the world. You will find the trade imports and exports compiled in them for the last ten years, each upon a separate sheet, so that you can refer to them at any particular moment. It is true there is no compilation which would enable my hon. friend to make the comparison of the imports of any particular article upon which to enable him to base an argument either for or against any proposition he might bring before the House.

Mr. ROSS. The imports for consumption only date back to 1876.

Mr. BOWELL. Yes.

Mr. ROSS. And it is the same with the exports.

Mr. BOWELL. You will find that next year the 1876 line will be dropped, and the current year added; and in this way a year is dropped every year. There would be very little difficulty, I admit, in adding year after year, or allowing, rather, that particular line to remain in the general statement, if that would be of any particular advantage.

Mr. ROSS. I hope the hon. Minister will excuse me, but I thought that would be the case. I took up the report the other day to get information in the usual way, but I found that it is not the case, although the report of the hon. Minister of Customs covers a greater number of years than any previous report. But the line is dropped as the hon. Minister says.

Mr. BOWELL. I admit that the statement is not carried back to give the totals from Confederation except in some cases.

Mr. ROSS. Yes.

Mr. BOWELL. But the total imports and exports are given.

Mr. ROSS. Yes.

Mr. BOWELL. And the expense attending the collection of revenue per head for each of the Provinces, and a variety of other totals, such as the total value of imports, the total sum of collections, all running back in this particular—and all the duties collected, for instance—this only goes back to 1876; but the practice has been for each year since Confederation—as my hon. friend will learn by looking at the returns—that one year is dropped; and the year 1876 will be dropped in the next annual returns.

Mr. ROSS. That is not the practice.

Mr. BOWELL. If the hon. gentleman looks at the report he will find that it is.

Mr. ROSS. I did so.

Mr. BOWELL. The report comes down only to 1876 in this respect. My own impression is that for general sta-

tistics this volume might be materially reduced in size. If the House and country would be satisfied with a general statement of the business of the country so far as it affects the whole Dominion, in the same manner as they publish them in the United States, it would relieve the Department of a very great deal of trouble and save a great deal of expense, to which my hon. friend has referred, in the publication of these reports; but it has been the practice in the past to publish, and I presume that the representatives of each Province are anxious to know what the amount of trade carried on with foreign countries, by each particular Province, is. As we are now a Dominion, it seems to me that it would be just as well to eliminate from the Trade Returns all statistics which may be considered of a Provincial, rather than of a Dominion character; and if that were done it would reduce the expenditure, not only in the Departments, but in the matter of printing. I do not think it would be possible to meet the views of hon. members in regard to the number of the different Departmental reports that would be required. You will remember that for a number of years double the present number of these reports were furnished to each member. The Printing Committee and those charged with the distribution of Parliamentary and Departmental papers, came to the conclusion that it would be just as well to furnish each member with only two copies of the Departmental reports, instead of four or six; and after some discussion, the report in which that recommendation was made, was accepted and adopted by the House. We all know that there are constant applications for Departmental reports by those who take an interest in the trade of the country, and in addition to them, by members who are desirous of furnishing their constituents with these reports. That, however, entailed a very great expense, and after mature deliberation on the part of the Committee, as well as by the House of Commons, it was decided that, as it would be impossible for the Government or the House to furnish a sufficient quantity to satisfy the demands of each constituency, the number printed for distribution should be reduced, and that each member should receive only the limited number that he receives at present. I think the hon. gentleman will, on reflection, see the propriety of withdrawing the motion he has made, unless the House is prepared—speaking for my own Department—to increase the expenditure of the Civil Service from 25 to 50 per cent. Unless that is done the House should, in my opinion, reject the proposition which is now before it.

Sir LEONARD TILLEY. The question before the House is an important one if the objects in view can only be accomplished at a reasonable expense. We had some communication with a gentleman who was here in Ottawa about a year ago, and who is head of the Statistical Department of England, as to the system in force there for the collection and compilation of statistics. This matter has been engaging the attention of the Government since that time, with a view of considering a possibility of establishing a Statistical Bureau which would furnish periodical—say monthly or quarterly—statements in reference to the trade of the country and other matters, such as those which are published in the United States and England. Some enquiries were made as to the cost which would be involved in carrying on such a bureau, and it was found that it would be somewhat expensive; but the Government have not abandoned the idea of endeavoring to introduce that system. In my judgment the proposition of the hon. gentleman is not a practical one, while the other would be practical, and would perhaps accomplish the objects which he has in view more effectually than his own proposition. His proposition is, that after the reports of the Departments are prepared, a digest of them should be compiled by the Department of Agriculture. It is well known to hon. gentlemen who have been in the Government that,

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though the fiscal year closes on the 30th of June, it is very seldom that we are able to have the reports ready to submit to Parliament before the first or the middle of January, and sometimes the first of February. The preparation of such a digest as the hon. gentleman suggests would require so much time, I fear, that we could scarcely have it ready before the rising of the House. I know it would be a relief to me, as a member of this House, if I could have a few hundreds of these documents to send to my constituents; and though hon. gentlemen may have the same feeling, I doubt if they feel it so strongly as those coming from the Maritime Provinces, because in those Provinces we used to have the Debates of the Legislature published, and it was a very pleasant thing for each member to get 500 copies of these reports to distribute among his constituents. To-day, I have applications from constituents to have copies of the *Hansard* sent to them; they would like to receive them but they would cost too much money. The hon. gentleman will see that the preparation of this digest after the reports are completed would cause a good deal of delay. At present, members of the press, who are an intelligent body of men, get hold of these reports as soon as they are brought down, and it is wonderful what a complete digest they make of them in one night and telegraph to their papers for publication in the morning. It is marvellous to find, the next morning after these reports are laid before the House, how much of their contents are given to the Dominion through the various newspapers. We hope that the object of the hon. gentleman's motion will be attained less expensively by the establishment of a bureau, such as I have mentioned, which should publish monthly, or quarterly, as may be most desirable, the information it may collect. With reference to the financial condition of the country, I know, from experience, that the returns are not in from Manitoba and British Columbia, by which we can form an accurate opinion, or give a correct statement of the receipts and expenditures for the year, and such a statement is often asked for at the close of the fiscal year. As a matter of fact, we cannot obtain before the month of September those returns which enable us to prepare a statement for the press, showing what the gross receipts and the gross expenditures have been for the year, and what the surplus is likely to be; and even then it is subject to correction before the Public Accounts are settled. The reports of a Bureau of Statistics would be in the hands of members before Parliament meets; they would give them some idea of the trade and commerce of the country; and, as I think such a system would be more satisfactory, and would be far less expensive than the one proposed by the hon. gentleman, I hope he will withdraw his motion on the assurance that the Government is considering the matter, and that probably by next Session we may have a system matured, and be able to come to Parliament with the means needed to establish and carry on such a bureau.

Mr. CHARLTON. I am sure that hon. members on this side of the House who are interested in the collection and publication of statistics will have heard with a great degree of pleasure the statement made by the hon. Finance Minister with regard to the intention of the Government. I certainly hope the hon. gentleman will bear the matter in mind, and will, as speedily as possible, establish a Bureau of Statistics. No doubt it can be established at a moderate expense, and the proposition foreshadowing to us the publication of quarterly reports will meet the wants of those who desire to ascertain at the earliest possible moment the condition of trade and other matters connected with the public affairs of the country. I hope those quarterly reports can be prepared as the hon. gentleman suggests, so as to be laid before the public with tolerable punctuality. That is the method adopted in the United States. A Bureau of Statistics was established there

some time ago; a gentleman specially adapted to the business was installed as chief, and the bureau issue quarterly reports, which give a compendium of the statistics of the country. With the example of the United States and England, we can readily adopt a system here adapted to our peculiar wants, and which shall put an end to the difficulties which now exist with regard to obtaining information which we all desire to obtain, but for which we have to wait so long, that often it is valueless when we do obtain it. I am very happy to hear that the hon. Minister has taken this matter into consideration. I hope he will not lose sight of it, and I am sure this House will not grudge any expense that may be necessary to establish so useful an institution.

Mr. ROSS (Middlesex). After receiving assurances from the Government that this matter is receiving their attention, and indulging the hope that some action will be taken at an early day, I have no objection to withdraw the resolution. I am not at all alarmed at the expense that would be incurred in carrying out the proposition. I think the hon. Minister of Customs rather tried to frighten us by referring to the additional expense that the preparation of this digest would entail upon his Department. If, as the hon. Finance Minister says, the members of the press can make a very fair digest of these reports in one night, I do not think it would be necessary for him to duplicate his staff for the whole year. The hon. Minister of Customs must have a very poor staff if they stand so poor a comparison with the members of the press; he, as an old pressman, knows what the press can do. We want something more than these quarterly returns. We want returns that will indicate the financial condition of the country, and the digest should cover the Department of Customs, the Department of Agriculture, the Census, the Post Office Department, the Militia, and, in fact, all the Departments of the Government. The main expense will be, I believe, in the preparation of the report in the first year, for it would only be necessary to correct it for each subsequent year. I hope we shall have all these statistics at an early day; and, under these circumstances, I withdraw the resolution.

Resolution withdrawn.

#### THE SUPERANNUATION FUND.

Mr. BLAKE. I observe that a measure has been introduced into the Senate to consolidate and amend the laws relating to superannuation, and I think it is proper that we should be furnished with some information as to the general results of the superannuation system, in greater detail than it is given to us in the Public Accounts. When the system was first proposed by hon. gentlemen opposite, they proposed a scale of payment, which was afterwards reduced by nearly one-half, upon the theory that it was larger than would be required to carry out the system. Its practical working has been such, however, that there is now a loss of something like \$100,000 a year. I think the receipts are \$26,000 a year, and the payments about \$146,000. The number of cases in which a discretionary power is conferred upon the Administration is very great, and the number of persons who have been superannuated, and the expenditure to which the country is committed in connection therewith, are very large. It is important to know what proportion of persons actually benefit by the system. Of course, the superannuation system is an insurance system, and amongst the risks which those who are subjected to it assume, is the risk of their dying in the service, and thus paying without receiving any benefit. The statements which I propose to ask the House to order for each year, are: (1) The number of persons on the list for the year as entitled to the benefit of the Act; (2) The number superannuated during the year under the Act; (3) The number retired during the year on a gratuity under the

Act; (4) The total amount paid into the fund from the beginning by those who were during the year superannuated or retired on a gratuity; (5) The number of persons on the list for the year who died in the service; (6) The total amount paid into the fund from the beginning by those who during the year died in the service. My motion refers to two classes—those who have availed of the Act, and those who have not; and it proposes to ascertain what the contributions relatively, of these two classes, are.

Sir LEONARD TILLEY. There can be no objection whatever to furnishing the information asked for. I recollect perfectly well the discussion that took place when the proposition was made for a reduction of the percentage. Perhaps the hon. gentleman did not give sufficient consideration to the fact that the superannuation of officers was something like the operation of a life insurance company. During the first years of its existence, the payments are small compared with the amount after the company has been in operation a long time. During the first years of the operation of superannuation, the amount paid in by the employés exceeded that paid out. Many hon. members were therefore very favorable to a reduction of the percentage, and by almost unanimous consent it was reduced. However, it has turned out, that instead of the percentage meeting the payments, there is a large deficit every year, the details of which will be given in the return asked for.

Mr. BLAKE suggested that the following words be added to the motion:—"distinguishing between those whose superannuations were occasioned by reason of abolition of office."

Motion, as amended, agreed to.

#### RAILWAY SUBSIDIES.

Mr. VANASSE moved for a statement showing:—

- 1st. The names of all Railway Companies that have made application to the Government or Parliament of Canada for subsidies or grants in money, in land or otherwise, from 1874 up to this date;
- 2nd. The names of all Railway Companies to which have been granted and paid subsidies or grants in money, land or otherwise, by the Dominion Government, from 1874 to this date;
- 3rd. The sums paid to each of the said Railway Companies from 1874 to this date;
- 4th. The length of the said Railways;
- 5th. The name of the Province or Provinces traversed by the said Railways;
- 6th. The original amount of the mortgage held by the Dominion of Canada on the properties of the Northern Railway Company of Canada;
- 7th. Copy of the Order in Council effecting the discharge of the said mortgage in favor of the said Company, the date of the said discharge, and the amount of interest accrued on the said mortgage at the date of discharge;
- 8th. The amounts paid by the Government of Canada from 1874 to this date, for the extension of the Intercolonial Railway in the city of Halifax.

Mr. BLAKE suggested that "1867 be substituted for 1874."

Motion, as amended, agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Copies of all correspondence not yet laid before it, between the Governments of Canada and British Columbia on the subject of the construction of the Esquimalt and Nanaimo Railway.—(Mr. Gordon.)

Copies of correspondence between the Minister of Marine and Fisheries or his Deputy and any person or persons concerned in the employment of the Government steamer *Newfield* in aiding the wrecked steamship *Moravian*; also, a statement of the number of days during which the said *Newfield* was employed; the remuneration agreed upon, and the amount received by the Government for said services.—(Mr. Forbes.)

Copies of all correspondence, petitions and reports in the possession of the Government relating to mail service between Barkerville and Forks of Quesnelle, in the Province of British Columbia, since the year 1878.—(Mr. Reid.)

### THIRD READING.

The following Bill was read the third time, and passed:—

Bill (No. 7) to amend the Criminal Law, and to extend the provisions of the Act respecting offences against the person.—(Mr. Cameron, Huron.)

### PREVENTION OF FRAUD IN RELATION TO PUBLIC CONTRACTS.

Mr. CASGRAIN moved the third reading of Bill (No. 5) for the better prevention of fraud in relation to contracts involving expenditure of public moneys.

Mr. ROSS (Middlesex) moved, in amendment, that the Bill be recommitted to a Committee of the Whole House, with instructions to insert the following clause:—

Clause 4. Whosoever, for the purpose of assisting in any election to the Parliament of Canada, while performing any such contract or awaiting payment in respect of any such contract, subscribes, furnishes, gives, or promises to give or furnish any sum of money or consideration whatsoever, either directly or indirectly by himself or by the agency of another person on his behalf, to any person whomsoever, is guilty of a misdemeanor, and shall, on conviction thereof, be liable, at the discretion of the court, to a penalty of not less than one thousand dollars, together with imprisonment for a term of not less than one month and not more than twelve months; and in default of payment of the penalty so incurred, the offender shall be imprisoned for a further term of twelve months, unless such penalty be sooner paid.

Mr. CASGRAIN. The amendment which it is proposed to add to the Bill formed part of the Bill as it came first from the Committee to which it was referred in the first instance. It is true that at the next Session, in the second instance, the Committee to which it was referred thought proper to expunge that clause; but I apprehend that whatever deference we owe to a report of a Committee, this clause of the Bill is a very essential part of it—in fact, I think it is the most essential part of it. It is well known according to all past experience in political life, that contractors have been the greatest providers of electioneering funds, and no one supposes that their political sympathies is so strong that they will give their money without expecting to get a full return for it. That is human nature. That has been our experience in the past, and I think it is a thing against which we ought to provide in the future. I need not—and I have abstained from it all along, in discussing this matter—refer to any particular fact which calls for the enactment of such a clause. I think it is in the interest of the public that when very large sums of money are subscribed in order to change the sense of the electorate, the most stringent law possible should be passed in order to prevent such subscriptions being made by contractors. It is true there might be great difficulty in finding out the culprits; but at the same time they would be warned in advance; they would know that the law exists, and that if they were detected not only would they suffer the penalty of a fine, but they would suffer the further punishment of imprisonment, the fear of which will deter any man from committing the offence who has any respect for his reputation. Now, I need not tell you that this evil does not exist in Canada alone; it exists to an immense extent on the other side of the line, so much so that Congress has been obliged to pass an Act containing a provision precisely similar to the one now proposed. The Act was passed in the last preceding Session of Congress, and I have here the clause to which I refer which was kindly sent me by Senator Pendleton, the author of the Bill, and I will now read it:

“Section 4.—That any person having a contract with the United States or any office thereof, or who shall have had such a contract within three months thereafter, who shall pay or contribute, either directly or indirectly, any money, property or other valuable thing for any political purpose, shall be deemed to have forfeited all rights, and the same shall

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thereby be rendered null and void; and all officers of the Government are hereby prohibited from executing any contract with any person so offending; and that any person having any preceding claim against the United States, or any Departmental officer of the Government thereof, who shall pay or contribute any money, property or other valuable thing for a political purpose, shall thereby forfeit said claim and all rights to recover or receive anything on the same.”

Now, Sir, the penalty for breach of the law is imprisonment—that is the difference I make; and it is in order to deter persons from committing an act which they know to be immoral and wrong, an act which is wrong in itself on account of its tendency, the harm it produces among the electorate, and wrong also before God, as to the man who gives the money and the man who receives it. Now, why should we not enact that law? We have had the experience of the past; why should we not to-day stop it? Is there any man in this House that is not ready to admit that the large sums of money given by contractors are intended for a bad purpose? When I introduced this Bill at first it was pooh-poohed, and the organ of hon. gentlemen on the other side, the *Mail*, said it was an insult to the House. Now, it was never my intention to do or say anything which would be insulting to the House, or any of its members; but I feel that I am discharging a duty which I owe to myself as a member of Parliament, and to the country. I have, myself, seen money passing from the hands of contractors to swell election funds, so I do not speak of something with which I am not acquainted. I speak of facts which I have witnessed; and I dare say there are few members of this House who have not seen the same thing, and many of them have, no doubt, derived advantage from it. For my part I have not, and I do not consider it an advantage to receive such assistance. Thank God I have never had a cent from any election fund since I have had a seat in Parliament, nor do I want any in the future. When I first brought this measure before the House, the *Mail* published a paragraph on the 4th of March, 1882, which will show in what spirit the Bill was received by my hon. friends on the opposite side, because, I suppose their organ was saying what was the feeling of their party:

“The defeat of Mr. Casgrain's Bill concerning contracts was a very just end for it. It was, in fact, one of three introduced last Session by Messrs. Blake, Cartwright and Casgrain, not for the purpose of protecting the public interest or improving the law, but for the almost openly avowed purpose of insulting the majority of the House. In fact the three Bills were Parliamentary impertinences, and two or three having been swept out of the House, the third was rightly swept after them.”

Now, I do not think the two Committees of this House to whom this Bill was referred were at all insulted by it; on the contrary, they approved of it. The first Committee passed this Bill as I proposed it, with merely some trivial change, and the second did not condemn it. I have received some anonymous letters—I suppose from contractors—saying I was a stupid jackass for bringing in such a Bill as that. I do not care what they may say; I am here to discharge a public duty, and I shall not shirk it even though I stand with only a seconder, because I believe it is right. It may not pass this Session, or next year, but as sure as I stand here it will be the law of the land before long. It will become a necessity, and the country will demand it. Either that clause is good, or it is not. An objection has been raised that it is depriving contractors of the right to use their money as others do and interferes with the liberty of the subject. Mr. Speaker, that I do not point at. These contractors, by law, cannot become Members of Parliament. They are debarred from entering this House while they are public contractors, and if they are so debarred—properly, they ought also to be prevented from making Members of Parliament by means of the money which they draw from the Public Treasury, and which would be employed to corrupt the electorate of this Dominion. That is the only objection to the Bill—the liberty of the subject to subscribe to an election fund. I have neither seen or heard any other objection, and I do not

think that this one will have much weight with the public. I believe, on the contrary, that they desire to have such a measure as this enacted, and I hope that it will receive the sanction of a majority of this House.

An hon. MEMBER. What are the counties that have been corrupted? Name them.

Mr. CASGRAIN (Translation). How many do you wish me to name? When you will have electors who will not be corrupted by contractors, you will have members of Parliament who will do well their duty, as they do it to-day; you will have representatives whose election will not be due to corruption and to money, in most cases, taken from the public chest. I leave this Bill in the hands of the House, and I hope that it will meet with their approval.

Mr. VALIN (Translation). I would like the hon. member to give us a French translation of his speech. He has only given some words of it in French, from which I judge he is afraid that contractors, with the Government, will subscribe money to make opposition to him in the county of l'Islet. Nevertheless, I do not believe there is any necessity for that. I do not believe that the hon. member is too popular in his county, and I am of opinion that a man, who would enter the contest against him, even without the aid of these contractors, could make a very serious opposition to the hon. gentleman. I would like to know if the hon. gentleman will tell us in French what he has said in English.

Mr. CASGRAIN (Translation). As my learned friend understands English as well as French, and as he has perfectly understood me, he will excuse me from making the translation.

Sir JOHN A. MACDONALD. In view of the decision of the amendments made by the Committee to this Bill, the hon. gentleman must feel very strongly on this point to persist in it. One can quite understand why he feels so strongly on this point, because he evidently shows that he is behind the scenes, for he says, he himself has seen money pass—

Mr. CASGRAIN. In the County of L'Islet in 1872.

Sir JOHN A. MACDONALD. And he must be in the confidence of the contractors.

Mr. CASGRAIN. They were against me.

Sir JOHN A. MACDONALD. Contractors are very astute men, and they know when and where, and with whom, and how they deal. My hon. friend thinks so, and he himself says so—it was done in his own presence; for he, being behind the scenes, saw the contractors pay the money. Well, my hon. friend's experience is otherwise than mine. I have never seen contractors hand over money; but I think, Mr. Speaker, that the hon. gentleman must be logical. A contractor must either be treated like others of Her Majesty's subjects who have votes, or he must be severed from them. If a contractor has a vote, and is allowed to vote, he must have all the privileges that any other voters have.

Mr. CASGRAIN. They cannot be members.

Sir JOHN A. MACDONALD. Well, as to the votes, this must be so; if he has a right to vote, he has as much a right to express his opinions as has the hon. gentleman, or any other elector, and he has a right to aid in elections as much as has any other person. It seems to me to be quite a confusion of right and wrong, to say that a man, because he happens to undertake to perform a work for the public, of which he is one, should be deprived of his right as an elector, which every other person has throughout the country who is an elector; but if he acts, just as the hon. gentleman has a right to act, or any other elector, and in any way whatever assists his political party in a legal way, in a legitimate way, in an honest way—as is allowed by the hon. gentleman himself, and which the hon. gentleman has, no doubt, exercised again and again—by sub-

scribing to assist his party, as we all have done in order to assist our party and support our principles—as we have a right to do, if the money is not applied to or used in an improper, illegitimate or illegal purpose—he not only will be punished but he is to be marked—*cave canem*—as a wild beast, being guilty of a misdemeanor, and liable to a penalty of \$1,000, together with imprisonment. He must go to gaol, to be imprisoned for a term not less than one month, and not more than twelve months. If he subscribes, he being a contractor, or if he has performed a contract, and the Government refuses to pay him money, and if it actually improperly refuses to pay him money, if he thinks proper to subscribe to the starting of a newspaper to carry out his principles at an election, why he is liable under this clause; and, Mr. Speaker, under this clause, if a man subscribes, although he has done his work, and he is refused his pay, the Government keeping him out of it because he is politically opposed to them—and if this man tries to upset that unjust Government and subscribes to put that Government out—if he gives a farthing in any way to oust that Government—that iniquitous Government—he is liable to go to gaol, as having committed a great crime, for a year; because it is no matter to which side he subscribes, whether he supports or is against the Government, he is equally liable to go to gaol and to a heavy penalty. This is the case if “he promises to give or furnish any sum of money or any consideration whomsoever,”—who “consideration whomsoever” is I do not know; I am not acquainted with the gentleman.

Mr. CASGRAIN. The word should be “whatsoever.”

Sir JOHN A. MACDONALD. I do not know the gentleman, but if he promises to give any consideration “whomsoever,” this is so, what does the hon. gentleman mean by “consideration?”

Mr. CASGRAIN. The hon. gentleman will see it is a typographical error, “whatsoever” and “whomsoever” are transposed.

Sir JOHN A. MACDONALD. Oh, I see. The hon. gentleman will find it is decided in the cases that if a contractor has performed a contract, and if all that remains to be done is to get his pay, and there is a dispute between the Government and himself—why the cases all go to show—that he then ceases to be a contractor, and can run to be a Member of Parliament; but by this Bill he could not then assist at an election, or carry on his own election. But he has now a right to offer as a Member of Parliament, and go to any expenditure he chooses for legal purposes, by way of public pamphlets or otherwise, employing paid agents, &c.; but if he pays any money whatsoever, while in that position, while he is suffering an injustice in not getting his pay, under this Bill he loses his rights. All the cases go to show that he can run as a Member of Parliament, but under this Bill he cannot provide any money whatever for the purpose of assisting at any election—even at his own election—he cannot advance a farthing. The hon. gentleman will see that the result is a confusion between right and wrong, and that it interferes with the liberty of the subject. If a man has the right to vote he ought to have the right to do as other voters do. If a man cannot even while suffering under a wrong, subscribe a farthing to assist to put down a wrong, or remove a corrupt or incapable Government, he is guilty of an offence under this Bill, and this is made a misdemeanor, too; it is made a crime; it is made a heinous crime, and must be punished, not as in the case of the committal of other misdemeanors, by fine or imprisonment, but by fine and imprisonment, he must go to gaol. If he gives five shillings, or if he subscribes against a Government candidate, he can be sent to gaol. It seems to me that the hon. gentleman in his evident praiseworthy anxiety to clear the political atmosphere, has gone much further than any man of common sense, who is not actuated by these high

motives which move the hon. gentleman, would care to go. I think that the hon. gentleman has made very considerable progress in carrying out his views, which he has pressed with very praiseworthy ability and perseverance, in getting his Bill so far advanced, as to have come from the Special Committee; and the hon. gentleman, it seems to me, is casting only a very strong suspicion on, and weakens the chance of obtaining the third reading of his Bill by pressing this resolution.

Mr. BLAKE. Mr. Speaker: We have heard from the hon. gentleman a good deal of verbal criticism with reference to this clause, which is, perhaps, hardly in place. The hon. gentleman announces his opinion on general grounds against this clause at an early stage of the Bill; and he declared, on the first reading of the Bill, I think, or on the second, that this clause must go out, because it is opposed to the liberty of the subject, that is to say the liberty of the contracting subject. He struck a Committee, and this Committee extraordinary to say, followed out his views; and the clause has gone out. We are not here, Sir, to engage in the discussion of "whatsoever," and "whomsoever," and other objections of equal force and weight as to the principle of the clause, which the hon. gentleman has presented to the House. We are now engaged merely in considering the principle of the clause; and when the Bill goes back to the Committee, my hon. friend can arrange the verbal objections to which the hon. gentleman has resorted; and if there are any other defects, as suggested, if the clause goes in some particulars too far, it is quite open to the House to correct any minor defect. We are considering in this vote, the general principle of the clause merely, whether it shall go back to the Committee or not; and it will be in the power of the Committee to deal with any objections, and the precise mode of doing so can be disposed of by the Committee. Now, the hon. gentleman's objection on principle, is that my hon. friend is not logical, and that the Bill interferes with the liberty of the subject. The hon. gentleman is fortunate in a long political experience, such as he has had, for he declares that he has never seen contractors offering any money. Well, I suppose not. Perhaps he did not look. But, I suppose he has heard of it; I suppose he knows of it; and I suppose he cannot but be aware that it has been done; and he cannot but be aware that it has been done with that view—a patriotic view in the interests of the country—with the expectation of being reimbursed, and reimbursed tenfold. It is the relation which the contractor held with regard to the Government of the country, that renders it necessary that restrictions should be placed upon him. That such restrictions should be placed upon him is established by laws now on the Statute-book, because those laws on the Statute-book forbid him to become a Member of Parliament, and voids his seat, if after becoming a Member of Parliament, he enters into these relations with the Government? Why is that? Because it is known that he cannot be indifferent under these circumstances—because it is believed that he will not be independent under these circumstances—because it is believed that his relation to the Government will be one of subserviency on his part, and the relation of the Government to him will be one of paying a price for his support on their part. All these considerations have resulted in our passing, time and again, laws to preclude contractors from being Members of Parliament, and now we are face to face with another proposition in the same direction and based upon the same recognition of the weakness of humanity. The hon. gentleman talks about the rights of the subject, but we have now to consider their frailties—I say we are face to face with another proposition. If a contractor pays a sum of money towards election expenses, he does it, as a rule, because he expects to be reimbursed by an abundant consideration on the part

Sir JOHN A. MACDONALD.

of the Government which he helps in the contest, and, therefore, there is not merely an improper inducement on his part, but there is also this circumstance—that the public is sure to suffer. It is certain that for every dollar he pays he expects to receive a great deal; that for what bread he casts on the water he expects to get back a great deal more after many days; that what money he gives he expects to receive again with usury. These things are certain; they are obvious; they are palpable; and the hon. gentleman proposes that we should agree to the principle of a step which shall remove all those evils, and shall render it contrary to the law that a man standing in any such relations as those to a Government shall subscribe towards an election fund. The hon. gentleman suggests that if the contractor has performed his contract he may have a right to stand. It is a question for discussion in Committee whether that particular portion of the clause should remain or not, and it is immaterial to consider in this debate whether that particular portion of the clause is sound, because we are not restricted to the precise words of the clause as it stands. The hon. gentleman says that this clause would make the man a criminal—that he must actually go to gaol. Only the other day certain men were made criminals if they used the words "banking institutions" on their signs without adding to these words "not incorporated." There was not a great degree of levity manifested as to the right of the subject on that occasion, when the disgrace of making men misdemeanant was imposed for such an offence; but I should like to know whether more harm is done to the body politic by the mischief sought to be remedied by the present Bill than by the acts which were made misdemeanors the other day by the Banking Bill of the hon. Finance Minister. The question is, whether an evil which exists shall be remedied, or whether it shall remain; that is the question of principle involved in the amendment, and I propose to divide with the mover of the amendment on this occasion.

Mr. WHITE (Cardwell). I think those who are opposed to the amendment, will be gratified to learn that it finds no defender in the hon. member for West Durham. This Bill was introduced some time ago; this particular clause was in the Bill as introduced; but the Committee to which the Bill was referred, after full consideration, has reported it to the House without that clause. Some days have elapsed; and, it seems to me, it would only have been respectful to the House to have presented, for our acceptance, an amendment which would at any rate meet with some degree of support from the hon. leader of the Opposition. We find that this particular amendment as it stands to-day, and as it is proposed by the amendment to be replaced in the Bill, is so drawn, and contains such provisions that the hon. leader of the Opposition is not prepared to defend it. On the contrary, he says when it goes to the Committee, all its objectionable features may be removed. It seems to me, with reference to this question of contractors, that there are contractors and contractors. There are persons who are in expectation of getting contracts. What will you do with them? We have heard of cases—perhaps they are rare—of this kind: a prominent man in a particular constituency, belongs to one particular party, but when an election takes place, by some strange influence he is found supporting the candidate on the other side. We find a little while afterwards that a letter is written by that particular candidate to the Premier of the day, whom he is supporting—a letter cautiously and properly written—simply indicating that "my friend Moore" is desirous of getting a contract; that he has told him that the Minister will not for a single moment do anything but what is perfectly right. We find that the Minister does not do anything but what is perfectly right; but in some extraordinary way we find that another gentleman, a contractor, though he is strongly recom-

mended even by the friends of the then Minister of Public Works, does not get the contract, but that it is given to the person who changed his politics in the election—the expectant contractor who has contributed time at any rate, and possibly money to the election of a prominent gentleman, and whose influence probably resulted in that gentleman being elected to Parliament—for his majority was only seven—gets the contract at a sum very considerably larger than the other contractor had offered to do the work for. What are you going to do with cases of that kind? It seems to me that if you are going to purify the political atmosphere you must deal with the expectant as well as the actual contractor. There is another method in which such a contractor may exert his political influence in favor of his political friend. He may go on for three or four years contributing to the churches of his neighborhood—a very proper thing to do; but we have seen extraordinary sums, so far as the evidence of the courts disclose, given to churches by gentlemen, and we have seen as the result of those contributions that many of the people connected with those churches are found voting with the gentlemen who had contributed so liberally to their funds. Now, that is not a contribution for election purposes—I should be sorry to believe that generous contributions of that kind had anything to do with the elections; but curiously enough we have seen by the experience of hon. gentlemen in running election contests, that contributions of that kind do have their influence. Now, is a contractor to be deprived of the privilege of using his influence in that way, because it is found that his successive contributions to a number of important objects in the constituency have acquired for him an influence which enables him to give important aid to the candidate of his party? How are we to deal with cases of that kind? It seems to me that we cannot deal with them in any reasonable way, and that there will always be many means by which persons disposed to act corruptly may act corruptly. The hon. gentleman who is the author of this Bill, and who, though not the mover of the amendment, has advocated its introduction, admits that it would be difficult to bring home cases of this kind to any contractor. If such cases are brought home, the law, as it now stands, makes ample provision for dealing with them. If it is found on trial of an Election Petition that a contractor has contributed improperly or corruptly to the elections, that fact can be brought out under the Election Law just as well as it can be under any other process. You can put a contractor in the witness box, at an election trial, and get out of himself how much he contributed. If the hon. gentleman intends to make him chargeable with a misdemeanor of this kind, I hope he does not propose to make him go into the box and give evidence in connection with the charge against himself. If an election case reveals the fact that a contractor has contributed largely to the election of a candidate, the public are warned of that fact, and the relations of the Government to that contractor become matters of such public interest and public enquiry that there is not the slightest danger of any injury resulting therefrom. The hon. gentleman was good enough to refer us to the law in the United States on this subject. Well, Sir, I do not know anything about these matters, because I have not been at Congress or in the lobby there; but if my information is correct, he should have gone to some other quarter for an authority as to a law that is to prevent the improper use of money by contractors. It is a notorious fact that contractors in the States obtain their contracts, and hold them, by means of contributions to party funds, both in the different States and at Washington. Everybody knows that. It is the common talk of the lobby. In fact, the influences of the lobby were found to be so strong, that Congress had to adopt a rule prohibiting strangers from going within the precincts of the House

except by a direct vote of the House. But that did not prevent the contractors from going into the lobby. They are still there, and it is notorious that they have always, in spite of the law the hon. gentleman refers to, contributed large funds to political purposes. For my part, I cannot see the difference between the hon. leader of the Opposition to-day contributing a large sum of money to the party funds in a General Election when he himself is to be the First Minister if he succeeds, and a contractor giving a sum of money to a party fund whose relations to the Government subsequently are to be a matter of public discussion, of close scrutiny by Parliament, and therefore of such a public character that there is little danger likely to result. I regard the amendment as one that ought not to disgrace our Statute-book, and I do not hesitate to vote against it.

Mr. ROSS (Middlesex). I am a little surprised at the tone of the remarks of the hon. member for Cardwell. He endeavored to resuscitate what was, in the Elections of 1878, by a certain class of gentlemen who arrogated to themselves a great deal of the political purity of the country, considered to be a gross scandal; and, instead of simply pointing to the hon. member for West Durham (Mr. Blake), as being responsible for the letter which he wrote regarding his "friend Moore," and stating his meaning plainly and manfully, he endeavored to indicate the drift of his remarks by innuendo. His conduct surprises me in a gentleman who is so strong a supporter of that party, who were connected with scandals which were ventilated before Committees of this House, and the evidence of which was made public. If we chose to make reprisals on the hon. gentleman, and bring before the House the recollection of old memories, we might ask him if he ever heard of a contractor, or anybody in the place of a contractor, to whom somebody telegraphed in the following terms:—"My dear Abbott,—Send me another ten thousand; it will be the last time of calling; do not fail me; answer to-day." I suppose the hon. gentleman has forgotten all this—not merely a kindly letter, not a word of which could be construed into an improper act, but a plain request for something tangible for the use of an hon. gentleman, and which he stated in evidence was to be applied to certain purposes. That is the kind of argument we got from the hon. gentleman opposite. My hon. friend here proposes a Bill designed to purify the political atmosphere of this country. The hon. gentleman admits that the atmosphere is not pure, and instead of discussing the measure on its merits, what does he do? He apologises for the contractors; he enters upon their defence. They must not be put into the box and be examined, forsooth! They are the men who furnish the oil—shall I say?—for the machine. No; but they furnish the motive power for elections, as many of us know. I know of elections in which the money of contractors was the most powerful factor in influencing the votes of the people. I know of elections held, not only in Ontario, but in Quebec, in which the influence of the contractors was immense. My hon. friend proposes to correct that, and the hon. member for Cardwell and the hon. First Minister get up as apologists of the contractors, knowing that, if they were deprived of the power which these contractors exercise on their behalf, and, perhaps if everything were known, exercised in the Ontario Elections, they would be considerably weakened in popular support. Are these the hon. gentlemen who are sworn to stand up in the defence of the political influence of the community and the purity of elections, and who raise such pleas as these, in order, forsooth, that their friends, and, perhaps, their assistants, for all I know, may be protected? The hon. gentleman refers to the legislation at Washington. We are aware of the revelations in connection with the Star Route frauds, and we know the way the money was applied. Are we going to have the same system introduced into Canada? We have

had enough of it in other forms, and this honest attempt of my hon. friend to correct abuses of that kind is one that should receive the support of every hon. member of this House. I am afraid the apologies these hon. gentlemen are making will be construed into sympathy with the contractors in their attempts to debase the electorate. I have great pleasure in supporting this resolution; and I hope the House will see that rigid measures are adopted for correcting all attempts to corrupt the electors, and for maintaining the purity of our elections for all time to come.

Mr. VALIN. I am glad the hon. member referred to the corruption of contractors in Quebec. I remember that, as the hon. member for L'Islet remarked, there are some members here who should not be here, because they were elected by contractors' money. The hon. gentleman should have given names. I saw lots of people repairing the walls of the city of Quebec who were paid by the Government contractor, if not by the Government themselves, and engaged with the special agreement that they would support the candidate of the Government of the day. I have seen contractors paying money to carters on the condition that they would vote for the Government candidate, or else other carters would be employed. There was also a large sum of money that I know of—I could give the amount—spent at Point Levis to elect the Government candidate there. I do not see why the hon. member for L'Islet comes now with such a Bill before the House. He should have had it passed at the time I refer to, when he was also a member of this House. Then would have been the proper time; and then, under it, the city of Quebec would have been put in gaol. I am opposed to this amendment because I do not think it comes in a proper time.

Mr. MOFFAT. The hon. member for West Middlesex has chosen to act the part of a resurrectionist by reviving slanders against the party in power; but many slanders could be revived against the party that had power previous to 1878, that were more glaring than anything that could be said against the Conservative party. I know perfectly well of one instance when the then First Minister, standing upon the square here, said to a claimant against the Government: "Your county never gives us a vote, and that is the reason I will not entertain an examination into your claim." I would like to know if that was not a glaring fraud perpetrated on the country, more glaring even than the Pacific Scandal.

Amendment (Mr. Ross, Middlesex) negatived on the following division:—

## YEAH:

## Messieurs

Armstrong,	Fleming,	Mulock,
Auger,	Forbes,	Paterson (Brant),
Bain,	Gillmor,	Pickard,
Bernier,	Gunn,	Platt,
Blake,	Harley,	Ray,
Bourassa,	Innis,	Ross (Middlesex),
Burpee (Sunbury),	Irvine,	Scriver,
Cameron (Huron),	Jackson,	Somerville (Brant),
Campbell (Renfrew),	King,	Somerville (Bruce),
Casey,	Kirk,	Springer,
Casegrain,	Landerkin,	Trow,
Catudal,	Laurier,	Vail,
Charlton,	McMillan (Huron),	Watson,
Cockburn,	McCraney,	Weldon,
Cook,	McIntyre,	Wheler, and
Dupont,	McIsaac,	Wilson.—49.
Fisher,		

## NAYS:

## Messieurs

Allison,	Dugas,	McLellan,
Amyot,	Ferguson (Leeds & Gren.),	McNeill,
Baker (Missisquoi),	Fortin,	Méhot,
Beaty,	Foster,	Mitchell,
Benoit,	Gagné,	Moffat,
Benson,	Gigault,	Montplaisir,

Mr. Ross (Middlesex).

Bergeron,	Girouard (Jac. Cartier),	O'Brien,
Billy,	Girouard (Kent),	Orton,
Blondeau,	Gordon,	Ouimet,
Bowell,	Grandbois,	Paint,
Brecken,	Guilbault,	Patterson (Essex),
Cameron (Inverness),	Guillet,	Reid,
Cameron (Victoria),	Hackett,	Richey,
Campbell (Victoria),	Haggart,	Robertson (Hastings),
Carling,	Hall,	Rykert,
Caron,	Hay,	Scott,
Cimon,	Hickey,	Shakespeare,
Cochrane,	Hilliard,	Small,
Colby,	Homer,	Taylor,
Costigan,	Jamieson,	Tilley,
Coughlin,	Kilvert,	Tyrwhitt,
Curran,	Kinney,	Valin,
Daly,	Kranz,	Vanasse,
Daoust,	Labrosse,	Wallace (Albert),
Dawson,	Lesage,	Wallace (York),
De Beaujeu,	Macdonald (Sir John),	White (Cardwell),
Desaulniers,	McDonald (Cape Breton),	Williams,
Desjardins,	Macmaster,	Wood (Brockville),
Dickinson,	McMillan (Vaudreuil),	Wood (Westm'land), and
Dodd,	McGreevy,	Wright.—90.

Bill read the third time, and passed.

## PUNISHMENT OF ADULTERY, SEDUCTION, &amp;c.

Mr. CAMERON (Victoria) moved that Bill (No. 13) to provide for the punishment of adultery, seduction, and like offences, be not now read the third time, but be referred back to the Committee of the Whole, with instructions to add to clause four the following words:—"Proving the offence to have been committed."

Mr. CHARLTON. This would simply make the Bill a mockery. The clause reads as follows:—

In any case arising under section one, two or three of this Act, the testimony of the female in respect of whom the offence is alleged to have been committed, shall not be deemed sufficient to sustain a conviction unless the same is corroborated by other material evidence.

The amendment proposed would simply amount to annulling the evidence of the woman by making the corroborative evidence positive. It would render the Bill inoperative. There is not a Statute in any one of the twenty-two American States dealing with this matter which contains any such provision as the one suggested. The Bill as it stands contains a safeguard with respect to the person charged with the offences that is found in none of these Statutes, namely: that the defendant shall be a witness in his own behalf. The rights of the community have been as carefully guarded as possible, and if the House wish to defeat the Bill, it would be more honorable to do so squarely than in a roundabout fashion.

Mr. BLAKE. I must concur in the observations of my hon. friend from North Norfolk. The clause goes far beyond what was stated by the hon. member for Victoria to be his object. He said the offence consisted of two ingredients: the seduction and the promise of marriage, and that the corroborative evidence might only relate to one of the two. But what he proposes is a clause which provides, in fact, that the whole case must be completely proved, irrespective of the evidence of the woman. That I understand to be the meaning of corroborative evidence proving the offence to have been committed. There is, therefore, to be evidence that shall be provable adequately for the conviction, proving the offence to be committed independent of the woman's evidence at all. That seems to me to be highly objectionable, to be more than is required in any of those cases, that I am aware of, in which there has been a requirement of corroborative evidence at all. It is contrary to what we understand the meaning of corroborative evidence to be. Corroborative evidence is strengthening evidence; evidence which strengthens the principal testimony, additional evidence in the same direction; but by the definition which the hon. member proposes to make in this amendment, it is quite clear that although it is called

corroborative in the active part of the clause, it must be in its nature such as would be adequate to establish the commission of the offence, independent altogether of the evidence of which it is corroborative.

Mr. GAMERON (North Victoria). I do not agree with the observations of my hon. friend from West Durham as to the effect of my amendment; but if it were correct that the adoption of the amendment would require the essential part of the offence to be proved by evidence other than that of the principal female witness, I think it would be an amendment that ought to be adopted by the House. I think it is not desirable that we should put the principal person accused at the mercy of any woman, herself as guilty as he is in an essential part of the offence, and have her evidence alone sufficient to convict him. The words of the Bill are simply that the evidence of the woman should be corroborated by other material evidence. Now, I say that that is altogether too vague. Any Judge would be bound to rule, that any corroboration upon any point, however insignificant it might be, but which was yet material to the entire charge, was sufficient to satisfy the words of the Statute. For instance, the parties were seen together, on a particular occasion on which the woman alleged the offence to have been committed, in the neighborhood in which she said it occurred—that would be corroborative evidence of a material circumstance, but it would not be evidence that, in my opinion, ought to be sufficient to corroborate the testimony of the woman so as to secure a conviction upon it. I think the Bill, without the safeguard of the words which I have moved to add, would be open to most dangerous abuse. I think that probably it is a Bill that, if it becomes law, will be abused in any case; but certainly without that safeguard it would be likely to be far more seriously abused than it would be with these words added. I must press the amendment I have moved.

Mr. CAMERON (West Huron). I think, with the hon. gentleman who has just taken his seat, that the language made use of by the hon. member for North Norfolk in his Bill, with respect to corroborative evidence, is too vague; but then the hon. gentleman's proposition is a little too strong. Now, to establish a case under the provision of the Bill, two elements must clearly appear for the prosecution—it must be shown that there is a promise to marry, and it must be shown that there was a seduction following the promise to marry. Now, according to the proposition of the hon. member, the woman's evidence, as pointed out by the hon. member for West Durham, goes for nothing, and the case must be proved as if the woman had not gone into the witness box at all. Now, if that is so, it is absurd to call it corroborative evidence; it is new evidence altogether, a new case altogether, depending on evidence entirely distinct from that of the female. If the hon. member had put this proposition to the House, that upon the two material elements of the prosecution there should be corroborative evidence, I would support it. I would support a clause that would read thus:

"In every case arising under Sections 1, 2 and 3 of this Act the testimony of the female respecting whom the offence is alleged to have been committed shall not be deemed sufficient to sustain a conviction, unless the same is corroborated by other material evidence with respect to the said promise of marriage and the seduction aforesaid."

Now, I think that covers the whole case—covers the points of my hon. friend, at all events, as I understood them from his observation—and it will not leave the prosecution entirely dependent upon testimony outside that of the woman. There is no reason in the world why the woman's testimony should not go for something; the defendant is allowed to give evidence, and certainly the evidence of the female in the case ought to be taken as well as his. I will support the proposition if it goes back to the Committee of the Whole, that the evidence of the woman must be cor-

roborated with respect to the material points necessary to make out the successful prosecution; but I shall oppose the proposition to practically eject altogether the evidence of the female.

Amendment (Mr. Cameron, Victoria) agreed to on the following division:—

## YEA'S :

## Messieurs

Amyot,	Dodd,	McDonald (Cape Breton)
Baker (Missisquoi),	Dugas,	Macmaster,
Beaty,	Dupont.	McMillan (Vaudreuil),
Benoit,	Ferguson (Leeds & Gren)	McGreevy,
Benson,	Fortin,	McLelan,
Bergeron,	Gagné,	McNeill,
Billy,	Gigault,	Méthot,
Blondeau,	Girouard (Jac. Cartier)	Mitchell,
Brecken,	Girouard (Kent),	Moffat,
Cameron (Inverness),	Gordon,	Montplaisir,
Cameron (Victoria),	Grandbois,	Orton,
Campbell (Victoria),	Guilbault,	Quimet,
Carling,	Guillet,	Reid,
Caron,	Hackett,	Robertson (Hastings),
Cimon,	Haggart,	Rykert,
Costigan,	Hall,	Scott,
Coughlin,	Hickey,	Shakespeare,
Curran,	Homer,	Small,
Daly,	Kilvert,	Tyrwhitt,
Daoust,	Kinney,	Valin,
Dawson,	Kranz,	Vanasse,
De Beaujeu,	Labrosse,	Wallace (York),
Desaulniers,	Lesage,	White (Cardwell), and
Desjardins,	Macdonald (Sir John),	Williams.—73.
Dickinson,		

## NAYS :

## Messieurs

Armstrong,	Gillmor,	Paint,
Auger,	Gunn,	Paterson (Brant),
Bain,	Harley,	Paterson (Essex),
Bernier,	Hay,	Pickard,
Blake,	Hilliard,	Platt,
Bourassa,	Innis,	Ray,
Burpee (Sunbury),	Irvine,	Richey,
Cameron (Huron),	Jackson,	Ross (Middlesex),
Campbell (Renfrew),	Jamieson,	Scrivner,
Casey,	Keefer,	Somerville (Brant),
Casgrain,	King,	Somerville (Bruce),
Catudal,	Kirk,	Springer,
Charlton,	Landerkin,	Taylor,
Cochrane,	Laurier,	Trow,
Cockburn,	McMillan (Huron),	Vail,
Colby,	McCraney,	Watson,
Cook,	McIntyre,	Weldon,
Fisher,	McIsaac,	Wheler,
Fleming,	Mulock,	Wilson, and
Forbes,	O'Brien,	Wood (Brockville).—61.
Foster,		

It being Six o'clock the Speaker left the Chair.

## After Recess.

## CRÉDIT FONCIER FRANCO-CANADIEN.

Mr. DESJARDINS moved the third reading of Bill (No. 22) respecting the Crédit Foncier Franco-Canadien.

Mr. AUGER. I have the honor to move that this Bill be read the third time this day six months. Mr. Speaker, while discussing this Bill the other evening, the hon. member for Bellechasse asked whether we opposed this Bill because it concerned a French company and lent French money. This is not the case; and I do not desire in the least degree to act unfair towards this company. If it merely desired to be placed on the same footing with other organizations of the same character, we would not have objected, or now object, to this measure. This company came to this country in 1880, and applied for an Act of incorporation to the Quebec Legislature, and obtained all they requested. They represented that they could lend money at 6 per cent. on certain conditions, and were incorporated. Later, they secured an Act of incorporation from this House, and extended their privileges over the

whole of the Dominion, by which they could charge 6 per cent., including management. I had the honor the other day to show this House that there were two serious objections to this Bill; and its promoters acknowledged their correctness by having it sent back to the Committee of the Whole and amended. It was then suggested that more was required; but the promoters of the Bill refused to assent to any other further amendment. They now wish to be placed on the same footing with other loan companies, and to this I do not object, but they should not receive more privileges. Under this Bill they wish to repeal 44 Vic., chap. 58, which will throw them back on the Quebec Act of incorporation; and they desire to obtain the right to charge 8 per cent. But, under the Quebec Act, they can charge at least 1 per cent. above the 8 per cent. per annum on the principal loaned, which makes an additional per centum and more, because, if for instance, a man borrows \$1,000 repayable in \$100 per year instalments, he pays 8 per cent. on the principal from time to time due and 1 per cent. additional, not on the amount due as lessened by his payments of \$100 per annum, but always on the entire principal, \$1,000, until the last instalment is paid. Consequently, under this Bill they could charge 8 per cent., and 1 per cent. for charges of administration, making 9 per cent. for the first year, and 10 per cent. for the second year; while, for the last year, when only \$100 remained unpaid, he would pay 8 per cent., and 1 per cent. on the \$1,000, making 18 per cent., of which 10 per cent. would be for charges of management. It would be bad enough if the 1 per cent. related merely to the amounts remaining due, but it really refers to the whole of the sum borrowed; and this is more than other loan companies have the right to charge. It may be said that this can be accomplished by private contract; but what is done under private agreement, and under the law, are very different things. When a man signs a contract, he knows what he signs, but when a man enters into an agreement guaranteed by law it can be enforced in the courts, and the additional 1 per cent. so collected. I think that this is unfair to the public. I have no personal interest in this matter. I have never borrowed any money from this company, and I shall never do so; nor do I believe that any of my constituents have ever obtained any money from them. I am only acting in the interest of the general public and for the public good. Why should we, who live in the Province of Quebec, be selected for this sort of treatment? Why is not a law proposed in this respect to apply generally to the whole of the Dominion? If this company wishes so to be incorporated let them relinquish their Quebec charter, and then come before this House for an Act of incorporation, in the same manner as do other like organizations, and to that I will willingly assent. But no; they want that this Parliament should give them the right to charge the same rate of interest as other companies, and, at the same time, allow them the right to fall back on the Quebec charter, which gives them the right to charge 1 per cent. for cost of management. This is a privilege to which they make no reference. They said they have renounced the 127th section of the Act; but every one knows they have renounced nothing at all. Let the company renounce the whole of their special privileges, and come here and obtain incorporation on the same footing as other companies. For these reasons, I beg to move that the Bill be read the third time this day six months.

Mr. CATUDAL (Translation). Mr. Speaker, I cannot let this motion pass and give my vote without explaining to the House the reasons which actuate me in so doing. If we examine the position of the *Crédit Foncier Franco-Canadien*, we observe that this company first applied to the Legislature of Quebec, from which it received important

Mr. AUGER.

privileges. These privileges were conceded with the express understanding that its rate of interest should not exceed 6 per cent. per annum. By a subsequent Act this company renounced the concession under clause 127 of its Act of incorporation, obtained in the Quebec Legislature. This concession consisted in the agreement of the Legislature of Quebec to renounce the right to grant an Act of incorporation for the period of fifty years to any *Credit Foncier* association which had any representation in France. In consideration of renouncing this concession, the company asks from this Parliament the repeal of what it first prayed for, and also the privilege of charging any rate of interest it might be disposed to ask, provided it did not exceed 8 per cent. per annum. Now, Mr. Speaker, in my opinion, it is for this House to consider whether the renunciation of this privilege and advantage is a sufficient compensation to the public for these obtained here and granted to companies of this kind, according to the charter of the Province of Quebec, as the hon. member from Shefford (Mr. Auger) has a moment ago shown. We perceive that this company has secured important concessions, some of which are contained in Section 68, viz.:

- "The annuity, whether of long or short term loans, stipulated in the contract of loan, comprehends:
- "1. The interest.
  - "2. The instalment determined by the rate of interest and the length of the loan.
  - "3. An annual charge for cost of administration, which must not exceed 1 per cent. on the borrowed capital."

The last paragraph contains powers which have already been refused to this company, by this Parliament, and the charter which it obtained in the Province of Ontario does not give it any privileges. The *Credit Foncier Association* of Lower Canada has not this right. The *Trust and Loan Company* also has not got it. Why, Mr. Speaker, place the farmers of the Province of Quebec, who may have recourse to this company to borrow, under more disadvantageous conditions than those of the Province of Ontario? For instance, if a farmer of the Province of Quebec borrows \$1,000, interest at 8 per cent. per annum, such as this Bill authorizes, payable in instalments of \$100 per annum with interest, how much will he have to pay? The first year he will have to pay \$100 principal and \$80 of interest, and 1 per cent. for cost of administration, which will make 9 per cent. per annum. The second year he will have to pay \$100 principal besides \$72 interest and \$10 for cost of administration, which will bring his money to 9.11 per cent. per annum. The third year to 9.25 per cent. per annum. The fourth year to 9.43 per cent. per annum. The fifth year to 9.67 per cent. per annum. The sixth year to 10 per cent. per annum. The seventh year to 10.50 per cent. per annum. The eighth year 11.33 per cent. per annum. The ninth year 13 per cent. per annum, and the tenth year 18 per cent. per annum, which makes an annual rate for the ten years of 10 per cent. per annum. Now, no other company in the country having this privilege, why give it to this company? It is said that the *Crédit Foncier Franco-Canadien* has never charged over 6 per cent. per annum. It is true, Mr. Speaker, that up to this date it never has charged more than 6 per cent. per annum of interest. But the reason is a very plain one; it had not the right or privilege to do it. It has the right, according to the charter obtained here, to charge 1 per cent. for cost of administration on the amount loaned, but the interest and the cost of administration must not exceed 6 per cent. per annum. This, Mr. Speaker, is the reason and there is no other. Now, section 70 says:

"Every semi-annual instalment remaining unpaid when it falls due, *ipso facto* bears interest for the benefit of the society without notice, at the same rate as the principal loaned. It is the same for all costs of collection, liquidated or taxed, incurred by the society to obtain payment of its loan, and from the date on which these expenses have been incurred. In case of default of payment of the semi-annual instalments all the principal becomes due without further notice."

Well as to the interest on the costs of the collection which the society may be obliged to make, to recover payment of its moneys, this is a privilege which I do not think any other society possesses. The Trust and Loan Company has not this right. The Credit Foncier of Lower Canada has not got it. The charter obtained by the *Crédit Foncier Franco-Canadien* in the Province of Quebec, and from this Parliament does not give it this right either; it only enjoys it by virtue of the Act of the Quebec Legislature. Now, as to default in the semi-annual instalments, if a debtor even for a day neglects to make his payment, the company has the right to call in the amount of the entire loan. This is a privilege which it only obtained by agreeing not to charge more than 6 per cent. per annum, and which it should renounce before asking to charge the rate of interest contained in the Bill. The 72nd section of the Quebec Act contains the following provisions:—

“The borrower is required to advise the society within one month of the sale or partial sale, which he may have made of his property.

“In default of this notice within the time aforesaid the Society can call in the balance of the principal.”

It has a right also to the indemnity determined by the last clause of section 71. If a debtor of the *Crédit Foncier Franco-Canadian* neglects to inform the society of the sale of mortgaged goods, which he may have made, the latter according to its charter obtained in Quebec, can exact the payment of the amount of the principal which it has loaned, and also impose a penalty of 3 per cent. on the capital repaid. This is a right which has not been given to the *Credit Foncier of Lower Canada* nor in the Province of Ontario to the Trust and Loan Company. The Federal Act and the Act of the Province of Ontario, does not give this right to the *Crédit Foncier Franco-Canadien*. The clause in the Quebec Act says:

“The borrower must also announce within the aforesaid interval, the deteriorations which the real estate may have experienced. The society, if the deteriorations endanger its interests, can exact the repayment of the balance of the loan. In default of notice the repayment is subject to the indemnity authorized by the last clause of section seventy-one. When the borrower advises as to deterioration, the repayment is exacted without penalty.”

Well, Mr. Speaker, we see the privileges which this company possesses. You borrow from it, and if the property which you have mortgaged is deteriorated to any extent, and that these deteriorations are not made known, the company can exact the repayment of the money which it has loaned you, and 3 per cent. besides on the repaid capital. No other company has this right or privilege. For these considerations, in view of the very exceptional privileges which this company possess, and especially the right to impose an indemnity of 1 per cent. per annum for cost of administration, I think it my duty to vote for the motion of the hon. member for Shefford, and give it the six months' hoist.

Mr. BLAKE. On the last occasion when this Bill was before the House I drew the attention of the hon. member for Hochelaga (Mr. Desjardins) to a matter which is deserving of his attention and that of the House. I am not in favor of limiting the rate of interest; it is not the way to make money cheap. But this House has acted with respect to these companies for the last three or four years on a certain principle, and when companies have asked for incorporation it has been granted them latterly on condition that the rate of interest which they were allowed to exact should be 8 per cent. The Trust and Loan Company and other companies were dealt with in that way. This company “the *Crédit Foncier Franco-Canadien*,” under the existing law, has the power to charge 6 per cent. only. It came here last Session asking for relief, which was refused it because it had a special privilege, and it was thought that it should not come here and ask to be placed on the common ground. This Session it comes here having asked the

privilege to be removed, and now seeks to be placed on the common ground. I supposed when we were voting on the question, as to whether the rate of interest should be 8 or 7 per cent., that we were voting on the question as to whether the company should be placed on the common ground or not. And I saw no reason why, if it was the will of the House that companies should be given power to charge up to a certain rate, which had been fixed at 8 per cent., this company should not have the power to charge 8 per cent. also; and I was therefore perfectly ready to vote against the rate being fixed at 7 per cent. It is quite clear, because the hon. member for Hochelaga has allowed two hon. members to state the proposition and has not disallowed it, that under the Local Act this company possesses a special power to charge 1 per cent. to borrowers for what they call expenses of administration. If you add that 1 per cent. to 8 per cent., which they are allowed to charge, if the rule is followed, the company would really be allowed to charge 9 per cent. interest; nay, it would amount to much more, because the charge for administration is an annual one, and would continue, notwithstanding portions of the loan had been repaid. But, irrespective of that point, it is clear that while we are asked to place the company on the ordinary footing, and that they should have the right to charge 8 per cent., the effect of the privilege by which they are enabled to charge 1 per cent. for administration, would be, as I have said, to place the rate of interest at 9 per cent. I cannot understand any reason why the House should be asked to grant this exceptional privilege, unless it is prepared to say, that all other companies may charge 9 per cent. If there is to be a general Interest Law, fixing the rate at 9 per cent., or 8 per cent., very well; but, is Parliament to deal one Session with companies and compel them to charge not higher than 8 per cent., and the next Session allow similar companies to charge 9 per cent.? I suggested this difficulty to my hon. friend from Hochelaga, and I had hoped he would have proposed to have corrected it, so as to make it clear that this company shall be placed on the common plan. I still hope he will do so, because I cannot consent to support the Bill as it at present stands, so as to practically allow the company to charge 9 per cent., unless we are prepared to reverse our decisions of former Sessions, and allow all loan companies to charge 9 per cent.

Mr. BÉCHARD. I should have been very happy to have voted for my hon. friend's Bill, but as it now stands I shall be compelled to vote against it, unless he is willing to further amend it. Last Session, when this company came to Parliament for new powers, its application was rejected on the ground that it was in the possession of special privileges which had been granted it by a charter of the Province of Quebec; and we then said that, if the company renounced its privileges, we would be ready to place it on the same footing as other loan companies. This Bill has been amended somewhat in that direction; but still it contains one feature to which I have great objection, and this feature is that to which reference has been made—the fact that it contains a clause of the original charter, which gives the company the right to charge 1 per cent. annually for cost of management. If you add that to 8 per cent. interest, it makes the rate practically 9 per cent., and I do not believe any company holding a charter from this Parliament possessed that power. If the hon. member for Hochelaga will amend the Bill so as to place this company on the same footing as other loan companies, and not give it any special privilege, I am willing to vote for it; if he does not do so, I shall be compelled to vote against it on the grounds I have stated.

Mr. OUIMET. I think the hon. member for Shefford is quite correct in the remarks he has addressed to the House, and, in accordance with the practice of the House, in fixing a certain rate of interest to be charged by every loan com-

pany which applies here for power. I will endeavor to meet with his suggestion, and satisfy him by moving the following amendment to the amendment, which I think will meet his demand:—

That this Bill be not now read the third time, but that it be referred back to the Committee of the Whole, with instructions to amend the second clause of the Bill by adding the following words:—“Including the annual allowance for the cost of management.”

That is to say, the clause would read “not exceeding 8 per cent., including the annual allowance for the cost of management.” This amendment will meet the view of the hon. member for Shefford, unless his object is to defeat the Bill. If such is his object, I think this House is not ready to enter upon legislation which is not in accordance with that passed in reference to other companies. I suppose this company is entitled to enjoy all the privileges which are accorded other companies, and I do not suppose that the hon. member would refuse to this particular company privileges, which after all, according to the principles of his party and his leader, are not obnoxious to the people, since the rate of interest is not what fixes the price of money in this country.

Mr. TAYLOR. Many of our Ontario companies charge 7 or 8 per cent. per annum to the borrower, and they charge 1 per cent. for the cost of administration, or for making the loan. And I would like to ask the hon. member for West Durham whether the Quebec Act allows the company to charge a certain amount over and above the rate of the loan, or simply 1 per cent. on the amount of the loan.

Mr. BLAKE. I believe it is 1 per cent. a year.

Mr. TAYLOR. But do you know?

Mr. BLAKE. I say I believe it is 1 per cent. a year.

Mr. TAYLOR. Then we will send it back to the Committee to be investigated.

Mr. BLAKE. Speak for yourself.

Mr. DESJARDINS. I am not surprised at the position taken by the hon. member for Shefford, as we know that his object from the beginning was to defeat the Bill if possible, and to refuse to this institution the fair treatment we had a right to expect in this House, after having so far yielded to the opinions expressed here last Session. But I did not expect that the French Liberals of the Province of Quebec would go so far as to declare themselves as a party against the institution itself. It is very evident, having refused to accept the amendment of my hon. friend from Laval (Mr. Ouimet), that their only object in pressing the six months' hoist was to defeat the Bill, and deprive the Province of Quebec and the Dominion of Canada at large, of the benefits which must be derived from the successful maintenance of that institution among us. It is all very well to say that by reason of that single clause the people from the Province of Quebec would be in an inferior position compared with the people from the other Provinces. That condition, like others, would have been regulated as every loan and every money negotiation is regulated; that is to say, if the conditions imposed by the Credit Foncier are unsatisfactory, if the lender could obtain better terms elsewhere, he would be fully at liberty to go where he could get better conditions. That remedy is always open to the borrower. But, Sir, I would probably have yielded to the demands of these hon. gentlemen if I had the same faith that they were sincere; but their conduct to-night convinces me that I did right in refusing to them what I am ready to concede to hon. members whom I know to be favorable to the Bill, and to be actuated by a desire to conserve the best interests of the company, as well as those who may come in contact with them. I am ready to accept the amendment of the hon. member for Laval.

Mr. Ouimet.

Mr. BÉCHARD. I think the hon. gentleman is wrong in charging the French Liberals with a disposition to defeat his Bill. He has no right to say so when he has heard some of us, at least, give reasons for opposing the Bill, and point out in what respect we desire it amended. I had just expressed an opinion about the Bill; and certainly, if the hon. gentleman understood me, he could not have charged the whole of the French Liberals with being hostile to the measure. I said I would be happy to vote for the Bill, and I was perfectly sincere in saying so, but I wanted it amended so as to be acceptable to the public. The company say that they seek power to place themselves on conditions of equality with other companies, and they had their charter, which was obtained from the Legislature of Quebec, amended in such a way as to place them on a footing of equality with other companies. I am not hostile to that company—quite the contrary, but I do not wish it to possess powers which other companies do not enjoy. I pointed out to the hon. gentleman the clause in the original charter which I wished amended, so that I might vote for the Bill; but the amendment of the hon. member for Laval will meet my views in that respect, and I am ready to accept it if it can be included in the Bill. I repeat, therefore, that the hon. gentleman was wrong in endeavoring to make a little political capital out of the course pursued by the French Liberals of Quebec.

Mr. FISHER. The hon. member for Hochelaga (Mr. Desjardins) has accused the Liberal members from Quebec of opposing the Bill, and the hon. member for Iberville (Mr. Béchard) has successfully disposed of that statement. I think, however, that hon. gentlemen in this part of the House, who have opposed the Bill, may claim credit for what they have accomplished in the amendments which have already been added to the Bill. When this Bill first came before the House, it was very objectionable in many of its characteristics, and if many of its objectionable features have been removed, the fact is due to the efforts of the hon. member for Shefford and other hon. members on this side of the House. A few days ago, in Committee of the Whole, the hon. member for West Durham suggested just such an amendment as is proposed to-night, and the hon. member for Hochelaga refused to accept it.

Mr. DESJARDINS. The amendment of the hon. member for West Durham was one which had already been adopted by the Legislature of Quebec, so that there was no need of it here.

Mr. FISHER. I believe the suggestion made then was the same as that made to-night, and the hon. member for Hochelaga distinctly refused to accept it without communicating with his friends, and, after doing so, refused to accept it. If this Bill has been amended in several of its objectionable features, it is not due to the promoters of the Bill. If hon. members on this side of the House wished to defeat this Bill, I think they would have fair grounds for doing so. When this company obtained their charter from the Legislature of Quebec, I understand that they only intended to charge 6 per cent. interest, and the prominence which they obtained at that time throughout the country was an advertisement which was of incalculable advantage to them; and any gentleman who knows the rural population, knows that, after they have borrowed from one corporation, they are disinclined to change and borrow from another, so that, although it is now proposed to do away with the advantage which this corporation possesses over other lending corporations, they will still enjoy the benefit of that advertisement and continue to occupy a very large field. This is not the only objection to this Bill. If you study it, you will find that it gives to the company power, in case of any delay in payment, to call in their loans. If this Bill is passed, we know perfectly well that these men will have

very great inducements to call in their loans in the Province of Quebec, which they may do on the slightest pretext whatever. I venture to say that in less than twelve months from this day the larger proportion of the money lent will be withdrawn, and lent again at 8 or 9 per cent., instead of at present at 6 per cent., including the cost of management. This is a very serious matter indeed to the agricultural community throughout the country; and I think any member of this House who represents an agricultural constituency may very well oppose, in their interest, the passage of this Bill in its present form. Hon. gentlemen have suggested that this company should be placed on the same footing as other companies. If they would consent to that, they would remove one of the strongest objections we have to the Bill. Although the monopoly clause has been given up, there are other advantages which this company possesses over other companies. I have no hesitation in supporting the amendment of the hon. member for Shefford.

Mr. MÉTHOT. I wish to ask only one question of the hon. member who has just sat down. What are the other advantages which the Crédit Foncier possesses over other companies? I must say, also, that I do not think it fair for the hon. member to say that this company will charge 9 per cent. when the promoter of the Bill has just agreed to limit them to 8 per cent.

Mr. AUGER. I repel the accusation that I oppose this Bill on party grounds. I am not here, Sir, as a Liberal.

Some hon. MEMBERS. Hear, hear.

Mr. AUGER. I am not, also, here as a Conservative. I want hon. gentlemen to understand that I was elected as an Independent member to support good measures, and I am ready and willing at any time to support any measure that comes from the other side if it is a good measure in my judgment. I am here as an Independent member, and whenever either side of the House brings forward a measure that is for the benefit of my country and deserves my support, you will always find me there if I am alive and well. You will always find me ready to do my duty, and I will not be deterred from doing it because this is a French company. I am reminded of the story of a foolish boy whose father used to horsewhip him almost every day. Some of his companions asked him: "Why don't you behave yourself and save the horsewhipping?" The boy answered: "It doesn't hurt; it is the same whip." So it does not matter if this company is a French company; it must be put on the same footing as other companies. If these hon. gentlemen are not able to frame their own Bills, why did they not come to me, and although I am a layman I might have been able to put them right? But I have to get them right inch by inch. The other day, when the hon. member for West Durham proposed this amendment, it was not accepted, because they thought they could force the Bill through the House without it; and it is only to-day, when they find the sentiment of the House against them, that they are willing to accept it. But there are other objections to this Bill. There is a clause which gives the company the right to force a borrower to insure his building and deposit his policy with the company. If the man is burnt out they may draw the money and keep it, and if the property is diminished in value they can claim the whole amount of the loan. They will say you must pay the whole money or we will sue you. The farmer will say I cannot do it. Then they will say: "Give us 8 per cent. and we will let you off." Have the other companies the same privilege? No. The Crédit Foncier du Canada has not that privilege. This company have the insurance in their hands. They draw the money; but there is one clause that says if the debtor builds within the year the company is bound to pay the money back to him. Suppose a man burns his house, the

company draws the money and keeps it. He can go to any one and say build me a house. When the house is built he can go to law, claim his money and get it back, and thus get his building. But with this company it is not so. They keep the money, and if the property decreases in value they foreclose him. They say pay us 2 per cent. more. Hon. gentlemen say that the hon. member for Shefford is opposed to French money coming into the country. There is none coming in. The money is here. They brought it here. They only asked to change this law when they almost failed in France, and had no more money to bring in. Every hon. member remembers the difficulties La Banque de Paris et des Pays-Bas fell into a little more than a year ago. This company have lent all their money, and now they want to force those who borrowed it to pay 2 per cent. more. Why was it, last Session, the motion made by my hon friend from St. John (Mr. Bourassa) for six months' hoist, was carried by seventy majority? Did not those that raise the French cry now vote for that motion?

Mr. MÉTHOT. Because the interest was not limited.

Mr. AUGER. I think it was because the elections were coming on, and they dared not go before the public with that measure. But now they think they will be in for five years, and can explain their vote at the end of that time easier than they could after two or three months. I want hon. gentlemen to understand that I am not here as a Frenchman, but as a Canadian in the true sense of the word, and will not support anything French simply because it is French. I will support anything just, and oppose anything wrong whether it comes from Ireland, France or China. I think these hon. gentlemen are wrong in raising the French cry. If these men want to be placed on the same footing as others, let them withdraw their Quebec Act, and I will vote to give them the same privileges as the trust and loan and other companies. This House is taken by surprise. There are about ninety new members here who know nothing about this case, and they come before us with this little Bill. I am not a legislator, and never supposed a man could come before this House with such a Bill and have it passed. Did they bring before this House their rights in Quebec? Did they say we want the Dominion Act repealed? I have to show up this question piecemeal, and it is only when forced by the sentiment of the House that they are willing to amend their Act. That is not the way to legislate. They have no money coming in now, and will not have any for a year. Their money is loaned for a long time. Let them wait for another year if they cannot withdraw the Quebec Act this year, and then let them ask to be placed on the same footing as other companies. They will then find me ready to support them.

Mr. GIROUARD (Jacques Cartier). Last year, when I had the honor of presenting to this House a Bill on behalf of the Crédit Foncier Franco-Canadian, asking for certain special privileges, the objections raised by hon. gentlemen opposite, and by some hon. gentlemen on this side, were, in the first place, that this company enjoyed a great monopoly for fifty years, and, in the second place, that they asked the unlimited power to charge what rate they pleased. The Crédit Foncier took steps to meet those objections by renouncing the monopoly and by asking for the limited power of charging interest at a rate not to exceed 8 per cent. We thought we had thus met the views of hon. members. The only objection raised by the hon. member for East Hastings was that the company was instituted for the purpose of lending money at 6 per cent., and the question of monopoly was raised on the other side. Why so many new objections now after we have met the only two raised. The monopoly has been abandoned and a limited rate of interest asked for. Is that an extraordinary privilege to grant? How many loan companies have

been incorporated by this Parliament with the power of lending money, not at 6, 7, 8 or 9 per cent., but at any rate which may be stipulated between the parties? I believe an hon. member quoted not less than fifteen or twenty charters granted by this Parliament giving unlimited power to companies to charge interest at any rate. This institution has rendered great services not only to the Province of Quebec, but to the whole Dominion. From the moment it came into operation, the rate of interest all over the Dominion became reduced from 10 to 6 per cent. We do not want to go as high as 10 per cent. We lend money at 6 per cent. as long as we can get it in France for 5 per cent., and want to be in a position to lend at 7 or 8 per cent. when money in France cannot be obtained under 6 or 7 per cent., and every one familiar with the French money market knows that a year ago it was impossible to get money there under those rates. How can you expect French capitalists to lend money here at 6 or 7 per cent. when they can get that much for it at home. The objection has been made that if this amendment is granted, the *Crédit Foncier* will, before a year, request all their debtors to refund their mortgages. I am surprised that an objection of that kind should be made. The hon. member should know that in the mortgages of the *Crédit Foncier* there is a clause, as there is in all deeds or mortgages between loan societies and their borrowers, which says that the money so borrowed shall be repaid in certain instalments, and as long as those instalments are met the debtor is entirely independent and free from the *Crédit Foncier*.

Mr. FISHER. As long as they are met.

Mr. GIROUARD. But you find that privilege in the special charter of the *Crédit Foncier*, and I would ask the hon. member who, if he is a lawyer, is a man of common sense, whether it is not permitted to himself, when he lends money—I would not say to one of his constituents, I suppose that would not be politic—but when he lends money to any man, whether he has not a right to say: If you do not pay your instalments, principal and interest within the time fixed, I shall have to request you to pay the whole amount? That is quite regular, and that is the privilege that is asked for by the *Crédit Foncier*. It is a privilege that exists in common law, and there is no necessity to put it in the charter. It is the same thing with the insurance license: there is a clause which permits the *Crédit Foncier* to take the amount of insurance which has been effected on the property, as security for the loan. If this is an exorbitant thing it is a thing which has been done in every deed of mortgage, and I would ask every hon. gentleman whether that is not the case. What is there extraordinary in that? Really, I am surprised to hear the objections that have been made to 6 per cent. I think the hon. member for Laval (Mr. Ouimet) has met any objection which has been made by his amendment to the effect that only 8 per cent. would be required including the cost of administration.

Mr. CASGRAIN. Not exactly so. The amendment says that 1 per cent. shall cover the cost of administration, but the Bill says that in no case shall the whole exceed 8 per cent.

Mr. GIROUARD. I hope the Bill will be allowed to go to its third reading, subject to the amendment which has been accepted by the promoter of the Bill. I cannot understand why, after all the discussion that took place last year on this Bill, it should not be allowed to go through without opposition. One of the great advantages offered by the *Crédit Foncier Franco-Canadien*, is not an advantage to be derived from its charter, although it is mentioned in the charter—which is, that nearly all the moneys which are borrowed are payable by single instalments. That power is given by the charter. Ordinary loan companies may loan their money in that way if they like. In this country

Mr. GIROUARD (Jacques Cartier).

the system prevailing is to loan money for a certain fixed period, the interest being payable every year, but in the *Crédit Foncier* it is payable to the capital account, and the interest is payable by a sinking fund of 7 per cent. per annum, and when the interest is 6 per cent. it takes thirty-five years to pay the whole capital and interest. The company has loaned in this country about one million and a quarter, most of it loaned in that way. The loans are all on long terms, and I have known many of them extending to even fifty years. The promoters of the *Crédit Foncier* are exceedingly anxious to continue their operations, provided they are placed in a position to get the necessary funds from the French market. To show their anxiety, I may mention here as a fact, because it is within my personal knowledge, that they refused an offer to buy all their mortgages after the Bill was defeated last year. I may say that I made the offer myself to pay them half a million within six months and the balance within a year, but the offer was refused. They are very anxious to continue their operations, and surely no man in the House can say that the terms of the *Crédit Foncier Franco-Canadien* are ruinous to the country. They ask 8 per cent., and I can quote you fifty loan companies in the country who loan at 9, 10, 11 and 12 per cent.—in fact they can charge any rate they please.

Mr. FISHER. The hon. member for Jacques Cartier certainly did not quite understand the points I wished to make in regard to the loan being drawn. Although I am not a lawyer, and not a money lender, I am quite well aware that in the majority of cases when the conditions of the loan are not fulfilled, the lender has a perfect right to close the mortgage. This company is now loaning money at six per cent., and with certain conditions which I know perfectly well the rural population very often find it difficult to fulfil; and when we allow that company to charge an extra 2 per cent., it is a temptation to them to foreclose those mortgages, which I do not believe the majority of money lenders can resist. I do not believe the *Crédit Foncier* will resist that temptation, and I believe the result I pointed out a few minutes ago will be really brought about.

Mr. WHITE (Hastings). Last Session I objected to a change in the law, for the reason that, if we allow the *Crédit Foncier* to loan money at 8 per cent., we would cause all other companies, now loaning at 6 and 7 per cent., to run them up to 8 per cent. Parties who borrow money have to pay for registration and valuation. If we allow this company to charge 8 per cent., then all the parties who borrowed that million and a quarter dollars at 6 per cent. will have to pay 2 per cent. extra, and will therefore suffer an injustice. We make the borrowers pay the solicitors' fees, the valuation fees, and the registration. The hon. gentleman is a rich lawyer and thinks that is all right, but if he was a borrower he would think differently. I would like to ask any hon. gentleman in this House, where is the farmer that can afford to pay more than 6 per cent. interest on his loans? All other companies in this Dominion are kept down to 6 per cent., because the *Crédit Foncier* have their charter limiting their rate of interest to 6 per cent. Previous to their obtaining the charter, money could not be procured from any company at less than 8 per cent. The hon. gentleman says himself that he offered to buy out the company; he wanted to get clear of the *Crédit Foncier*, but we want to keep them here. The best evidence we want that the company has sufficient privileges already, is that they do not withdraw their loans. They borrowed this money in France, as it is admitted by the promoter of this Bill, at 4 per cent., and is not 2 per cent. enough for bringing it out to this country, after paying all expenses connected with it? But that will not satisfy them. The countrymen of the hon. gentleman, and the parties in the other Provinces, were told they could have this

money as long as they required it; that the loan would be renewed whenever it was due, and that they could have the money for 6 per cent. as long as they wished to keep it. But now their money is gone; money in France is not so plentiful, and they want to make up their losses by charging the people higher rates. This company has been made to do more than one kind of service, and I contend that this House will do a great injury to those parties who have borrowed money for 6 per cent. if they grant this request. It will be deceiving the borrowers; nobody can deny that statement. If we keep the company limited to 6 per cent. we shall keep this \$1,250,000 in the country. Other companies will have to keep the interest where it is. I admit this is a serious question; it is a difficult thing to keep interest within bounds, but the very moment we open the door when will it be closed again? Will another company come to this country and ask charters from the Dominion Parliament and the Provincial Legislatures to enable them to loan money at 6 per cent. Never during the time we shall occupy seats in this House. Hon. members, representing rural and agricultural districts, will do a great injustice if they vote to increase the rate of interest from 6 to 8 per cent., to withdraw a million and a quarter of dollars bearing 6 per cent. to be re-loaned at 8 per cent., and their votes will come up again in judgment against them. Why? It would amount to taking the very heart's blood out of the industrious people of the country, the agricultural class. I say positively that I regret there are not more members in this House sent here to support them and advocate their interests. Some say this is a political matter. I think politics have nothing to do with it, because it is a question affecting the people in every section of the country. The hon. member for Jacques Cartier, a gentleman belonging to the French population, was one of the strongest advocates of this company, who endorsed its claims with all the eloquence in his power, pointing out what they were doing for this country and for the interests of agriculturists in offering to loan money at 6 per cent.; yet he now comes here, two years afterwards, and declares the company cannot afford to do business at 6 per cent., but must have 8 per cent., and he beseeched and threatened the House with a view to effect this change. This is a bad system to introduce, and I hope this Bill will not be given the third reading, and that the rate of interest, 6 per cent., will not be changed.

Mr. AUGER called attention to the fact that the hour assigned to Private Bills had passed.

Mr. SPEAKER. My attention having been called to this fact, I must now call Public Bills in order.

#### PUNISHMENT OF ADULTERY, SEDUCTION, &c.

The House resumed the adjourned debate on the proposed motion of Mr. Cameron (Victoria), that the Bill (No. 13) to provide for the punishment of Adultery, Seduction, and like offences be not now considered, but that it be referred back to the Committee of the Whole with instructions to amend the same.

Motion agreed to; and House resolved itself into Committee.

(In the Committee.)

Mr. McCARTHY, for Mr. CAMERON (Victoria), moved that the following words be added at the end of clause 4: "Proving the offence to have been committed."

Mr. CHARLTON. The wish and temper of the House have been particularly manifested on this matter, and I have no desire to attempt to accomplish what is impossible under the circumstances. The charge made against this clause was that this clause was altogether too vague in the

matter of corroborative testimony. I had some conversation with the hon. gentleman who moved this amendment, after the Speaker left the Chair—I regret he is not here to-night—and I understood he would be satisfied with the clause which I am about to submit as a substitute for clause four. The clause which I propose is as follows:—

"Provided that the evidence of the female in respect of whom the alleged offence is allowed to have been committed shall be corroborated by some other material evidence in support of the alleged promise of marriage, seduction, inveiglement, or enticement."

It removes the objection that corroborative evidence on some immaterial point would be held to be corroborative evidence.

Sir JOHN A. MACDONALD. I think it is almost impossible for the House to decide hurriedly on the amendment. We cannot at the moment see what will be the bearing and effect of it. I am very strongly in favor of the amendment moved by the hon. member for North Victoria, which, I believe, will meet the justice of the case.

Mr. WELDON. The same objection which the hon. member for North Victoria took, applies to the amendment just moved: it might extend so far as to destroy the evidence of the female. When the law respecting actions for breach of promise of marriage in England was changed so as to allow the plaintiff to be called as a witness, similar language was introduced to that now suggested. Now, I think that is the language of the English Act; and in this Act it would seem also to be conveyed in the words "promise of marriage and seduction," in the first section; in the second section the seduction in the case of the tutor, or teacher; and in the third clause, in the enticement of a female. It seems to me, that these words convey the exact idea of the hon. member for North Victoria, as to finding corroborative evidence regarding the material facts necessary to prove cases brought; and it is the language of the English Act as I have pointed out.

Mr. McCARTHY. Mr. Chairman, it seems to me exceedingly dangerous for us now to meddle with this matter. The Committee will remember that the hon. member for Victoria (Mr. Cameron) gave notice of this amendment, so that the House might consider the facts; and for that purpose, the debate was adjourned. But now, after notice has been given, and the matter is to come up again, the House is asked deliberately to vote for an amendment which ought to be made in the sense which the hon. member for North Victoria proposed; and to make this alteration now, it seems to me, would be in violence of what we voted necessary the other day—that we should have opportunity to consider the whole subject. In the hasty glance which I have been able to give to the matter, it strikes me that the amendment suggested is not at all such as this House desires should be made. The amendment says:

"Provided that the evidence of the female, in respect of whom the alleged offence is allowed to have been committed, shall be corroborated by some other material evidence in support of the alleged promise of marriage, seduction, inveiglement or enticement."

That is exactly what we thought as to the other evidence; but that is not what we thought ought to be corroborated. It relates to an immaterial part of the offence, and is not what ought to be corroborated; and yet the hon. gentleman now suggests that this is a matter which is material, and which alone should be corroborated. Other words follow; but still they do not follow, as I understand they should follow, in this clause, but are made applicable to the different sections. There are three or four sections—one, two, and three of the Bill—and these three sections were all intended to be met.

Mr. CHARLTON. Seduction and promise of marriage are the offences provided against in section 1, seduction in section 2, and enticement in section 3; and all these

separate and several offences are to be supported by corroborative evidence as to each one of them, so that the charge of indefiniteness cannot be raised against the measure; for the nature of the corroborative evidence is clearly defined and specified as to the several charges, which form the charges of misdemeanor in this Bill.

Mr. McCARTHY. If the hon. member is right—and I do not pretend to say he is wrong from the hasty glance which I have had the opportunity of giving to the measure—what difference exists between his amendment and the amendment of the hon. member for North Victoria?

Mr. CHARLTON. The latter amendment states that the corroborative evidence should be positive, and that the offence shall be proven by this corroborative evidence, leaving the evidence of the woman out of the question. It goes on to provide that this corroborative shall be positive evidence.

Sir JOHN A. MACDONALD. And corroborative ought to be positive evidence.

Mr. BLAKE. I think the difficulty raised by my hon. friend from Simcoe, might be met by a slight change in the construction of the proposed clause; all that is necessary, is to provide in the first clause of the Bill, that the evidence shall be corroborated as to either promise or seduction, instead of which, my hon. friend from Victoria wishes—and I understood that this was the sense of the House this afternoon—that the evidence of the woman should be materially corroborated—both two things without which, there would be no special offence. Well, that verbal criticism may perhaps be correct; but, it may be entirely got rid of by this slight alteration: That the corroborative evidence shall be in support of the promise and seduction, in reference to the offence specified in the first clause; the seduction, in reference to the offence specified in the second clause; and to enticement, specified in the third clause; thus requiring for both, material corroborative evidence for the offence mentioned in the first clause; and corroborative evidence for the other two offences. This will meet the difficulty, in reference to the motion of the hon. member for North Victoria, and I think that my hon. friend will see the force of it. He says that the corroborative evidence should be adequate to the offence, and puts it whether the evidence of the female primarily, should be accepted altogether in proof of the offence. This would seem to me entirely inconsistent with the motion of corroborative evidence, and I agree that the corroborative evidence should be material, and materially support the two conclusions, namely, the promise and the seduction.

Mr. McCARTHY. The suggestion made by the hon. member meets certainly the views I had on the subject. I thought and think still, that both matters ought to be corroborated, and if this were made as precise as the hon. member suggests, it would meet the views I had, but whether it will meet the views of the House is another thing. I do not know what in this respect are the views of the hon. member for Victoria, or what the House thought ought to be corroborated independent of the evidence of the female; but as far as I am concerned, I will be satisfied with the suggestion just made. I think that the proposition of the hon. member who has charge of the Bill is rather indefinite.

Mr. BLAKE. I agree with the hon. gentleman; but that would be placed beyond cavil with that slight alteration.

Mr. CHARLTON. I will be very happy to meet the suggestion.

Mr. WELDON. The object is to obtain material evidence in support of the original offence; and I think that the suggestion made will cover the grounds intended.

Mr. CHARLTON.

Mr. McCARTHY moved the following amendment:—

Provided that the evidence of the female in respect of whom the offence is alleged to have been committed shall be corroborated as to the first section to both the promise of marriage and to seduction, and as to the second section hereof as to the seduction, and as to the third section hereof as to the inveiglement or enticement, by some material evidence.

Bill reported.

#### CARRIERS BY LAND.

Mr. McCARTHY moved that the House again resolve itself into Committee on Bill (No. 14) respecting carriers by land.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the eleventh clause,

Mr. COUGHLIN moved the insertion of the following proviso, in place of all the words "after parcels or not":—

"And no special contract shall be valid which exempts the carrier from liability in the receiving, forwarding or delivering of any such articles, animals, goods or chattels as are hereinbefore mentioned, for any loss or damage occasioned thereto by the neglect or default of any such carrier or his or its servants.

He said: The clause at present reads thus:

"Except as hereinbefore provided, no carrier shall limit the Common Law liability of such carrier, for the loss of or any injury done to any horses, cattle or other animals, or to any articles, goods or things, whether contained in packages or parcels, or not, in the receiving, forwarding or delivering thereof occasioned by the neglect or default of such carrier, or his or its servants, by any special contract, unless the same shall be signed by the owner or by the person delivering such animals, articles, goods or things respecting for carriage."

The special contracts, as you are aware, are contained in bills of lading, which all railways use. In one of these documents the following clause, regarding live stock, occurs:—

"The owner of animals undertakes all risk of loss, injury, damage and other contingencies in loading, unloading, transportation, conveyance or otherwise, howsoever, no matter how caused."

If loss is occasioned by the fault of the railway company by the cars getting off the track, by collision, by the doors of a car getting loose, or by anything for which the railway company is responsible, the shipper has no defence after he signs this bill, and the railway companies will not accept any freight from any shipper unless he signs this bill. I want to hold railway companies responsible for all the goods they carry, and for all loss or damage which is occasioned by their fault or neglect, and I hope the House will sustain me in this amendment.

Mr. McCARTHY. I think the object my hon. friend has in view is not to be attained by the method he proposes; if his amendment is adopted it will only make the clause absurd. The way to obtain his object would be to strike out all the words after the words "parcels or not;" but I do not think the sense of the Committee is in favor of that. My notion is that the railway company should have power to make a reasonable and a just contract, but that no such contract should be binding unless it is signed by the consignor. I acknowledge that the railway companies may say, "If you do not agree to our terms, we will not carry for you at all;" but the next clause says that no such contract shall be binding unless it is just and reasonable.

Mr. COUGHLIN. I cannot accept my hon. friend's proposition. He would leave it to a Judge to say what is just and reasonable; but I want Parliament to say that the railway companies shall not have power to make these contracts.

Mr. BLAKE. A little difficulty might arise from the suggestion of the hon. gentleman, apart from that stated by the hon. member for North Simcoe. Companies sometimes

have two systems for carrying live stock—one under which they take the ordinary risk and charge ordinary rates; the other under which they carry at a very much lower rate and the shipper takes all the risk. If this clause were amended, the company might be deprived of this right to make special contracts.

Mr. WELDON. We ought not to deprive the company of this right to make a special contract altogether. In the next section we find that the Court has power to declare what is just and reasonable, and if the party were forced into a special contract that was unjust or unreasonable, the Court would not sustain it.

Mr. McCALLUM. In many parts of this country the companies will refuse to carry cattle unless the shipper signs a clean bill of lading, so that he has no recourse.

Mr. PATTERSON (Essex). This clause 11 does not provide any protection.

Mr. McCARTHY. The twelfth clause gives protection.

Mr. PATTERSON. Many parties sign the bills of lading as they sign insurance policies, without reading all the clauses. In the bill of lading I hold in my hand there are 21 clauses, and the seventeenth clause has three sub-sections, one of which throws all responsibility for damages and accident, loading or unloading, and during carriage on the shipper, even though these accidents may be caused by the negligence or default of the company's servant, and the shipper must sign this bill of lading or the company will not take his stock. There should be some remedy. It would not be reasonable to prevent companies making special contracts, but they should be compelled to have their bills of lading printed in such a way as to direct attention to all the clauses.

Mr. McCARTHY. The eleventh section is simply intended to provide that no special contract shall have any effect, or be binding unless the shipper signs it. The next section establishes that even if he does sign it, and it is not just or reasonable, it is not binding. This is taken from the Act enforced in England since 1854 and which seems to have worked well there, and would not affect the case mentioned by the hon. member for West Durham, because the conditions in it would be just and reasonable.

Mr. ORTON. We all know that railways almost force shippers to sign certain bills of lading if they wish to have their goods carried. My hon. friend from North Middlesex desires simply to do away with special rates. We have always looked upon the hon. member for Simeoe as the champion against any discrimination in rates and I regret he opposes this clause.

On the thirteenth clause,

Mr. McCARTHY moved to add the words "or as to tolls." Bill reported.

#### PROMISSORY NOTES AND BILLS OF EXCHANGE.

Mr. WELDON moved the second reading of Bill (No. 78) to amend the Act passed in the fifth year of the reign of her present Majesty, intituled: "An Act to repeal the duty on promissory notes and bills of exchange," and to declare the law relating to stamps on promissory notes and bills of exchange.

Bill read the second time; and referred to a Select Committee composed of Messrs. McCarthy, Girouard (Jacques Cartier), Jamieson, Weldon and Wells.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 10:10 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 29th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### BILLS INTRODUCED.

The following Bills were severally introduced, and read the first time:—

Bill (No. 96) respecting booms and other works constructed in navigable waters, whether under the authority of Provincial Acts, or otherwise. (From the Senate).—(Sir Hector Langevin.)

Bill (No. 98) for the better prevention of fraud in connection with the sale of Patent Rights.—(Mr. Mulock.)

### RED POINT (P.E.I.) BREAKWATER.

Mr. McINTYRE enquired, Whether it is the intention of the Government to construct a breakwater at Red Point, Lot 46, King's County, Prince Edward Island, next summer, or at any future time?

Sir HECTOR LANGEVIN. Mr. Speaker, in answer to the hon. gentleman, I may say that the Department has not the information necessary to direct the building of a breakwater at this place.

### SELKIRK PORT OF ENTRY.

Mr. ROSS (Lisgar) enquired, Whether it is the intention of the Government to make Selkirk a port of entry?

Mr. BOWELL. It is not the intention of the Government, at present, to establish Selkirk as a port of entry for Customs purposes.

### COTTON WOOD CANON, B. C.

Mr. REID enquired, Is it the intention of the Government to improve the navigation of Cotton Wood Canon on the Upper Fraser River, British Columbia, and if so, when?

Sir HECTOR LANGEVIN. This matter, Mr. Speaker, is still under the consideration of the Government.

### ST. JEAN PORT JOLI PIER.

Mr. CASGRAIN enquired, Is it the intention of the Government to ask for a revote, the same as last year, for the addition to the Pier of St. Jean Port Joli, county of L'Islet?

Sir HECTOR LANGEVIN. Mr. Speaker, the intention is not to drop this vote, but to go on with the work.

### PUNISHMENT OF SEDUCTION, ADULTERY, &c.

Mr. CHARLTON moved the consideration and third reading of Bill (No. 13) to provide for the punishment of adultery, seduction and like offences, as amended in Committee of the Whole.

Bill considered, read the third time, title amended, and passed.

### CRIMINAL LAW AMENDMENTS.

Mr. CAMERON (Huron), in moving that the House resolve itself into Committee on Bill (No. 6) to provide that persons charged with misdemeanor shall be competent as witnesses; with which are consolidated Bill (No. 2) to amend an Act respecting procedure in criminal cases, and other matters relating to Criminal Law; Bill (No. 4) to

amend the law of evidence in criminal cases, and Bill (No. 30) to amend the Criminal Law, and to declare it a misdemeanor to leave unguarded and exposed holes cut in the ice on any navigable or frequented water, said: I may, perhaps, explain, before you leave the Chair, Mr. Speaker, the provisions of the Bill, as amended by the Select Committee, to which this Bill and three other Bills were referred. You will find, in reference to the first section of the Bill, it provides that in all cases of misdemeanor, the defendant, a prisoner, and his wife, are made competent witnesses to give evidence on the investigation and trial. Now, this is not an unusual provision in our law, as you well know. The law now provides that, in cases of assault and battery, a defendant is a competent witness in his own behalf, and the Bill of the hon. member for Norfolk, which creates a new class of crime, just passed provides that a defendant shall be a competent witness in such cases. The principle is not a new principle, either in Canada or England. The right of defendants to give evidence in their own behalf is recognized in England in some cases of misdemeanors, and you will recollect that by the Plimsol Act of 1871, which made it a misdemeanor to send an unseaworthy ship to sea, thereby endangering the lives of seamen, defendants were made competent witnesses. The same principle has been recognized in Canada, in cases of assault and battery, and this Bill proposes to extend the privilege with one step farther. The position of a defendant is guarded and protected in the second clause of the Bill, which provides that, where a defendant does not see fit to go into the witness box in his own behalf, neither the counsel nor the Judge shall make comments on this fact. The third clause provides that if a person is charged in the indictment with a higher offence than misdemeanor, and it turns out on the part of the prosecution, that nothing more than a misdemeanor is established, the defendant shall then also be a competent witness in his own behalf. There is another clause or two which have relation to evidence in criminal cases, but of a different character to the evidence I have just commented on. It is known, Sir, in the Province of Ontario and elsewhere, that there are certain individuals who, although they do not decline to take an oath, yet upon whose consciences an oath administered in the usual way is not binding. We know that, in Toronto, and I believe elsewhere, the evidence of persons of this class has been rejected upon the ground that they had no faith in the solemnity of an oath upon the Bible as administered in courts of justice. Now, it is not desirable that evidence of this character should be excluded altogether, although such persons may have some peculiar notions with respect to a future state of rewards and punishments, yet in other respects they are intelligent and respectable, whose solemn affirmations may be as reliable as the oath of most men. At all events, we are in this position: that if they do not declare the truth on their affirmation, they are liable to be punished by fine and imprisonment in this world at any rate. We provide, by section four of the Bill, that the class of persons called Agnostics shall be competent as witnesses upon their making a solemn affirmation and declaration that the evidence they are to give in court shall be the truth, the whole truth, and nothing but the truth; and that, in case they do not tell the truth, they are liable to be prosecuted to the same extent, and in the same manner, as if they had taken the oath in the ordinary way. This principle has been recognized in Ontario, and it is the law in England at the present time. The Legislature of the Province of Ontario, the Session before last, passed an Act making these persons competent witnesses upon their taking a declaration such as I have mentioned; and, in England, these persons are competent to give evidence in the same way, both in civil and criminal cases. Now, there is no reason why the law which prevails in the Province of On-

Mr. CAMERON (Huron).

tario, and in the Empire, should not prevail in the Dominion. Another clause was added by the Committee at the suggestion of the hon. member for Queen's, (P.E.I.) It makes provision that the Statutes of any of the Provinces of the Dominion be evidence upon their mere production. Now these Statutes require to be proved in order that they may be accepted as evidence; and this clause provides that the production of these Statutes shall be evidence of their having been properly passed, just as our own Statutes are recognized, upon their production, by the Judges in the courts. Clause eight embraces the Bill introduced by the hon. member for Hamilton (Mr. Robertson). It provides that cutting holes in the ice in certain public places, and leaving the apertures unguarded, or unprotected, shall be a misdemeanor, subjecting the person committing the offence to imprisonment. It is an important clause, and one which, I think, should be passed by the House. We know that in many public places holes are made in the ice, and lives are lost by the carelessness or recklessness of the persons making these openings. It was thought advisable by the Committee that such carelessness should be made a criminal offence, and they have so provided in this Bill. There is another clause in the Bill which the Committee, after a good deal of deliberation, saw fit to introduce. You, Sir, no doubt know that, in our Province, at all events, there has been a doubt in cases of capital felony, whether or not when the jury retire they are entitled, as a matter of right, to have light, heat, and nourishment. I know that some of the Judges on the trial of felonies decline, after the charge of the Judge has been made, and the jury have retired to consider their verdict, to allow them either food, heat, or light, and, in some instances, they have been kept in their rooms for a whole night without either. It was thought that there should be no doubt left upon the subject; and that Judges should henceforth be at liberty to provide these comforts and conveniences for juries if necessary. I believe the law of England is such that juries have a right to be provided with these comforts; but in Canada, as I have pointed out, the Judges hold different views on the subject. The Committee thought that that point should be put beyond doubt, and that juries who are discharging important duties in the interests of the country and the Crown, should not be subjected to all kinds of inconveniences and deprivations, simply because they happened to be empanelled on the trial of a capital felony. These are the principal clauses of the Bill submitted by the Committee, after a good deal of care and deliberation, and I trust they will meet the approval of the House. I move that you now leave the Chair.

Mr. BLAKE. I wish to make one observation. I did not understand, when we referred a number of the Bills to the same gentleman, that it was the intention thereby to indicate that the opinion of the House was, that they should all be consolidated. It seems to me that it would be inconvenient that measures with reference to the Criminal Law—the different categories of the Criminal Law—should be consolidated. Of course, the great bulk of the provisions of this Bill deal with matters of procedure, and it might be very well that they should be brought together, but there is also a clause making a new offence—I mean the clause with reference of leaving unguarded holes in the ice—and it seems to me that it would be more convenient when a new offence is created that it should be kept separate from clauses which deal merely with questions of evidence and procedure. I throw out the suggestion as one which seems of some consequence in the framing of our Statutes, and perhaps the hon. gentleman will consider whether or not the particular clause to which I have referred should be made a separate Bill.

Sir JOHN A. MACDONALD. I quite agree with the hon. gentleman that cognate subjects should, as far as pos-

sible, be dealt with by one Bill, and that they should not be mixed up as they are in this Bill with heterogeneous matter. Though this Bill applies to the Criminal Law generally, still, as the hon. gentleman has pointed out, the eighth clause has nothing to do with procedure or evidence, but creates a new offence. I do not think, however, that it would be well to strike it out at present, from the fact I hope by next Session there will be a consolidation of the Criminal Law, which will include, of course, the proper sub-division of the various branches of the Criminal Law under appropriate heads; otherwise, I should object to this clause being put in the Bill, as it might better be made a separate Bill.

Mr. CAMERON (Huron). I may state that on this subject there was a difference of opinion in the Committee, and the ground on which the clause in question was inserted in the Bill was the understanding that there would shortly be a consolidation of the Criminal Law.

Mr. BOSSÉ. This Bill, although apparently inoffensive, is really an exceedingly comprehensive measure. It touches the very root and foundation of our laws. The first clause contains a distinction which I for one have not been able to make. I am at a loss to understand why a man would be a competent witness for himself upon his indictment for a misdemeanor, and not be competent for himself upon an indictment for felony. Where the line should be drawn I am at a loss to conceive. Is it thought that his slight interest at stake in an indictment for a misdemeanor would not induce him to perjure himself, whereas his larger interest at stake in an indictment for a felony might induce him to do so? If we admit that distinction, we must see that the clause is a bad one, because it acknowledges the principle that a man might or might not perjure himself, according to the nature of the offence with which he is charged, and according to the gravity of the condemnation to which he might be subjected. In other words, we might say that what might be believed coming from the accused on one occasion, might not be believed coming from him on another occasion, and therefore his evidence would very nearly go for naught. But that clause contains another provision which, I believe, would be subversive of all the rules of morality. It is here provided that the wife can be a witness for her husband, and the husband for the wife. Now, we all know that, as a rule, accusations of misdemeanors fall upon persons belonging to the laboring class. In most cases a conviction for such an offence means poverty for the accused. The wife, standing in the witness box to be heard as a witness for her husband, knows very well that, if a conviction follows, as a result of that conviction some weeks, perhaps some months, of imprisonment will be the lot of her husband, and she sees poverty and starvation staring her in the face. She will, therefore, be placed between her love for her husband, and added to that, poverty and starvation for both herself and her children, on the one hand, and her oath on the other. What will be the result? Does anybody believe that the wife will fairly state the facts with her knowledge with these three evils—to her husband, to herself and to her children—staring her in the face? I say that the evidence of a person placed in such depressing circumstances could not be relied upon, and, in order to obtain it we have the spectacle of that woman placed in that position, contrary to public morals and public decency. The evil is more than that, an acquittal might follow as the result of the perjury of the wife, or a conviction might follow as the result of her telling the truth. In the latter case, what would be the feelings of that man on regaining his liberty and returning to his home. The result of his wife's conduct would be for him ignominy and shame, and rest, peace and love would be destroyed in the household. But if we look at this clause, we shall find it contradictory in its views. On the other hand,

it says that the wife may give evidence for the husband, or the husband for the wife, but that they cannot give evidence against each other; then we read:

"But every such witness called and giving evidence on behalf of the accused shall be liable to be cross-examined like any other witness on any matter though not arising out of his examination-in-chief: Provided, that so far as the cross-examination relates to the credit of the accused, the Justice or Justices, or the court, may limit such cross-examinations to such extent as it thinks proper, although the proposed cross-examination might be permissible in the case of any other witness."

What would the evidence in cross-examination be but evidence against the accused? What would be the duty of the Judge under such circumstances? It is easy to see that this portion of the clause could not be put into effect, and this fact shows how impossible it is, with any propriety, to allow a husband or wife to give evidence for the other. Objectionable as this clause is, there are other clauses in the Bill which appears to me to be still more objectionable. I call attention to clauses four and five. I may as well state, at the outset, that I believe them to be, in some respects, unconstitutional. It has been ruled that, in all matters over which this Parliament has jurisdiction, it has power to legislate on questions of proof; but I do not think that we can treat questions of proof as principal matter, and make laws as we do here, and I take it that these clauses are *ultra vires*. You will also find that articles 255, 256 and 257 of the Quebec Code of Procedure contains special provisions which would be entirely done away with if this law were adopted. I take it also that this section five is useless, because all the ground covered by it is covered by the general Common Law as well as the Statutory Law of the Dominion. In the twentieth volume of the Upper Canada Queen's Bench Reports, I find reported on page 95, the case of the Queen vs. Wah Pah Mag, in which I was told that, without the necessity of any other law, the laws now in force admit of the oath of an Indian being taken in the form prescribed by whatever religion he professes, or by his own conscience, if he believes in God, without having recourse to any particular form of oath. These two sections, therefore, would interfere with our special law in the Province of Quebec, and would be, as far as section five is concerned, useless in the Province of Ontario. Even concurring in the merits of the two clauses, I consider them subversive of law, subversive of respect for the Constitution and respect for the deity. Everywhere, and up to very lately in England, it has been found that whenever men had to decide questions connected with money, honor, or life, it was impossible to leave the decision of those questions embarrassed or biased by predictions, or by the love, hatred, and all the passions of man. It was found that a greater and higher control was necessary, that man, as man, without referring to the Almighty, was too feeble a creature to be trusted in cases where his good or evil passions were brought into play, and something more than his mere affirmation was required in questions of honor, life, or death. At all times, all nations have had recourse to the same guarantee whenever any charge, or duty, or public office of any kind had to be entered upon by any man. Everywhere the oath was administered in order to secure, as much as possible, the honesty and purity of the office. We must bear in mind that the Bill, as it is brought in, may induce us into error. The clause of which I am speaking, clause four, does not refer to particular forms of oath, but goes to the negation of the oath. Except of late years, that negation, never entered into the mind of legislators. In some countries one form was adopted, in others, other forms, according to creed, manners, customs; and though some of those forms might appear ridiculous to us they were far from being so among those who used them. For instance, a Chinaman would take an oath by breaking a saucer, and saying he wishes his soul would be broken in the same way if he should speak

falsely. In India, a native takes an oath by touching the foot of a Brahmin, and in some parts by placing his hands on the water of the sacred Ganges. A Jew will take an oath on the Pentateuch with his head covered; in Alsace, he takes it by placing his hand in that of the Judge. Everywhere you will find the same idea of the interposition of the deity, either expressed or implied—the *Deus testis* and the *Deus vindex*: in the former, calling God to witness to the truth; and, in the latter case, expressing readiness to submit to all the punishments, in this and in the future life, inflicted for perjury. Are we to abandon now this safeguard which has been everywhere found necessary? Let us reflect coolly before doing so. Let us not, for the mere sake of the word progress, adopt a clause for which we may soon have cause to repent. In 1839, a Bill of similar purport was adopted in England. Had the experience of that Bill been a good one, I would not be prepared to oppose the clause, but we find such has not been the case. Taylor on Evidence, alluding to this matter, says:

"The policy of thus relaxing, in favor of atheists, one of the fundamental safeguards of truth, and of encouraging the public avowal, if not the collusive assumption, of infidelity and irreligion, may admit of a serious doubt; and the more so, as the cases in which any inconvenience could arise from the old law, are unquestionably of very rare occurrence."

In a foot-note, he says:

"The author, during the twenty-five years he has been a Judge of County Courts, has heard the oath administered to at least 250,000 witnesses, yet he cannot recall to mind a single instance where any atheistical objection to being sworn has been raised before him."

This has been the experience of one of the most experienced men of England on the state of things which then was found sufficient to induce the House of Parliament to adopt this law. In this country we have not even the same reason. I am proud to say that, in the course of twenty-four years' practice at the Bar, I have not once found it necessary to have recourse to a law of this character. Not once in my district has there been found any necessity for it. I say, Sir, that there is no reason for such a Bill. It is not right to say in matters of this kind, as I heard it stated in this House the other day, that we ought to be proud to be in advance of other nations in these respects. I say that only extreme, only the direct, necessity ought to bring us to this. We have not yet a Bradlaugh in this House, and I hope we never will have one. But, Mr. Speaker, there is an additional and much more powerful reason than those I have mentioned, which ought to induce us to reject this clause of the Bill. We have all learned at school, we all know, that there can exist no atheist in good faith. There is no man, with the ordinary gift of common sense and reason, who will refuse, who can refuse, to believe in the existence of the Almighty. If he does profess to disbelieve in the Almighty, there is only one conclusion to come to—he is either a crank, or a hypocrite. No man, I repeat, gifted with the ordinary quantum of common sense, can honestly say that there is no God. Therefore, if such a man is put into the witness box in a court of justice, what have we got to think of him? Either that his judgment will be biassed by some defect of his mind, or that he is so much governed by his passions as to be a hypocrite. What credence can we put in his evidence? Can we take the evidence of such a man in questions of life or death? Dare we put the honor and fortune of our fellow men in the hands of such an individual? I say that no juryman will believe him. Every juryman in the box will say that he is either a crank or a hypocrite, and will refuse to accept his evidence. If such will be the result, why should we place on the Statute-book the declaration that in this, our Dominion, we recognize atheism as existing among us? If we must recognize atheism as existing in this country, why should we give it special privileges, and allow a man who has the audacity to say

Mr. Bossé.

that there is no God, a privilege that no other man in this country can enjoy? Why should we put upon our Statute-book an invitation to the poor, miserable creatures who make such a profession of faith, to come here and receive from our Legislature that welcome which other nations refuse them? Are we going to say that those who are spurned by all reasonable men, shall be recognized in our laws as having the right to testify in courts on an equal—aye, and on a more than equal—footing with their fellow-men? Mr. Speaker, I cannot refrain from calling your attention to the fact that we are asked to legislate in direct contradiction to the prayer which we offer at the beginning of each sitting. We pray that religion and piety may exist in the Dominion of Canada, and in all Her Majesty's possessions. Is it in the name of that prayer; is it in accordance with that prayer, that we are going to declare that atheism must be recognized in our laws? We have repeated that divine prayer: "Our Father who art in Heaven, hallowed be Thy name." Is this the way in which we are going to hallow that name? Is it by consecrating impiety and atheism, and recognizing them as standing institutions of our country, that we are going to testify, as legislators, that we do hallow the name of God, and respect and revere it? I hope that I have said enough to show that we ought not to adopt the clause to which I have referred. Wherever a similar law has been adopted it has done no good, and has been shown not to have been necessary. As to section five, I consider it not only harmful, but useless, because it adds nothing to the law we now have, and is bad for another reason. It is there stated that:

"5. If any person, called as a witness in any court of criminal jurisdiction or in any civil proceedings, in respect of which the Parliament of Canada has jurisdiction in this behalf, or required or desiring to make an affidavit or deposition in the course of any such proceedings, shall refuse or be unwilling, from alleged conscientious motives, to be sworn, or shall declare that an oath is not binding on his conscience, it shall be lawful for the court, or Judge, or other presiding officer or person qualified to take affidavits or depositions, upon being satisfied of the sincerity of such objection, to permit such person, instead of being sworn, to make his or her solemn affirmation or declaration in the words following, that is to say:—

"I, A. B., do solemnly, sincerely, and truly affirm and declare, that the taking of an oath is 'according to my religious belief, or not binding on my conscience, as the case may be,' and I do also solemnly, sincerely, and truly affirm and declare that, &c."

This clause is not only bad for the reason I have stated, but it is too general. If we are to pass any clause of that kind, we ought to say that every person brought up as a witness, if he professes to believe in God—because the presumption is that every man brought up in a Christian country does believe in God—if he has any scruple in taking the oath, if the form which is offered to him is not the form prescribed by his own religion or creed, then he will be allowed to take the oath according to his own particular religion or creed. I believe that would add nothing to our present jurisprudence; but if it is desired to pass it, let us pass it in that way, that each man shall be allowed to take the oath according to the form of his own religion and creed. No legislation can interfere in matters of religion. Every form of religion is recognized by our law, and no Government and Legislature can interfere between God and a man's conscience. If a man's conscience tells him that he cannot take the form of oath which is tendered to him, or cannot make the affirmation which is tendered to him, let him take one which his conscience will approve. Let him follow his own conscience according to his own creed, and then we will have a sufficient guarantee, a guarantee recognized by every nation, that the man is a fit and proper witness.

Mr. LAURIER. If I have any fault to find with the first section of this Bill, it will be for reasons totally different from those which have just been urged by my hon. friend from Quebec Centre. He objects to the accused in all cases of misdemeanor being allowed to testify in his own favor. In my judgment, the clause is not only a good one, but I

see no reason at all why the same provision should not be extended to cases of felony. I see no reason why a person accused of felony should not be allowed to testify in his own behalf, as well as a person accused of simple misdemeanor. It has been proposed to make it a principle of our law—to give all parties accused of misdemeanor the option of testifying in their own behalf, and of giving their version of the facts. Not only is clause eight a good one, not only is the principle a good one, but I think it is within the knowledge of almost every one, that our courts of justice, on many occasions, will, to some extent, connive at what is not in the law of the present day, and allow the prisoner to testify in his own behalf. We have all heard of a case tried recently in Ottawa where the Judge, to some extent, allowed the prisoner to testify in his own favor. It was a case of murder. The hon. member for Simcoe (Mr. McCarthy) was defending the prisoner—I am sorry he is not now in his seat, so that if I misrepresent the case he could correct me—and according to the report of the case which I read, that gentleman, while addressing the jury, was allowed to read a letter or statement in writing, wherein the prisoner gave his version of the facts, and the Judge said it was for the jury to believe those facts, or not to believe them. If this be true, that was, in my opinion, admitting the prisoner to testify in his own favor, and to admit the prisoner to testify in the very worst sense, because the Crown had no opportunity to cross-examine the prisoner on his own statement. If the proviso embodied in this Bill had been law the prisoner might have taken his choice of walking into the box and giving his own version of the facts, and the Crown would have had the privilege of cross-examining him, with a view to eliciting the truth, as the Crown believed it to be. So I do not agree with the hon. member for Quebec Centre, who urges that this section should be struck out of the Bill. If it be defective in some manner it is because it does not go far enough. Of course, this is a new feature, and as a new feature it is liable to be misconstrued; but the hon. gentleman will remember—and I am sure the hon. Premier will remember—the storm of opposition raised, in the Province of Quebec, when Sir George Cartier, twenty years ago, introduced a new principle in our Civil Law, that a party could be compelled, by the adverse party, to enter the box and be examined as a witness. I remember distinctly at that time some of the most eminent Judges on the Bench said it was an invitation to parties to commit perjury. Our experience, however, has been such, that at this moment scarcely a case has been tried in that Province where both parties are not examined by the adverse parties. A case always commences with the examination of the party who is put in the box by the adverse party. The law has worked well, and that the same provision applied generally will work well, is clear. The only point in which I take objection is the last proviso in the first section, which runs as follows:—

“ Provided, that so far as the cross-examination relates to the credit of the accused, the Justice or Justices of the court may limit such cross-examination to such extent as it thinks proper, although the proposed cross-examination might be permissible in the case of any other witness.”

I do not see any reason why more favors should be extended to the accused than to another witness. If a witness is placed in the box, not of his own motion, but by process of court and against his will, he can be examined and forced to answer any questions put to him, however objectionable they may be. The operation of the law may be a hard one, and perhaps it is; but, if the principle is too hard in its operation, it must be struck out of the general law as it now is. On the other hand, if it is reasonable that, under the law of the land, witnesses can be cross-examined on any subject, I see no reason why the same rule should not apply to an accused. There is a further reason. In this case the

accused is a voluntary witness and enters the box of his own motion, and there is no reason that I can see, why more favors should be shown to him than to any witness compelled by process of court to enter the box. As to the other clauses of which the hon. member for Quebec Centre has spoken, I have nothing to say. If they are objectionable, they can be eliminated in Committee of the Whole; but the Bill is a good one, and the principle should be affirmed.

Mr. TUPPER. I do not agree with the hon. member for Quebec East (Mr. Laurier) in his reply to the hon. member for Quebec Centre (Mr. Bossé) when he states that the very able argument made by the latter hon. member against the first two or three clauses of this Bill, simply goes to show that the Bill does not go far enough. The point in which this Bill differs from the legislation of a similar nature attempted in England, is that the Bill which was criticised there as being a compromise of the original question involved, applied to all indictable offences. This original has for some years occupied much attention in Great Britain and other countries; it has been discussed at great length, and the arguments, pro and con, have been fully placed before the people. But when the question first came before the people of England, it was in a totally different shape to that which it has assumed here. At first it was proposed that the prisoner should be permitted to make his statement, and, finally, the Committee which was appointed by the House of Commons to consider the Criminal Code Bill, reported to the effect that the prisoner should have the option of testifying in his own favor on oath. That was regarded as an unsatisfactory compromise of the question there. The Right Hon. John McLaren, Lord Advocate, in a very able address, delivered in Scotland on the work of that Committee, so criticised that part of the report; and I think, when we find in Canada a Bill introduced in this shape, differing from the Bill discussed in England which applies to all indictable offences, that instead of weakening the argument of the hon. member for Quebec Centre, it goes to prove that the principle taken all-in-all is a dangerous one. Feeling, as I do, that the principle of the first three clauses of the Bill is a dangerous one, and as it concerns a most important question connected with the Government of the country, the administration of the Criminal Law, I consider it necessary to point out what I have ascertained as regards this Bill, and the history of the advocacy which a short time ago prevailed in England on this subject. A very eminent man, whose name is quite familiar to hon. members of this House, now a Judge of one of the English Courts, Sir Fitzjames Stephens, when he began the work of codifying the Criminal Laws of England, introduced, in 1879, in the House of Commons, a Bill for that purpose. That Bill was then referred to a Committee of the House of Commons, and finally a Commission, towards the end of the Session, I think, was appointed, consisting of very eminent men, Sir Fitzjames Stephens was one of them, and the others Judges, who went over an immense amount of material, and over this question from beginning to end. A draft Bill was submitted by that Committee, containing no less than 500 different sections, though the Bill originally consisted of a much less number. Now, it has been stated, and I think very fairly, in connection with this Bill, that it was proved to the country at large, from the researches of these gentlemen, that the last part of this Bill, relating to procedure in criminal cases, had been hurried through and ill considered. The Lord Chief Justice of England, in June, 1879, in criticising the measure, began, and continued in subsequent letters, remarks in this connection, stating that the immense amount of the duties of the gentlemen engaged on the work, and the short time bestowed upon it, was apparent from defects in many parts of the Bill, and more particularly in the latter part of it, relating to procedure. The Commission itself was divided.

The question in England at that time, discussed as it had been by the magazines of the day, and on the floor of Parliament, was not in such a shape that this Committee dared to undertake to state, as their opinion, being the result of their labors—like other men of other countries, and in the country to which they belonged—that this reform should take place. If it will not trouble the House, I would like to read from that report, because it is, at the very basis of the discussion to-day, the remarks that the Commission which was appointed for that purpose made in reference to this feature of the Criminal Code of the Bill—and the feature of the Bill which is now before this House :

"We have passed over section 523, which enables the accused to offer himself as a witness. The Bill contained a clause (section 368) enabling the accused to make an unsworn statement on his own behalf, subjecting him to cross-examination of a restricted character. For this we have substituted"—

I may here say that the substituted section corresponds with the principle of the section before us, excepting that it applied, as I stated before, to all indictable offences, and was not confined to misdemeanors.

"Section 523, which renders the accused, and the husband or wife of the accused, competent witnesses for the defence. As regards the policy of a change in the law, so important, we are divided in opinion. The considerations in favor of and against the change have been frequently discussed, and are well known. On the whole, we are of opinion that if the accused is to be admitted to give evidence on his own behalf, he should do so on the same conditions as other witnesses, subject to some special protection in regard to cross-examination."

Now, as I stated before, the Lord Advocate of Scotland, shortly after this report was made, published a review of the subject, and thus criticised this part of that report:

"The code prepared by the Criminal Law Commissioners offers what to my thinking is an unsatisfactory compromise of the question. The proposal is that the accused person should be entitled to tender himself for examination, and should be subject to cross-examination by the prosecution, but that the prosecution should not be entitled to examine the accused in the first instance. This was, in effect, giving an option to the prisoner—not only as to whether he should answer the questions, but as to whether any question shall be put to him. I see no reason why the feelings of an accused person should be consulted to this extent."

Well, after that, when the matter came before the public, it met with very hostile criticism. Lord Justice Brett very virulently opposed any change of the kind as a most dangerous innovation. In a charge to a grand jury at one of the Assizes, he came out very strongly indeed against the principle of that portion of the Bill *in toto*; and other eminent men have also discussed this subject at great length; and, finally, what was the result? In June, 1880, as the result of the labors of these eminent men, Attorney-General Sir John Holker introduced a Bill, and if this is examined, it will be seen that the Attorney-General omitted entirely this clause, which evoked such an interesting and hostile discussion in the country. Well, as we are all aware, the labors of the House of Commons were then very onerous with regard to other important matters, and the whole subject of the Criminal Code was necessarily dropped at that Session. Later on, as late as 1882, a Bill was introduced by the Attorney-General of the day, who, in discussing the question, and in going over the whole matter previous to the introduction of the Bill, omitted all reference to the question which we are now considering, and he neither explains why he did not include it in the Bill, nor did he take up the question and offer it for discussion on the floor of the House then; but he brought in a large Bill on criminal procedure, which, he said, was based upon the report to which I have referred, and from which he had largely drawn most of its clauses. But it will be found, as I have stated, he said the then feeling in England was not ripe for such an extraordinary change in the Criminal Laws of the realm. Now, I do not wish to occupy the time of the House in discussing the pros and the cons of this question. As I have already stated to the House, it is a question

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which I am aware has been most ably discussed on both sides, and it is a question which has necessarily occasioned able arguments on both sides. We know that very important States in the American Union have adopted this change, this reform, years ago; but I think that they were in a different situation, as regards ideas of law, though they still retain the Common Law of England, than we are, or the people of England are, for, if both before and since Confederation these British Colonies have most zealously adhered to anything in connection with Great Britain, it is in reference to criminal legislation; and I think we frequently hear the strongest arguments that can fortify any proposal in this House, and notably in regard to the reform proposed in this Bill, with respect to people who cannot conscientiously take an ordinary oath, are based upon some Bill introduced in the Imperial House of Commons—and rightly, too; because the whole world can regard with pride, not only the criminal legislation of that kingdom, but also the effective and efficient manner in which it is carried out, not only in ordinary times, but also in the different crises which there occur—such, for instance, as the manner in which the laws are administered in England to-day—and the extraordinary manner in which crime is not only investigated, but the fair and impartial manner in which criminals are tried, and the speedy justice which is administered in every criminal court of that kingdom. It is a matter of just pride, not only to the Englishmen at home, but to the Britishers here, that the Criminal Laws of that country stand so well in comparison with the laws of other countries. We will compare them in connection with the general view of this question. Taking the experience of the American States, is there a man in this House, is there a man who wishes to advocate the passage of such a measure as this, who would compare for one moment the experience of the criminal courts of the American States, which have adopted this law, with the manner in which the Criminal Laws are administered at home? I venture to say that no man standing here would point with any confidence to the history, under this law in any State of the Union, and challenge comparison with that of Great Britain; and in those respects, the laws, as I say, are widely different. At the root of it all comes the difference between the criminal legislation of the continent and that of Great Britain. Years ago, the system of torture in Great Britain in criminal matters, which for a long time disgraced the European continent, existed; it consisted in torturing prisoners, and under it innocent people were often compelled to convict themselves by a long and persistent procedure. If one wanted to go very fully into this matter, he could mention cases such as where a prisoner—in France—not many years ago, under that barbarous system, was, day after day, and night after night, questioned and cross-questioned, and told time and time again, in the most emphatic manner,—it was stated, and repeated, and persisted in, that she was guilty of the offence; they were simply working upon her feelings—mesmerising if you like—persistently arguing with her, and charging her with the crime, and to get rid of the worry and the trouble to which she was subjected she confessed that she had committed the crime. After the law had been carried into execution it was discovered that she was entirely innocent of the crime and unconnected with it in any respect whatever. This, it will be said, is an extreme case, but the principle is the same—the principle of putting a man, often a weak, ignorant, and illiterate man, in the box, and allowing an able Attorney-General, experienced in cross-examination, who, no matter how impartial he may be and how properly he may administer his duties, is nearly always of the opinion, from constant practice in prosecuting, that any man who is put in the criminal docket is a guilty man. I say that I defy an innocent person, and particularly an ignorant or illiterate person, to undergo such an ordeal for several hours without breaking down in

some parts of his story. The very failure to tell a narrative correctly from beginning to end several times over, is liable, in the opinion of certain people, and according to the criticisms of able counsel, to put such a prisoner in an improper and sometimes unfortunate position before a jury. It has often been a matter of comment in papers and magazines, which have discussed this subject, that it is a most difficult thing for an honest and innocent man, with the fullest intention of telling the truth, to relate a narrative two or three times over, and make it exactly the same each time. Embellishments are often made; matters which the person telling the story considers of small importance, are frequently changed, and finally, if the story is told four or five times over, many important differences will occur. Any person who is at all familiar with the practices of the courts of law, will see that the weakness of human nature is taken great advantage of in these courts; the witness is compelled time and again, and no matter how long the interval which may have elapsed between the different examinations, to tell the story over and over again for the purpose of seeing how his different accounts of the same incident compare. Are we to place prisoners under this law—prisoners around whom so many protections are thrown by the laws of our country, and the laws of the Mother Country—in such a position as that? The hon. gentleman who has charge of this Bill will, perhaps, tell me that he has made provision for that by the clause to which reference has already been made, and which gives the prisoner an option—he will say that this clause will protect an innocent man whose counsel thinks him too weak, or too illiterate, to stand a cross-examination, innocent though he be. In answer to that argument, I would point to the experience which was had under this very law in the State of Maine, where this clause was held and proved to amount to nothing. Judge Appleton, in giving his opinion on the question when it was brought before the Supreme Court on a writ of error, stated, that whether the Legislature had enacted that clause or not, made little difference, as it amounted to nothing in effect; and he held that it was no misdirection on the part of a Judge in *Nisi Prius*, to instruct the jury that the fact that the prisoner did not go into court and tell the whole story, was a strong feature in proving his guilt. Whether the law was so or not, or whether he was right or not, I say that ten men out of twelve on a jury, who see a prisoner who is charged with a crime, stand in the dock day after day during his trial without opening his lips in reference to the testimony, would infer that his silence was an admission of guilt—they would infer that there was something wrong; and yet that prisoner might simply be obeying the instructions of his counsel, who, not with a fear of any admissions of guilt, but believing that it would be injudicious and unadvisable to put a man of his temperament or education in such a position of peril, advised him not to give his evidence. The result would be a miscarriage of justice. I say, further, that the old theory or maxim, that no one is bound to criminate himself, is a healthy one, and the moment this question is brought up these legal reformers will have to step into another department. They will have to pay attention to civil matters, where no effort has been made in the direction of change in this respect; for if this new principle is right, then the old maxim to which I have referred, and under which our laws are administered in the courts every day, is wrong. I contend that the very fact that able men such as Stephens himself—a man of high and admitted influence in England, to day—have failed in all their attempts to induce the British House of Commons at this period of their history to make a reform of this kind, augurs very badly for the principle of this Bill, and that such a result must have been attained from the experience of countries which are now working under measures similar to this. I think I have already stated, that a very strong

argument against this Bill is the one in connection with the encouragement of the crime of perjury. It is well to bear this in mind, for there will no doubt be great inducements, especially to the hardened and clever villain, to take advantage of this Bill. It is often said that it is a difficult thing to tell what is not true in such a way as to bring conviction to the minds of a jury. But, under such a measure as this, there will be given an opportunity for the clever, cunning, and experienced criminal to take the stand and by making one simple statement avoid the danger which he would incur by telling a long narrative. Thus, instructed by his counsel, giving the finishing touch to the fiery eloquence of that counsel—sometimes not much better than himself—and giving him the opportunity of making a simple contradiction of the most important evidence adduced by the prosecution. Any gentleman who is at all conversant with the administration of criminal justice even in Massachusetts will admit that such things frequently occur. This was notably the case in the Piper trial, in which the prisoner was proven guilty of a shocking murder by evidence which I consider was clear and unmistakable. The press of the city of Boston, in which the trial took place, commented very strongly on the subject and contended that there was not the slightest room for doubt as to the guilt of the prisoner. But this man Piper was so astute and conducted himself with such a degree of cunning that the first jury before whom he was tried disagreed upon their verdict. That was the argument of the prisoner's counsel, and so well did he succeed that, as was afterwards shown, the prisoner almost escaped. If we can mention cases of that kind it is not hard to believe that there would be many other far more alarming cases happen in our midst. For my part, I cannot bring to bear on this subject the great experience of the hon. member for Quebec Centre; but the short experience I have had in another Province has induced me, perhaps at too great length, to occupy the attention of the House in defending the maintenance of the present law in this respect, and in opposing this clause of the Bill. In conclusion I may explain that I formed one of the Special Committee to which was referred the Bill (No. 6) which contained this clause. I was not then aware that it was irregular to serve upon a Committee on a Bill to the principle of which one was opposed. In regard to the other clauses of the Bill I am highly in favor of every one of them.

Mr. ROBERTSON (Hamilton). I desire to say a few words in reference to that part of this Bill which formed the Bill which I introduced into the House. I refer to clauses four, five and six. With regard to the first three clauses of this Bill, I agree with almost everything that has been said, and said so well, by my hon. friend from Pictou (Mr. Tupper). I also was a member of that Committee, having been appointed to it in my absence, and my own Bill was referred to the same Committee. I have very great doubt as to the advisability of enacting the first three sections of this Bill. The remarks of the hon. member for Quebec Centre are to my mind very forcible. I cannot understand, if a person is qualified to give evidence on his own behalf in a case of misdemeanor, why he should not be equally qualified to give evidence in a case of felony. I know that some of the County Judges of Ontario are in favor of a law of this kind; but after a good many years experience at the bar, I cannot say that I have come to the conclusion that it would be desirable to amend the law in the direction of the first three clauses of this Bill. With regard to the other clauses, which have been so strongly opposed by the hon. member for Quebec Centre, I wish to state, first of all, that although the Bill originally containing them was introduced by me last Session, and again this Session, I did not do so because I have the slightest sympathy with those people who profess not to believe in the existence of a God. I wish it to be distinctly understood that I have no sym-

pathy whatever with these people. I think they are to be commiserated with because they cannot make up their minds, as the great body of Christian people do, that there is a personal God. But it appears to me that that is not the question before the House, and that it is not involved in the principle of this Bill. This Bill is not in the interest of agnostics, so called; it is in the interest of public justice. It is of the first importance that every person who is charged with a crime should have the benefit of all the evidence that can be brought in his favor, while on the other hand the prosecution should have the same advantage. It is fortunate for the hon. member for Quebec Centre that he lives in a part of the country where, in the course of twenty five years experience at the bar, he has not met with more than one or two cases of witnesses being disqualified because they could not take the oath. My experience, I regret to say, has not been of that character. My experience is that many men are disqualified from giving evidence because they have conscientious scruples against taking the oath, and are unable to say that they are satisfied of the existence of a Supreme Being. There are many men, too, who are not so unscrupulous that, whether they believe in the existence of a God or not, they will declare that they have doubts, in order to avoid giving evidence. But the conscientious, truthful man, who occupies a respectable position in society, who proves himself, in all his actions in life, to be an honest, straightforward man—and who goes into the box, and says that he has doubts or scruples, and cannot take the oath—I say that man acts as praiseworthy a part as any man can. It requires a good deal of moral courage for a man of such a character to go into the witness box, and openly in Court declare that he has doubts about the existence of a Supreme Being. The statement of such a man is as likely to be truthful as that of any other witness. Now we know in the course of civil and criminal cases that often a person happens to be the only witness to a transaction. The counsel opposed to the side on which that witness is called, may know he has doubts as to the existence of a Supreme Being, and for the purpose of getting rid of his evidence will make the objection. The evidence is ruled out under the law as it now stands. In the Province of Ontario, on the civil side, a man of that kind is competent to be a witness. He is also competent to be a witness in England, since 1869, when a law was passed to allow of his evidence being taken. Although the learned authority—Taylor on Evidence—from which my hon. friend from Quebec Centre has quoted, may, with scores of lawyers, and a few Judges, be opposed to the principle, yet we do not find there has been, on that account, any effort whatever on the part of the Parliament or people of England, to repeal or modify that law. On the contrary, it has been found to be a beneficial law. Now, this Act merely declares that:

"4. If any person called to give evidence in any criminal proceeding, or in any civil proceeding, in respect of which the Parliament of Canada has jurisdiction in this behalf, objects to take an oath or is objected to as incompetent to take an oath, such person shall, if the presiding Judge is satisfied that the taking of an oath would have no binding effect on his conscience, make the following solemn promise, affirmation and declaration:

"I solemnly promise, affirm and declare that the evidence to be given by me shall be the truth, the whole truth, and nothing but the truth."

Mr. BOSSÉ. "So help me God."

Mr. ROBERTSON. My hon. friend on my left says: "So help me God." It is not necessary, to make a man tell the truth, to say that at all. Any man who is qualified to be a witness can tell the truth just as well by making that declaration as if he called God to witness at the end of every sentence. Therefore, while I sympathize with the sentiments uttered by my hon. friend from Quebec Centre, yet this law goes far in this way: that although a man may not believe, he can swear by God, yet he has the fact placed before him that if, under a solemn declaration to tell the truth, he tells what

Mr. ROBERTSON (Hamilton).

is not true, he is liable to the pains and penalties of perjury. And I believe that in many cases such considerations as those govern a man more than the consideration of a hereafter. That is my experience as a counsel of some thirty years standing. I do not see why persons qualified, as they must be, before they can take this oath or affirmation, should be excluded from giving evidence. This matter has not been brought before the House unadvisedly. In many cases in our courts in Ontario, the Judges themselves have regretted that there was not such a law upon the Statute-book—that persons were excluded from giving evidence because they had those doubts. I cannot understand why they should be excluded. It is not very long ago since the Mennonists, a Christian people, were not allowed to give evidence because they could not conscientiously take an oath; but in 1809 the law was amended so as to allow them to affirm. In 1829 the law was extended to the Moravians, who up to that time, were not qualified on the same ground to be witnesses. It is not very long ago since the parties in civil cases could not be witnesses if they had any interest in the result, but that has all been done away with. It was extended by degrees in this way: First the plaintiff had the right to call the defendant or the defendant the plaintiff, but neither could call himself. Now, however, either party can be a witness for or against himself, and is compelled to give evidence. Even then the law was not extended to all cases, because in some cases, which it is not necessary here to mention, a plaintiff or defendant could not be a witness on his or her own behalf. In the last year or two that law has been extended, and now all persons in civil proceedings are compelled to give evidence for or against himself. This being the case I came to the conclusion that this was a proper law to introduce. When I first introduced the Bill I had an idea that perhaps—as the Bill passed in England it did not apply to Scotland—it would be well not to apply this law to the Province of Quebec, but after consideration I proposed to extend the law to the whole Dominion as it was desirable we should have throughout one Code of Criminal Law. I am satisfied my hon. friend from Quebec Centre is wrong in the conclusion he has come to as to the impropriety of a law of this kind. However he has a right to his opinions which he has expressed so eloquently, but I see no reason whatever, so far as that part of the Bill is concerned, why it should not become law.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the first clause,

Mr. CURRAN moved that the Committee do now rise.

Motion agreed to, on a division.

#### SPEEDY TRIAL OF INDICTMENTS AGAINST CORPORATIONS.

Mr. WELDON, in moving the second reading of Bill (No. 83) to amend the Acts respecting procedure in criminal cases, and other matters relating to Criminal Law, said: The object of the Bill is to provide a speedy mode of trying indictments against corporations. At present the system is such that we have to proceed by *certiorari*, in the Court of Queen's Bench or the Supreme Court, and then call upon the accused to file their plea, when the case is sent back to be tried at subsequent Assizes. The result is that the delay frequently causes a failure of justice. By the mode suggested in this Bill, parties can be compelled to appear at the assizes, of course being subject to the same rule as other defendants, where in the interests of justice, or in order to enable them to make a proper defence, a postponement can be had. The Bill has been suggested to me by one of the Judges of the Supreme Court of New

Brunswick, a case having occurred there where a great failure of justice took place in consequence of delay. The Bill has been submitted to the Minister of Justice for his approval.

Sir JOHN A. MACDONALD. I cordially agree with the hon. gentleman that this is a very good Bill. It will prevent a failure of justice in many cases, and will prevent vexatious delay in proceedings by corporations who do not choose to resist, perhaps, well-founded claims.

Bill read the second time, considered in Committee, and reported.

#### CHINESE IMMIGRATION IN BRITISH COLUMBIA.

Mr. SHAKESPEARE moved that the House resolve itself into Committee to consider the following resolution:—

That in the opinion of this House it is expedient to enact a law similar in principle to the law now in force in Australia, and entitled the 'Influx of Chinese Restriction Act, 1881.'

He said: This subject which has been before the House on several occasions, and to many hon. members it is not new, and hence I think it will be useless for me to speak at any length, feeling, at the same time, confident that a question of this kind will be favorably received by members of this House. In rising to move this resolution, I do so with a feeling of great responsibility. I regret very much that the circumstances and conditions existing in British Columbia, render it necessary to enact a law making provision for the protection of our people against the encroachment of Chinese; but, Sir, the necessity for immediate legislation is both pressing and imperative. In my humble endeavor to place a few facts before the House, I ask the favorable indulgence of hon. members. The Legislative Assembly of British Columbia, recognizing the evil consequences resulting from the continued immigration of Chinese, has repeatedly pressed on the Government of Canada to take some steps to mitigate the intolerable mischief which the Chinese have done, and are doing, to the people and Province of British Columbia. Public meetings have been held for this purpose, and the people there are as one man in their desire to prevent any more Chinese entering the Province. So united are they upon the question that no candidate, either for this House or the Local House, would have any chance of success if he expressed dissent from that desire. I have no doubt that some hon. members will ask, "Why are you British Columbians opposed to the Chinese coming into your midst?" I might be permitted to state that we are opposed to those people coming there, in the first place, because they come there as slaves, and are treated as such while there. The Chinese are brought there and sold in droves like sheep, and it is really amusing, and at the same time appalling to notice the manoeuvres of the Chinese bosses when these immigrants arrive at our shores. When a ship reaches the port of Victoria, for instance, with 500, 600 or 800 Chinese on board, as was the case during last summer, and when they are landed on the wharf, they are led away in groups by the different Chinese firms to whom they are consigned, and are taken to the Chinese Department, in Chinatown, there, and the name of every man is enrolled on the books of those establishments. They are taken care of by the different Chinese firms, and afterwards are sold to the highest bidder. That is done in this way: white men, employers of labor, knowing that a large number of Chinese have arrived, proceed to those establishments to ascertain for what amount they can obtain 50, 100 or 150 Chinese. "How much will you give," asks John. The white man will offer so much. The Chinese firm say they can get so-and-so; and so the bargaining goes on, the man offering the highest price securing the men. To make the matter worse, Chinese women are

brought there and sold for base purposes. And this is all done in British Columbia, under the British flag. Slavery of the most direful character is being carried on there to-day, surrounded by a Christian community and Christian institutions, and this slavery is demoralizing and contaminating the youth of our land. We are opposed to the Chinese because we find it impossible to compete with them. It has been found to be impracticable in all departments of labor and industry involving manual labor for a white man to compete with a Chinaman, especially in those light situations which have hitherto been filled by women and young people. Why, Sir, we have only to cast our eyes over to the State of California, and we know, from what we have heard—and possibly some of us know it from personal observation—that thousands of white men have had to leave that State, many of them with their families; and they were compelled to leave it because they found it impossible to compete with the Chinese. What did Mr. Sergeant say in a speech which he delivered before the Senate of the United States in 1878:

"A Chinaman will live on wages that will not support a white man and his family, being well provided himself on a handful of rice, and a little refuse pork, and desiccated fish, costing only a few cents a day: He becomes rich accordingly, to his own standard, on wages which would beggar a white man's family."

Now, Sir, that statement is perfectly correct. In British Columbia, to-day, a Chinaman can live like a prince on twenty-five cents a day; and a white man cannot live for less than one dollar a day. A Chinaman has only himself to support, but a white man has himself and his wife, and very often children. The grand object and move of the Chinaman is always to offer his services at a lower rate than white men are getting, in order to drive the latter from the field; but directly he succeeds in this, he immediately demands a higher rate of wages. We have had a little experience, Mr. Speaker, in British Columbia, with regard to competition between white men and the Chinese. I know of instances myself, where white men were engaged in certain callings, previous to such a large influx of Chinese, who were doing well, and making comfortable livings; but after so many Chinese arrived, and went into the same kind of businesses, these men found it impossible to produce the same article which the Chinamen were producing, for one-half of what they were willing to accept. The result was that these white men were obliged to abandon their callings, and leave the country. We have also had experience, Mr. Speaker, as to what these people will do when they are masters of the situation. Only a few years ago, a difficulty arose between the Chinese and their employers; and on the sound of the gong in Chinatown, every Chinaman who heard that sound, and who was at work, dropped his tools and ceased labor. Messengers were sent throughout the city to the hotels, private houses, and boot factories, to state that the Chinese were wanted in Chinatown; and every man employed in these places, as well as in the barber shops, restaurants, &c., had to go at a moment's notice, at the risk of his life, if he delayed doing so. The result, Mr. Speaker, was that our boot factories were closed, and those who employed these people in their private houses had to do the work themselves, for which I was not sorry. The hotels, &c., were treated in the same way; and the Chinese did not return to their situations until the matter was settled in their favor. This shows what these people will do, when they are masters of the situation; and to encourage any number of them, Mr. Speaker, to come into any community is simply to impoverish and demoralize it. Only a short time before I left for this city a ship left the port of Victoria for China with 500 Chinese on board; and I ascertained on the best authority that they carried away with them \$500,000. This has been carried on to such an extent that we find that fully one-half of the total earnings

made in the mines, and on the railway, and in private houses leaves the Province every year in the possession of Chinamen, there to remain for ever. Now, Sir, it would not matter so much if the places of those who departed were not supplied by other Chinamen; but this is not the case, and these 500 Chinamen will live in China like princes all the days of their lives, on the amount of money which they have thus saved, while their places are filled by 500, 600 or 700 more slaves from China. They are coming and going all the time, drawing the life-blood out of the Province, and depriving our people of their just rights; and I say it is no wonder that our people there have raised their voices against this invasion, and very justly so too, because they have too good grounds for so doing with regard to this evil. Now, Sir, apply this principle and condition of things to the Province of Ontario, and the other Provinces, and I venture to assert that a remedy for it would be demanded and found in less than forty-eight hours. I fear, Sir, that unless some restrictions are placed upon the continued influx of Chinese into that Province, the day is not far distant when they will monopolize the entire industrial field. We have already in British Columbia, some 13,000 or 14,000 Chinese. It is useless to disguise the fact, that unless some measure is adopted immediately to prevent it, they will soon outnumber us; and I am sure, that every hon. gentleman in this House will admit, that such a state of affairs is not at all desirable. But, Sir, this evil will not end in British Columbia. The other Provinces will very soon smart under the demoralizing effects of slave labor. When the Canadian Pacific Railway is pushed through to British Columbia, what will be the result? Why, these Chinese will find their way into Ontario and the other Provinces of the Dominion, and what will be the practical result of their presence in these Provinces? Why, Sir, the white girls and boys, and the white men, who are employed in our factories to-day, will be supplanted by Chinese. I was in the little town of Gananoque a short time ago, and I was delighted to find the numerous factories there in full blast; and it struck me very forcibly what a grand thing it was that all those factories should be carried on by white labor, and what a curse it would be, to that little town if the Chinese were permitted to take the place of those operators. In Montreal, which I visited the other day, I was pleased to notice the number of large manufacturing establishments there giving employment to from 400 to 1,600 hands. Just imagine what a terrible curse it would be, and what poverty would result, in that city, if these operatives were supplanted by Chinese labor.

It being six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. SHAKESPEARE. When the House rose, I was referring to the effects which would follow if the Chinese were allowed to come into the various Provinces of the Dominion, and take the place of those who are employed in our factories. But not only would they replace those people, but the persons who have helped to build up this country—those who came into the Dominion when it was a wilderness, and went into the bush and cut down trees, cleared the forest, and levelled the hills, and made the wilderness blossom as the rose—would have to follow the example of the factory operators. I repeat, that it is impossible for white people to compete with the Chinese. There was a time when the question was one in which only the laboring man was interested, but it is beginning to take a different shape entirely. In British Columbia, the manufacturers, as well as the laboring classes, are beginning to feel the evil effects of the influx of the Chinese, as the latter can manufacture their own goods more cheaply than the white manufacturers. Many persons of that class, who, a short time ago, were in favor of admitting the Chinese into British Columbia, now express themselves decidedly opposed to their admission

Mr. SHAKESPEARE.

for the simple reason that they find that the Chinese are able to produce many articles at a much cheaper rate than the white manufacturers. As soon as the Pacific Railway is finished through to British Columbia, not only will the Chinese come here themselves, but they will be in a position to bring their manufactured goods into Ontario and the other Provinces of the Dominion, because they can manufacture them at a cheaper rate than the local manufacturers. We are told that it is economical to employ the Chinese in preference to white men; but I am not one of those who believe that doctrine. I believe that one white man is as good as half-a-dozen Chinese any time. I am sure that to-day the contractor for the Pacific Railway in British Columbia would not employ the Chinese to the extent he does if he had white men there to do his work. I know we find men in certain positions in society, men who do not come into contact with Chinese influence, or Chinese labor, who repeatedly speak in favor of employing them. But as a rule they are not practical men. They are men who, in many instances, occupy public positions, and draw large salaries without doing much for them. Now, Sir, I wish to read a short extract, in reference to this matter, from an interview which a newspaper reporter had with a gentleman who has built more railroads than any other man in the same length of time. His name is Mr. Clark. He says:

"It is stated, sir, that you are about to undertake the final completion of the line (the Northern Pacific) between the Eastern and Western ends.

"I may or may not. It is a question of time and labor. I can engage to complete the road before the close of July next, but I must introduce white in the place of Chinese labor.

"Then you will not use Chinese labor on the eastern end of the Northern Pacific?

"No; we have not, and if we had, I am of opinion that there would have been at least another year's delay in the completion of a through line between Portland and Chicago. I have no faith in Chinese labor. \* \* I have no hesitation in saying that Chinese day labor is a failure."

After referring to a number of roads which he has built, he goes on:

"I have no hesitation in making the assertion that the work has been done much cheaper, much better, more quickly, and more substantially, than it could have been done with Chinese labor."

That is the opinion of a practical man, who has employed both white labor and Chinese labor, and I prefer taking the testimony of such a man to that of men who have had no experience whatever in the business. From a sanitary point of view, the Chinese are a great drawback to the community in which they live, especially where they are found in large numbers as they are in the city of Victoria. I know it will be said that we ought to pass sanitary measures compelling them to live properly. Well, I can say that we have done so; but people who have had no dealings with the Chinese can form no conception of the trouble and expense which they cause to corporations that try to make them comply with the regulations. If they are prosecuted, sometimes lawyers will take up their cases—and they are excellent clients for the lawyers. They pay good fees; they have plenty of money, and they do not mind the money so long as they win the case. We have a by-law in Victoria to regulate the sanitary condition of these people, and extra men have been employed in order to try and compel them to live as they ought to live. It is also found to be very difficult to get any taxes from them. I have no hesitation in saying that out of the 13,000 or 14,000 Chinese we have in British Columbia, not more than 9,000 pay their share of taxes. Not only do they not pay their taxes, but we have frequently to employ extra men in order to secure what we do get from them. During the construction of the Pacific Railroad in British Columbia, a year ago, the Superintendent of Police and three or four deputies were ordered to go up the railroad for the purpose of assisting to collect the revenue taxes from the Chinese who

were working on the road. Now, it is certainly very unfair that the Government should be obliged to go to so much more trouble and expense to get their taxes from that class of people than from any other portion of the population. I have no doubt hon. gentlemen will wonder at this; but persons who have not resided among these people, and seen their tactics and their wily ways, cannot possibly understand this question thoroughly. As an evidence of the unanimity of feeling that prevails in British Columbia upon this subject, I may mention that a few days ago a resolution was unanimously passed in the Local Legislature, which is now assembled, urging the Dominion Government to take some steps towards restricting the immigration of Chinese to that Province. Some years ago, during the Walkem Administration, an Order was passed that no Chinese should be employed in any way by the Local Governments, and from that day to the present I do not believe that a solitary Chinaman has drawn one dollar from that Government. In the Municipal Council of the city of Victoria, seven years ago, I think, I introduced a resolution that no Chinese should be employed in corporation works. That resolution was carried, and not one dollar has been paid by the corporation of Victoria to a Chinaman from that day to the present. So that we have done probably all that we can do towards remedying this evil. But there is a step further we want to go, and which it is impossible for the Local Government, but is in the power of this House to take—that is, to place some restriction on the continued immigration of Chinese to our Province. The State of California, as you are aware, has passed a Bill prohibiting Chinese from going in there during the next ten years. We all know the difficulties and heartburnings that the people of that State have had to contend with, owing to the large influx of Chinese, before they finally succeeded in passing the Bill. And now, what is the result? Why, Sir, that British Columbia is to-day the dumping place of the Pacific coast—the place where the Chinese are dumped. Hence the great necessity for taking some step in the direction proposed in this Bill. It will be argued, I know, that it will be time enough to place some restriction on the Chinese when the road will be finished; but that would be like shutting the stable door after the horse is gone. That would be working backwards. I maintain there is no necessity to wait for the completion of the road. There are men coming to-day into that Province, and more will come in, if an effort is not made to prevent a further influx of Chinese. There need not be any hesitation on that point. The Bill I propose to introduce does not propose to interfere with those Chinese who are in the country to-day. We are willing they should remain there; but I think every hon. member will admit that 14,000 Chinese in a Province so limited in population as ours, is quite sufficient for some time to come. The idea that the Chinese are going to leave and will become fewer in number, is a fallacy, because there are large numbers in China only waiting for an opportunity to come over into Canada. Hence these people will not leave, and any that may leave will be replaced. During last summer, close upon 8,000 came into the port of Victoria. Is it not, then, high time some restriction should be placed on their coming. Supposing, what is very likely, that 8,000 more should come in during the coming summer, what are we to do with them? The question is a serious one, one that affects the vital interests of the whole Dominion. This is not a question which I bring before the House just for the sake of doing so, but one in which I feel interested myself; and I think that every man, especially one who has a family growing up, must feel a deep interest in this question as to what is to become of the young people that are growing up in the country. In Australia, three colonies passed measures restricting the immigration of Chinese, and those laws are still in force. Hence I think we cannot be far

wrong in passing a measure similar to that passed in New South Wales, Australia. I will just refer to one or two provisions of that measure for the purpose of showing its nature and extent. One provides that on the arrival of any ship at any port in this colony, the master shall deliver to the collector the names of the passengers, and of the places whence they come. The Bill also provides that no vessel shall bring a greater number of Chinese than in the proportion of one to 100 tons of tonnage. Should the captain fail to report, he is subject to a fine of £10; and a penalty is also attached should he bring a greater number of Chinese than allowed by law. There is also a provision that:

“Notwithstanding anything in this Act contained, any Chinese arriving in the colony who produces evidence to the Collector of Customs, or other duly authorized officer, that he is a British subject, shall be wholly exempt from the operation of this Act, and a certificate of the Governor of any British Colony, or of a British Consul, shall be sufficient evidence of the claim of such Chinese to exemption under this section.”

Thus this does not interfere with British subjects. This law also provides:

“The provisions of this Act shall not be applicable to any Chinese duly accredited to this colony by the Government of China, or by or under the authority of the Imperial Government on any special mission.”

It further provides:

“The penalties and restrictions imposed by this Act shall not, nor shall any of them, be held to be applicable in respect of any Chinese being one of the crew of any vessel arriving in any port in New South Wales, and who shall not be discharged therefrom, or land, except in the performance of his duties in connection with such vessel.”

I maintain that we have a duty to perform in this matter, and which we owe to our country and our families, that is to place some restriction to those people coming in. After the assurance of the hon. First Minister a few days ago, I feel that this question will be favorably received by this House, and I am sure by the country at large. Not only in British Columbia, but in Ontario and Quebec, I find that the people are in favor of a restrictive measure; and hence I feel such a measure would be in the interest of the whole of this vast Dominion of which we are so proud. I think we should take a step this night towards wiping out this incubus upon our Province, and thus keep within our borders a class of people who are calculated to sympathize with us in our trial through life, who will help to build up our country, who will contribute to our public institutions and to our churches; whilst the Asiatics never contribute a solitary dollar to those purposes—with a few exceptions. How are we to prosper, how are we to succeed, if these people are to come in and take our places? For these reasons I would ask this honorable House to adopt this resolution, and vote in favor of restrictive measures upon these people.

Mr. BAKER (Victoria, B.C.) In rising to second this resolution, I do so with mingled feelings of pleasure and regret—pleasure at having the opportunity of seconding a resolution of this nature, which I know is in the interest of the whole of British Columbia, and with regret that this subject has not been successfully approached in this House before. I would have been very much better pleased if all the seats in this House had been filled on this occasion, so that all the hon. members might have heard the elaborate argument of my hon. colleague from Victoria. He has the advantage of a closer acquaintance with the Chinese than I possess. At the same time, I must say that I do not entirely agree with my hon. friend in his statement about the Chinese being sold like so many slaves in the market to the highest bidder, or that the women of that class are sold in Victoria for, as he expresses it, base purposes. However, as I said before, he knows more about the habits of these people than I do. But, as regards Chinese labor, I can safely assert that the greater number of my constituents are

in favor of restricted measures being adopted in this House. I am perfectly well aware of the fact that two years ago the Local Government did introduce a measure for imposing a tax of, I think, \$50 a head upon every Chinaman landed in British Columbia. This measure was disallowed by the Dominion Government for reasons which we are all well aware of; and I know very well that it is difficult to introduce a measure which will pass this House in the first place, and which will then receive the sanction of the Imperial Government, as such a measure might affect, directly or indirectly, matters connected with an Imperial Treaty. My hon. colleague mentioned the fact that at the sound of the gong the Chinamen all stopped work and rallied round their chop-sticks. That is quite true. I happen to have labored under the disadvantage, according to his view, of having had one or two of these individuals in my house, and I must say I should have found it difficult to get along without them. I find them very useful in certain positions, and we need some class of labor of that sort in British Columbia, as it is somewhat disagreeable to have to get up early in the morning and light the fire and black one's own boots. We are led to believe that during the present Session of Parliament a large sum of money—large in the opinion of persons in this part of the country, but not considered large in the gold mining country from where I come—will be voted for the purpose of promoting immigration to our shores; and I hope the Government will be successful in securing, not only agriculturists and mechanics, but respectable young women, who will give themselves to house work. In the meantime, I must say that I would like to see restriction upon Chinese immigration limited so as to admit a certain number for domestic purposes. The law which my hon. friend quotes as in force in Australia certainly is one which would admit of a sufficient number being imported from year to year for domestic purposes. According to the Australian law, a vessel of a 1,000 tons would be entitled to bring ten Chinese passengers, and ten Chinese passengers would be quite sufficient to come out at one time. But in British Columbia, last April and May, in the course of six weeks, nine vessels arrived, averaging from 450 to 750 Chinamen passengers, making a total of 7,772 for those two months, besides individual arrivals on the mail steamers. Of course, these largely go on to the railway. We are told that all efforts to secure to white labor a reasonable compensation have failed, but I think that is hardly correct. I think any number of men can be obtained at reasonable figures if proper means were taken—if a proper and comprehensive scheme of immigration was devised to get European immigrants to go there. My hon. colleague has adverted to the subject of the immorality of the Chinese. I may say that I know very little about that; what I do know is from hearsay, and I trust my hon. friend has been speaking from hearsay on that particular subject. There is no doubt that their morals are very loose. That may be inferred from the fact that out of 450 Chinamen who arrived there at one time, there were only two or three females with them. I would leave the House to draw their own conclusions as to the consequence of so great a disparity between the sexes. On the whole, I agree with my hon. friend in his demand for restrictive measures upon the influx of Chinese into British Columbia. Of course, in the eastern Provinces you do not find the disability under which we labor in that respect. It is also a well-known fact that a Chinaman in the eastern Provinces of the Dominion is looked upon as a curiosity. In our Province, more particularly in the district which I have the honor to represent, there are as many Chinese as there are Indians, and the two together exceed the number of whites. The Chinese are increasing rapidly, and there is a necessity for the enactment of a measure such as we are now hoping this House will favorably consider. My colleague has almost exhausted the subject, so that there is very

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little left for me to say, except to state that I thoroughly endorse the major part of his speech, and think a restrictive Bill should be introduced, which will not only lessen the number of Chinese coming into Victoria, but prevent their coming into any part of British Columbia.

Mr. SHAKESPEARE. I wish to make an explanation. My colleague seems to throw some doubt on the remark I made in respect to men being sold. That is perfectly true. My colleague may not know it, but I know it. I know that when large numbers of these people come to British Columbia, they are taken in hand by Chinese firms, their names enrolled in the books, and provision made for them in every particular; and when white men, who are employers of labor, go to these firms and ask for a certain number of Chinese, the employers who offer the largest amount of money secure the men.

Mr. BAKER. They get their services, not the men.

Mr. SHAKESPEARE. They get the men; they are sold at a certain figure. I am now speaking of what I have seen with my own eyes, because I had more to do with Chinese in that country than any other man. I acted as Chinese tax collector in that Province, and it was my business to go into every nook and corner where those people were to be found; and the hon. Premier of the British Columbia Government gave me credit, on the floor of that House, for having been the best collector that could possibly be found. With respect to these men who were bought: they are sold to men who employ them in tanneries and other establishments, and when pay-day comes round the Chinaman who sold the person goes to the establishment and collects the wages. I have been there to collect the tax when a member of a Chinese firm was there to collect the Chinaman's wages; and it takes about fifty times more trouble to collect from Chinamen than from white men, for they always keep you waiting. With respect to women, I do not want to say much about them. Women are sold for base purposes; and if a woman does not grant intimate terms to her master, she is very soon slighted. That is a fact, and I say such a state of things should not exist in any Christian community.

Mr. GILLMOR. I have listened very attentively to the speech of the hon. mover of the motion, and, from his standpoint, being in favor of Protection and, being in favor of the proverb that "Canada should be for the Canadians," I think the hon. gentleman is quite consistent. Besides, he is not in favor of free goods. Being neither in favor of free goods nor of free labor, he is, I say, consistent in seeking to shut out the Chinese. I think the real reason why they do not want the Chinese in British Columbia is, because they interfere with the labor market and afford cheap labor. The hon. mover of the resolution has stated that no candidate need present himself in a constituency in British Columbia who was not opposed to the free importation of Chinese. But I think there are other parts of this Dominion that are interested in this matter as well as British Columbia. We have commenced to build the Canadian Pacific Railway. I remember the arguments adduced in favor of that work being undertaken; it was going to open the door to China, it was going to bring Canada 2,000 miles nearer to China than at present, and commerce was going to bridge the northern Pacific and open the door to China. That is the reason why we are spending one hundred millions of dollars. And in order to get the road built we have been under the necessity of importing Chinese to do the work; and, notwithstanding all the boasted superiority of Canadians and British Columbians, if there are any dangerous places in the canons of the Fraser, or any mud-holes, you will find the Chinese in those dangerous and uncomfortable positions. They are trying to build the railway which we are undertaking to construct under the compact made with British Columbia, and which will cost Canada more than a hundred millions

of dollars. This is a big subject. On the other side of the Pacific there are five hundred millions of Chinese. On this side there is Canada, one half of the continent of North America, a land broad and expansive, and yet undeveloped. We want labor, and free labor; and I have not heard a sentiment expressed by the hon. mover of the resolution which goes to show that the introduction of Chinese will be an injury to Canada. With respect to British Columbia, I can understand why certain persons there are opposed to this class of labor, but I believe the interests of Canada will not be promoted by the passage of such a Bill as is now proposed. In China, there are, as I have mentioned, five hundred millions of the human race, who are crowded together, and are starving for want of food. It does not cost our Minister of Agriculture millions of dollars to bring them into Canada. They come at their own expense, they work at cheap rates, and they can live for twenty-five cents a day, while it will cost the white man a dollar. What wrong is done by these men eating rice and sleeping on boards? What crime is there in wearing cheap clothing? There is nothing wrong in these things. The Chinese are disciples of Confucius, but they are not destitute of ability and of inventive power. The Chinese, long before the Europeans, invented the mariners' compass, the art of printing, gunpowder, and the manufacture of the finest silk and porcelain. They are not destitute of ability, but they are capable of improvement. You would understand, from the hon. mover of this resolution, that the disciples of Confucius were going to take the lead. Our institutions are based on Christian principles. We have the leader that we are proud of, and thankful for—our leader; and the institutions which are founded under him are bound to triumph, and Chinamen will become Christians, rather than the Christians will become Chinese. My hon. friend says that they are corrupt. He says nothing about the bad practices of the men; but that the women are bought and sold for base purposes. I do not know anything about that, but whenever there is a bargain, it takes two to make it; and if these women are sold for base purposes in British Columbia, they are sold to Christians who are baser than are the Chinese themselves. I know of no reason for their being kept out of the country, because they corrupt Christians, British Columbians and Canadians. I do not think so badly of Canadians.

**Mr. SHAKESPEARE.** The hon. gentleman is in error. What I stated was that Chinese women were sold to Chinese, not to white people.

**Mr. GILLMOR.** They need not bring them to British Columbia to sell them. I think that if they are introduced in any quantity, they are brought there to be sold to British Columbians and not to the Chinese. Mr. Speaker, I think that this immigration has been of great advantage to the Province, and in the building of the Pacific Railway, furnishing valuable labor. I know that this interferes with white labor; but if these men do the work cheaper than the white men, those acquainted with the customs of Canada can get lands in the North-West where we have millions of acres, in the cultivation of which they can be employed. The country cannot be injured through Chinamen laboring at a less price than white men will; this can never injure Canada. They also make good domestic servants; and they are ingenious. The hon. gentleman told us about the sounding of the gong in California, and of their rushing from their workshops and employments; but this was because of the risk they ran of the destruction of their settlements and neighborhoods by the hoodlums and rough-scuffs of California, who were going to burn them out. What was the result? One settlement at San Francisco was burned to the ground, and the Chinamen left homeless, by this very class of persons, because they worked a little cheaper. The city of

Chinatown, with 60,000 Chinamen, was threatened, too, to be razed to the ground if Chinese labor came into competition with white labor. He says that they leave British Columbia and take away vast sums of money—\$500,000—in one ship; but why should they not leave it when they are treated as they have been on the Pacific coast, and as they are threatening to treat them now in British Columbia. But treat them as we profess to treat our fellow-men, and as they ought to be treated; set before them an example worthy of imitation, and you will bring the Chinese to your principles. We are now spending millions to enlighten and Christianise those in foreign lands; and we go to China with its teeming millions in this relation, and I say it would be unfortunate and inexpedient, and not good policy, to prevent them coming here. If they will come upon our soil why they are the very best domestic servants. I know how they are treated in California. For instance, they do excellent work in laundries, &c.; they take good care of linen—but how do they treat them? A white man who, with a horse and wagon, delivers linen through the city of San Francisco pays a tax of \$1 a year; but the poor Chinaman who delivers it with a basket pays \$10 a year for his license. They are treated in this way; but we want their services; they are of great benefit as servants; and their labor is valuable in building railroads. We cannot do a better thing than get them to come here. Why, only a few days since we thought the land in the North-West was almost valueless; \$1 an acre was a high value; but they come here, and work cheaply, build our railroads in our vast North-West, and the land becomes worth \$4, \$5 and \$6 per acre. Thousands of Chinamen can come to Canada and do no harm. I tell you we will make Canadians of them, and I trust Christians of them, and they will be valuable in our community. We cannot admit that the disciples of Confucius can change our practices and bring us to their way of thinking; let the elephant take foliage from the oak, and the foliage becomes elephant; the elephant does not become foliage. I think it is a vast advantage to have these people come to Canada, and I do not think that they should be excluded from our shores. I would not expend a great deal of money to get them. I would give no money—nothing to induce them to come; but if they come free of cost and charge to us, and do our work on railroads, and as domestic servants, and in manufacturing, if you please, I do not object. The hon. gentleman treats this as a crime against them; but if they manufacture more cheaply than white men, is there anything wrong in that? I think it a great advantage, if they can teach us how to manufacture cheaper; and it cannot hurt British Columbia to have cheap goods. I think, judging from the revenue, that, now they have there very dear goods, and cheapness will be a vast advantage and a great thing for British Columbia. This Province has been settled for forty or fifty years, and what is the result in regard to population? With all their vast resources—the gold mountains and all their undeveloped resources of that vast country, to get to which we are expending a hundred millions of dollars—they have 25,000 or 30,000 Indians, and from 8,000 to 10,000 white men. If the Chinese are educated and given a good example by white men, paid for their labor, and taught morality and religion, they will become good subjects. There is no doubt about that. Mr. Speaker, I think that no such measure should be introduced. It would be premature entirely to legislate now in this matter; and I am satisfied that the Government will not undertake to do anything so injurious to the country. They are bothered now, because Mr. Onderdonk did not give white men \$2 and \$3 a day, and he could not get them at that; but the Chinese do that work for less. Some may stop about Victoria, but they do not do so unless they get something to do. They are employed, and does this injure the people who want them—to have

cheap labor and domestic servants cheaply—for they would not employ Chinamen if they did not get service for the wages paid? I will not trespass longer on the patience of the House; but really, I think that we have listened long enough to this sort of thing from British Columbia. The more that come in the better, and we want them to come and stay; we will give them something to do. Let some of them come here. We want them in this country, we are expending millions to bring immigrants here. I do not know what sort of citizens these people from China make; but I think, judging from their past history, if they come here and become acclimatised and accustomed to our society, they will fall into our ways. They are an ingenious and imitative people; and I do not think that they will do us any harm.

Mr. GORDON. After the speech of my hon. friend from Victoria, I think that it is almost unnecessary for me to make any remarks on the important question before the House. I fully concur, Sir, in his statement with regard to the undesirability of Chinamen as residents, and their unsuitability to a country either like British Columbia or any other part of this Dominion. Now, Sir, there are more ways of looking at these people than as merely furnishing cheap labor; there are other duties appertaining to citizenship which every man is supposed to perform. In the State of California at the time that they took action in the matter, the Chinese were as one to six of the whole population of the State. In that State, as in every State that is well governed, if governed at all, a certain amount of taxation has to be raised in order to meet the ordinary requirements of the Government. But it was found that while the Chinese formed one-sixth of the whole population they contributed to the revenues of that State only one-four hundredth part of the ordinary taxation; and I am certain that what has been proved in California can be doubly proved by a proper investigation in British Columbia. In British Columbia, they form nearly one-half the whole population, and I do not believe they contribute any larger proportion to the revenue of that Province than to the revenues of California. Not only so, but, as in California, it is proved by the records of every court of that State that there is more money expended in the punishment of the Chinese as a class, than upon all the other people put together. They form a large proportion of the inmates of the penitentiaries, they swing from the rope oftener than other classes, and yet it is more difficult to convict them. Their system of connivance, at perjury and of combination, is such that the keenest policemen in the service are thwarted at every turn. I am not surprised at hearing an advocate of the Chinamen on the other side of the House. Like many other questions, this is one of which I am satisfied that the hon. gentleman is ignorant. He has not dwelt in their midst; he has not seen them as the people of British Columbia see them. If he were a resident of that Province he would know that during twenty years they have worn the same Chinese garb which they brought from China, made upon the same pattern—manufactured in China and imported from China. He would see that they wear the same pigtailed which they brought from China, and he would find within the shadows of our churches the lowest dens that humanity can contemplate. Would he like to see the same state of affairs in his own native town? And if he found it there and advocated such a state of affairs, would he ever be able to get a seat in this House? It is only by seeing it as it exists that any man can comprehend the condition in which those people live. I have some hesitation in feeling any repugnance to any portion of the human race; it is contrary to my natural feelings. But twenty years experience has led me to overcome my natural feelings in many respects. Their influence as a people upon British Columbia has been this: that

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while they fill the avenues of trade they are a bar to other immigrants. What class of labor can compete with the Chinese? How many men would you have in the North-West to-day if the immigrants going into that country were confronted by 20,000 or 30,000 Chinamen? What would be the value of real estate in Winnipeg to-day if that country were filled by Chinamen, even if they were employed in building the railway? You would have had the same depressed condition in that country as we have in British Columbia, notwithstanding the building of the railway. The hon. gentleman cannot resist the temptation of making a thrust at British Columbia on account of the immense expenditure which has been made in order to reach her shores. If that hon. gentleman has studied the history of the Canadian Pacific Railway since 1856 he would have come to the conclusion that that railway is not being built for British Columbia but for the consolidation of the Dominion of Canada. He would have learned that the system of canals by which our country is intersected was established for the same purpose, and that we are paying interest on debts which were incurred by the construction of the canals, and we will do so for a long time to come. The same may be said with regard to the Intercolonial and other Railways. Yet who would dare reproach Ontario, Nova Scotia, or New Brunswick, for these expenditures? These expenditures were incurred and wisely incurred; and the statesmen who inaugurated them have reason to feel proud that these expenditures were made in order to build up a great Dominion extending from the Atlantic to the Pacific Ocean? I cannot but feel that it is a dangerous thing to ask this House to exclude from our territories, which are to be consolidated and built up, any class of the human race; but in the present case, I feel no diffidence whatever in declaring it to be my conviction that it is to the interest of the Dominion of Canada as a whole, to the interests of her people and her institutions, that a class of people so low, so far down in the scale of civilization as the Chinese are, should be excluded, or at least partially excluded from our country. The reasons for which I wish exclusion I have already given to a certain extent. But there are other reasons. We find that they come in hordes—mostly single men—under some species of slavery which no ingenuity of man can find out unless by Chinamen themselves. Whenever a Chinaman takes advantage of the freedom which exists under the folds of the British flag, he is by some means put an end to; and I say it is past finding out what means they take to accomplish this purpose. It was the case in California that \$800 was offered for the destruction of one man who dared to go against the secret councils of the Chinese as they are organized in that State. The same state of things exists in British Columbia to-day. I read, to-day, a despatch from British Columbia in the *Toronto Mail*, stating that a Canadian had been beaten to death with shovels by the Chinamen employed on the Canadian Pacific Railway. As a general thing Canadians are not bad masters. They manage to govern those employed under them without being murdered; but in that case, as in every case where Chinamen get the power, they use it in the most diabolical manner. The character and habits of the women they bring to the country are so revolting that delicacy forbids any description of them before this House; and the dens which the Chinese inhabit with these women are such that no hon. gentleman could contemplate them. The lowest Indian that ever inhabited the Province of Ontario, were as much superior to them as the ordinary white population were superior to the Indians. I do not know that I can add anything further to the statements so exhaustively made by my hon. friend, except that the people of British Columbia look for relief to this Parliament, and to the right hon. gentleman at the head of the Government, who so wisely, several years ago, when he was Minister of Justice, pre-

vented them from becoming voters in the Province of British Columbia. I am sure that if he had not taken that step, my hon. friend would never have sat in this House. I have no doubt that the wise foresight which the right hon. gentleman then exercised, and which has always marked his dealings with the Dominion of Canada in promoting the development of its political power, will be used on this occasion to secure British Columbia, and the whole Dominion, the advantage that I know will be recognized.

Mr. FOSTER. I have a great deal of sympathy with the hon. members from British Columbia, with regard to the condition of affairs existing in that Province. I am very glad this question has again come before this House; and I hope it will receive most thorough and careful consideration, in order that anything that can be done in the interests of so distant and so worthy a Province as British Columbia, may be done. It may not be that this House will at this time so thoroughly settle this question that it will not arise again, but it is quite possible for us to take the first steps in that direction. I have sympathy, I say, with British Columbia, and I have no sympathy with the idea that, because it is a distant Province, therefore we, who come from other parts of the Dominion, should pay little or no heed to what British Columbia says. I believe we are one Dominion. If we are not one to such an extent now as we ought to be, it will be the effort of my life, and I am sure it will be the effort of the young men who have come to this Parliament for the first time, to leave nothing undone to make the sentiment of unity in this country a continually growing and a continually welding power. It is not for Ontario, or for Quebec, or for any of the other of these great Provinces, to dismiss with a wave of the hand, a complaint or grievance that comes up from a distant Province of this Dominion. I also agree that it is not the right thing for us to continually point towards British Columbia, and say that it is costing us a great deal of money, that we are building the railway, and so forth. We are building that road for the whole Dominion, and for British Columbia as an important part of it. There are certain considerations which dispose me, and I am sure other hon. members of this House, to listen respectfully to what British Columbia says. In the first place, we find that the Legislature of that Province has decided, almost unanimously, if not unanimously, to petition this Parliament in favor of some measure of relief with reference to the Chinese within its borders. We find that the delegations of members who come to this House year after year, are almost, if not wholly, a unit in asking for the same thing. I think, therefore, that some grievance must exist, and that it merits consideration at our hands. There is another circumstance which I think will dispose this House to attempt to remove this grievance. The Australian colonies have felt the same difficulty, and they have met it in a certain way; and that is a fair precedent for us. Then we have the example of the United States, which a year or two ago, after a thorough and careful consideration of the question, passed a Bill excluding the Chinese from the United States for ten years. All these facts show that there is something vital in this question, and it will not be proper or Parliamentary for us to dismiss it as something with which we have nothing to do. But I desire to point out to this House that, although there may be a grievance, it is quite possible that an indiscriminate restriction might not be the proper policy for this country to adopt. We must recollect that we are legislating in the light of open day, that we are legislating for the whole Dominion, that we are legislating as one amongst great countries and great Parliamentary bodies, and that we are about to adopt a policy which will be historic in this country. I think every hon. member of this House will agree with me that what Canada needs to-day is development, and this resolves

itself in my mind largely into a question of immigration, and the kind of immigrants we will have. There lie our immense resources at the sea; there lies our great mineral wealth, culminating as an hon. member says, in those mountains of gold in British Columbia; there are greater, and better than all, those immense acres in the West, every one of them filled with the potency of life, and ready to yield its wealth at the touch of labor. And I think every one will agree with me that the machinery of this development is of two kinds—first, capital; and, second, labor. These two things together will develop this country of ours, and make it one of the greatest countries on this earth. Capital and labor are joined with each other; the one depends on the other. Capital will go where it finds labor to use it as an instrument. Labor will come where it finds capital to set it at work and pay it its wage. If capital is cheap, other things being equal, labor will be the more abundant, because more capital will be expended in the development of a country's resources; and if labor is cheap, other things being equal, capital will get a greater return for its outlay, and its expenditure receive greater impetus. There is another question to be considered in this connection. I think this House will agree with me when I say that the opening up of internal communication and the bringing in of immigrants from other countries, are the two prime interests of this country, and the two best means that can be adopted to promote this bringing in of capital and setting to work of labor. I acknowledge that not many years ago, as I was seated in the gallery of this House, when the measure was brought in to build a line of railway from one end of this country to the other, involving the expenditure of a large amount of money, I, at first sight, drew back and wondered whether this country could afford that expenditure, and whether the policy was a wise one; but when I began to think, when I heard the matter discussed—saw in my imagination what is now almost a reality—a broad line of communication stretching across this continent, along which capital and labor poured in, I felt it to be one of the wisest and best strokes of policy that any Government ever inaugurated for the country. I found it was not an extravagant expenditure, but that, looking into the future, it was the best and wisest expenditure we could make. I think I have come pretty near to what I consider the line we should draw in this matter of immigration—what should be the class of immigration we should have. If the hon. Minister of Agriculture were standing before three great classes of laborers, brought for his inspection, so that he might decide which of the three was fitted to be introduced into the country, I would bring up one of the class as a representative and say: "This man is very industrious; he works hard and constantly, but he is ignorant and not very honest." The hon. Minister of Agriculture would say to him: "Stand aside till I see the others." I would then bring up a representative of the second class, and say: "This man represents a class who are strong in labor, industrious and intelligent, but not very good and honest in character." Again, the hon. Minister would say: "Stand aside until I hear from the third." If I could bring up the third, and say: "Here is a man, the representative of a class of immigrants who is not only industrious, intelligent and strong, but is good, honest and true. The class which he represented would, I think, be the one chosen by the hon. Minister as the most proper to settle in the country. That is where I would draw the line—if we are to draw any line—not a line of race, creed or color, but a line which would take in these three great distinctions. While I would sift out the idle, ignorant and immoral, I would bring in as far as possible, the industrious, the intelligent and the honest. I think that is a better line to draw than to say that after these centuries of progress and refinement, during which the tendency has always been to break

down the Chinese walls of exclusion and weld divided humanity into one common whole, we should go back to abandoned prejudices and raise again barriers of color, race and creed. If there are intelligent, moral and industrious Chinamen, why in the name of goodness should a wall be raised to exclude them from this country? If we can prove that the Chinese emigrants, as a class, are in preponderating numbers, idle, ignorant or immoral, let us draw the line there and keep them out. But if there is one single man who is honest, industrious and intelligent, let him come into Canada, work as cheaply as he likes, enjoy the fruits of his labor and pass his life here. The United States have given us one of the best testimonies we can possibly have. I have a very little book here, only 1,280 pages, and as I am a rapid reader it will not take me very long to go through with it, and the evidence is in some respects very contradictory. In 1876 the United States appointed a Commission, consisting of three representatives of the Senate and three from the House of Representatives, to investigate this question of Chinese immigration into their country. They went to San Francisco and examined some 138 witnesses of all creeds and classes—men who gave them not simply hearsay statements, but their own opinions and experience and information relative to the Chinese. Their evidence is contained in this book, but I will simply give what I think are the conclusions to be deduced from that evidence. After having given it a very careful perusal, I think this House will consider I am justified in taking up their time for a very short space while I explain those conclusions. The preponderating evidence of those 138 persons is that the Chinese are industrious. There is no doubt about that. They give their employers every ounce of muscle and nerve and value for the wages paid them. There is, therefore, no reason to exclude them on the ground of want of industry. Again, this testimony goes to prove that although a good many are immoral and have not the best characters, yet in a business point of view the Chinese merchants and the Chinese laborers of the better class, are, beyond doubt, honest in their dealings. There is testimony after testimony of those who have had large and varied dealings with these people, to show that they are honest in their dealings. They keep a contract, they give the work which they promise to give satisfactorily, more so it is said than many laborers from other countries, who are in California and work upon the slope. The collected evidence goes to show also that the crowded state in which they live is a great evil that ought to be remedied, but the other fact is just as plain that there is scarcely a nationality which throws its hordes of immigrants in greater or less numbers into any of the American or Canadian cities, of some of whom the same thing cannot be said. There is also the evidence that while in San Francisco and the larger towns they live together in masses, and in filthy abodes, out in the country they are as well separated and as cleanly as any other nationality. The evidence in this book also goes to show that the mass of the farmers in California were in favor of the retention of Chinese labor, while the mass of the artisans in the cities and larger towns were directly opposed to it. It is also shown in this book that the Chinese, by their cheaper labor, by the labor for which they give good value, have been instrumental in building railways which otherwise would not have been built, in reclaiming marsh land which otherwise would not have been reclaimed, in taking up the fag ends of labor which white people would not take up, and thereby contributing to the resources of the States. Now, I think, these are the fair conclusions. They go to show that there is a mass of filth and corruption, mainly in the larger cities, where they congregate, and are driven to congregate, because of the want of community between them and the white people; but that, taken over the country and the smaller places, the Chinese laborers live fairly well, are cleanly, intelligent and industrious. Now, Mr. Speaker,

Mr. FOSTER.

pardon me for a moment, while I draw the conclusion, that as the Chinese as a whole cannot be shown to be idle and ignorant, but that as a large proportion are shown to be good and law-abiding citizens, it is not proper for us to raise this Chinese wail of exclusion, and say to those who are sober and industrious that they shall not come to our country. What can we do? Is there no other way of meeting the evil than by excluding them altogether? Something has been said with reference to crime amongst the Chinese. The unvarying testimony given before this Commission, by the witnesses examined, was that the proportion of crime amongst the Chinese, is infinitely less than that amongst the white people. We must remember that the Chinese in California and British Columbia are nearly all men, that they do not live in families. That is certainly an objection to them. In considering the ratio of crime between Chinese and white people, we must remember that the latter have families; there are children, older boys and girls and women amongst them who are less given to criminality, and when we consider this difference it will be found that the crime amongst white people is comparatively much greater than it is amongst the Chinese. What, then, are we to do? It does seem to me something might be done in this respect. Let the people of British Columbia mitigate this evil by internal methods. If the Chinese crowd together too much in large centres, let a law be passed which will limit the number living in a certain quarter. If they violate the laws of health, do you mean to say that the Province of British Columbia, aided, if necessary, by the resources of this Dominion, cannot compel them to obey sanitary laws? If there are immoral places established by Chinese, do you mean to say the resources of British Columbia, aided, if necessary, by the resources of the Dominion, cannot clear those places away? Let these internal remedies be applied by the Province itself, aided, if necessary, by this Dominion for a few years, and if they do not secure the alleviation of these evils I shall sadly have miscalculated the power of these remedial agents. Then I think something else like this might be done. I am young in this matter, there are older heads here, who know more about the legal intricacies involved; but it does seem to me that if a bad class of people come here amongst these Chinese they might be weeded out. It is said they are slaves. I do not think that would hold from the evidence taken before the Commission. They come out under contract, agreeing to pay their passages when they come to this country, and their passages are the first lien upon the wages they earn here. That is about the kind of slave labor they perform according to the evidence taken before this Commission. Might there not be some supervision exercised over the class of immigrants who come out from China by having immigration inspectors at the ports of embarkation in China, which, I believe, are but few, which inspectors shall make some sort of arrangement with the companies who bring them out, and so exercise a supervision under which only the better class will be allowed to come? Mr. Speaker, I do wish that something might be done to settle this question permanently, and to alleviate what, I believe, is a grievance to the people of British Columbia, and which, in its present form, is weighing somewhat heavily upon the peace and prosperity of that country.

Mr. TUPPER. Since this debate has commenced I have been strongly impressed with the idea that the people of British Columbia are laboring under a grievance. The hon. gentleman who has just sat down has made a very forcible speech, and we all know that when he speaks upon any subject he displays a thorough knowledge of the subject to an extraordinary degree. I am well aware that in speaking upon a subject that has been so well considered by other hon. gentlemen I should be careful in the statements

and arguments I make. But I come from a county that is largely interested in the question of labor, a county, perhaps, boasting of greater resources than British Columbia, and, therefore, I may well say something when the labor question comes before this House. I am confident that any question affecting the interests of British Columbia will always engage the calm and dispassionate consideration of this House. We ought to consider this question altogether aside from sentiment, though I agree with the hon. gentleman who has just spoken that it does seem an extraordinary proposition that we should prohibit any member of the human family from coming into this country. I believe, therefore, that opponents of the resolution to-day occupy a certain vantage ground in this discussion, and at the first blush, members who had not considered every phase of this question carefully would be induced to declare that they would welcome with open arms immigration from any country in the world, no matter what the effect would be, so long as it should reduce the price of labor. But, perhaps, influenced a great deal by considerations that prevail in the county which I have the honor to represent, I look upon labor in a different light altogether; I value the laborers and value their work, and feeling that I consider any competition that is unfair ought to be and should be retarded. I feel, moreover, that if half the members who to-night are opposed to any resolution of this kind could only experience what appears to be the uniform experience of every member who comes from British Columbia, if they could feel in the slightest degree the terrible effect of this, what I might call horrible immigration, the expressions of opinion would be far more pronounced in favor of the resolution than against it. As I listened to much of the discussion to-night, I thought that although the representation of the Province of British Columbia has, to a degree, changed, yet the views of that Province in regard to this question have always remained the same; and I tried to bring the argument home and place the circumstances stated in the county which I represent, and I felt that in such a case there would not only be a strong argument in favor of this resolution, but I believe a reasonable argument, for I believe that the tendency of such an immigration must necessarily be to cheapen and degrade labor, and to lower labor all through the country is entirely a wrong and erroneous principle to prevail in the councils of the nation. I believe that firmly, and believing that firmly, I favor a very careful and calm consideration of the resolution which has been moved by one of the British Columbia representatives. I believe also that there must be a great deal more than is contained in that book, the contents of which remained sealed, even to-night, though the book has been produced, and that the mere production from the desk of the hon. member of that book had an unfair influence on the discussion of the question. We have not considered it if Congress has considered it. If an examination of the question is contained in that book, it does not follow that Congress has exhausted the subject. The circumstances of the countries may be different. Whether they are so or not, the principles adduced as embodied in legislation in the colony of Australia would far outweigh the mere production of a volume. I think the very fact that the hon. gentleman should have facetiously alluded to a book so ponderous as that, as a small volume on the topic under discussion, should prove to the House that the uncontradicted statements of representatives from a region, that alone can understand the influence, and I believe thoroughly, the baneful influence of such an immigration should lead members of this House to give their support, not perhaps to the resolution before the House, but to give a strong influence towards a very careful and dispassionate consideration of the subject, because we know this, that notwithstanding the conclusion which may have been arrived at in other countries, the very fact that every representative

from the only Province which has felt the influence of this immigration has felt it to be his duty to occupy the time of the House in asking that that baneful influence should be retarded and stopped. Feeling great regard for capital and knowing what would be the opinion if the laborers in Pictou had to meet the competition of labor which can be obtained for twenty-five cents a day, I hold that Parliament should forget for the moment that only a few members represent the Pacific Province, and should consider very carefully the principle involved in this discussion. I disagree, therefore, entirely with the hon. member who just preceded me in taking such a strong ground as he has done against this resolution—I admit at once he has done so ably—and I hold that this is a matter which should not be lightly treated, but given great consideration.

Mr. RYKERT moved the adjournment of the debate.

Motion agreed to.

#### REPORT.

The following Report was laid on the Table:—

Report of the Department of the Interior for the year ending 30th June last.—(Sir John A. Macdonald.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 10 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

FRIDAY, 30th March, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### COURT OF RAILWAY COMMISSIONERS' BILL.

Sir HECTOR LANGEVIN moved:

That 900 copies of the Statements made before the Select Standing Committee on Railways, Canals and Telegraph Lines of this House, for and against the Bill No. 3 for constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879, for the use of Members, and Rule 94 suspended in relation thereto.

Motion agreed to.

#### QUESTION OF PROCEDURE—CRIMINAL LAW AMENDMENTS.

Mr. CAMERON (Huron). Mr. Speaker: Yesterday, in some mysterious manner, incomprehensible to the majority of the members of this House, I think Bill No. 6 disappeared from the Order Paper to-day, and is not on the Orders of the Day. Its disappearance, I think, was unknown to a large number of the members who were not in the House yesterday, and I think that the causes of disappearance were not known to a great many members who were in the House; and, in order that it may again appear on the Orders of the Day, and in pursuance of the practice in the Imperial Parliament, and in our own House of Commons, I beg to move:

That the House do resolve itself into a Committee of the Whole on Monday next, to consider further of Bills (No. 6) to provide that persons charged with misdemeanor, shall be competent as witnesses; (No. 2) to amend an Act respecting procedure in Criminal Cases, and other matters relating to Criminal Law; (No. 4) to amend the law of evidence in Criminal Cases, and (No. 30) to amend the Criminal Law, and to declare it a misdemeanor to leave unguarded and exposed holes, cut in the ice on any navigable or frequented water (all consolidated into one Bill) as amended by the Select Committee.

Sir HECTOR LANGEVIN. Mr. Speaker: Is not a notice of motion required in this case?

Mr. BLAKE. No.

Sir HECTOR LANGEVIN. I see, by Rule No. 31, that

"Two days' notice shall be given of a motion for leave to present a Bill, Resolution, or Address, for the appointment of any Committee, or for the putting of a question; but this Rule shall not apply to Bills after their introduction or to Private Bills."

Well, is it not the fact that, after the action of the Committee yesterday, these Bills disappeared altogether from the Notice Paper; and therefore that there is no Bill before the House?

Mr. SPEAKER. This Bill has been introduced.

Mr. BLAKE. And read the second time.

Mr. SPEAKER. And read the second time before the House.

Sir HECTOR LANGEVIN. It was referred by the House to the Committee of the Whole, and has not the Committee, by its action, arrested the Bill altogether?

Mr. SPEAKER. According to English practice, the way to bring a Bill again before the House—as the Committee cannot kill a Bill which is before the House—in the event of a Bill being dropped from the Order Paper, it is competent, on a subsequent day, without notice, to move to fix a day when the Bill shall again be considered.

Sir HECTOR LANGEVIN. Of course I put the question—as this is the first time that a motion of this kind has been made, at all events during this Parliament because I thought it proper that we ought to have a ruling about it, in order that we might govern ourselves in future similar cases.

Mr. DESJARDINS. Mr. Speaker: Are we to understand that the Committee having made no report to the House, the House can take possession again of this Bill, and dispose of it as if it had not been sent to the Committee of the Whole, and that Committee had made a report? If the Committee has made no report, I think that it is yet in possession of the Committee of the Whole.

Mr. BLAKE. No. Mr. Speaker, it is impossible to get it back into Committee of the Whole, without this procedure; but the hon. gentleman does not want to get it back there, and he thinks that it is there yet.

Motion (Mr. Cameron, Huron) negatived on the following division:—

YEAS:  
Messieurs

Allen,	Forbes,	Platt,
Allison,	Foster,	Ray,
Armstrong,	Gillmor,	Reid,
Auger,	Gunn,	Richey
Bain,	Harley,	Rinfret,
Béchar,	Hay,	Robertson (Hamilton),
Bernier,	Holton,	Ross (Middlesex),
Blake,	Innis,	Rykert
Bourassa,	Irvine,	Scrivier,
Brecken,	Jackson,	Shakespeare
Burnham,	Jamieson,	Somerville (Brant),
Burpee (Sunbury),	Keefer,	Somerville (Bruce),
Cameron (Huron),	King,	Springer,
Campbell (Renfrew),	Kinney	Sutherland (Selkirk)
Casgrain,	Kirk,	Trow,
Catudal,	Landerkin,	Vail,
Charlton,	Laurier,	Wallace (Albert),
Cockburn,	Mackenzie,	Wallace (York),
Cuthbert,	McMillan (Huron),	Watson,
Davies,	McGrancy,	Weldon,
Dickinson,	McIntyre,	Wells,
Dodd,	McIsaac,	Wheler,
Fairbank,	McMullen,	White (Renfrew),
Farrow,	O'Brien,	Wigle, and
Fisher,	Paterson (Brant),	Wilson.—77.
Fleming,	Pickard,	

Mr. CAMERON (Huron).

NAYS:  
Messieurs

Abbott,	Desaulniers,	McMillan (Vaudreuil),
Amyot,	Desjardins,	McCallum,
Baker (Missisquoi)	Dugas (Dundas)	McDougald,
Baker (Victoria),	Dupont,	McGreevy,
Barnard,	Ferguson (Leeds & Gren)	McLellan,
Beatty,	Ferguson (Welland),	McNeill,
Bell,	Forin,	Massue,
Benoit,	Fréchette,	Mitchell,
Benson,	Gagné,	Moffat,
Bergeron,	Gigault,	Montplaisir,
Bergin,	Girouard (Kent),	Orton,
Billy,	Gordon,	Quimet,
Blanchet,	Grandbois,	Paint,
Blondeau,	Guilbault,	Paterson (Essex),
Bolduc,	Guillet,	Pope,
Bossé,	Hackett,	Robertson (Hastings),
Bowell,	Haggart,	Royal,
Burns,	Hall,	Scott,
Cameron (Inverness)	Hawkins,	Small,
Cameron (Victoria),	Hesson,	Smyth,
Campbell (Victoria),	Homer,	Sproule,
Carling,	Hurteau,	Tassé,
Caron,	Ives,	Taylor,
Cimon,	Kilvert,	Tilley,
Cochrane,	Kranz,	Tupper (Cumberland),
Colby,	Labrosse,	Tupper (Picton),
Costigan,	Landry,	Tyrwhitt,
Coughlin,	Langevin,	Valin,
Coursol,	Lesage,	White (Cardwell),
Curran,	Macdonald (Sir John),	White (Hastings),
Daly,	McDonald (C. Breton),	Williams,
Daoust,	Mackintosh,	Wood (West'ld) and
Dawson,	Macmaster	Wright.—101
De Beaujeu,		

#### WAYS AND MEANS—THE BUDGET.

Sir LEONARD TILLEY. Mr. Speaker: I desire, Sir, before you leave the Chair, to make the financial statement; and, at the same time, to call the attention of the House to the resolutions the Government propose to move when in Committee with reference to the changes in the Tariff. At the last Session of Parliament, on the sixteenth day after the opening of the Session, I was in a position to make the financial statement of the Government. Circumstances have occurred to delay the statement on this occasion, and there has been some criticism in the House, and out of it, on account of this delay. I desire, in the first place, Sir, to make a few remarks with reference to the circumstances that have caused this delay; and I believe, when they are stated to the House, hon. members will fully understand the necessity for it, and approve of the course the Government have taken. It will be remembered, Sir, that, at the last Session of Parliament, the Government asked this House to reduce the taxation to the extent of \$1,000,000 or \$1,250,000 for the then current year. After looking carefully over the receipts, and the probable expenditure for the current year, the Government thought they might safely ask Parliament, at this Session, to reduce the taxation another \$1,000,000 or \$1,250,000. That having been decided upon, it, of course, became a question as to the articles on which this reduction should be made. We found the Congress of the United States in session, with various propositions before them for the reduction of the Customs duties and the Inland Revenue taxation, varying from \$50,000,000 to \$120,000,000, according to the action of Congress on these resolutions. One proposition alone was, that tobacco should be reduced from 16 cts. to 8 cts. a lb.; another proposition was that it should be removed entirely. If either of these propositions carried, it would become necessary for the Parliament of Canada, for the purpose of preventing illicit trade, protecting the honest trader, and protecting our own manufacturing industries, that our duties should be reduced in proportion to the reduction made in the United States. Therefore, if the proposition to reduce the duty 8 cts. per lb. on tobacco were adopted, it would necessitate a reduction in Canada which would involve \$750,000; if it was removed altogether it would

necessitate the reduction of \$1,250,000, or, perhaps, \$1,500,000; and, under these circumstances, it became necessary that we should wait until we saw what the nature of the legislation of the United States with reference to the Customs and Excise Revenues had been before we were prepared to submit to Parliament our proposition. It was not until the night of the 3rd March that these questions were decided, and, though we had asked for the earliest possible information as to the nature of the changes that took place, it was the 16th March before we received a certified copy; and then it became our duty to examine it carefully, as it was quite apparent, with a reduction of the duties on tobacco, that, from that article alone, we would lose a very large amount of revenue. This necessitated a change of proposed reduction of duty on articles imported through the Customs. Well, Sir, under any circumstances, Tuesday would have been the earliest possible day we could have submitted our propositions to the House, and it having been decided that we should separate for the Easter holidays on the following evening, it would have been most inconvenient to present the financial statement, and then have the discussion to stand over for a week or ten days. Under these circumstances, the Government thought it best to allow the financial statement to remain until the re-assembling of Parliament, and take the first Government day to submit it to the House. With this explanation, Sir, I believe the delay will be justified, and I trust that the country will not suffer materially. We are not in the position we were last year. We then proposed to take the duty off one or two articles of importance, and it would not have been fair to the trade of the country had they not been decided at once. The propositions which the Government have to make now are not to go into immediate effect, and therefore it is of less importance. But, Sir, I now proceed to the discharge of the important duties devolving upon me; and while I feel that the Government have material of the most satisfactory character to submit to the consideration of the House, I do not feel that I have that physical vigor that will enable me to do justice to the subject as I would desire to do, and as I am sure the House would expect me to do. In the first place, I would call the attention of the House to a declaration I made in the opening of my speech at the last Session of Parliament. It was this: that at no period in the history of Canada had Government met Parliament with its finances in a better position than it was on that day. Further, at no period in the history of Canada did the credit of Canada stand as high as it did on that day, and at no period in the history of the Dominion was it more prosperous than on that day; and I am happy, Sir, in believing that the House and the country will endorse me when I say that the remarks made on that occasion may be repeated with all truth to day. I do not desire, Sir, to occupy any more of the time of the House than is absolutely necessary in presenting our case, and in dealing with the income and expenditure of the last year. My remarks will be brief, inasmuch as the Public Accounts have been placed in the hands of the members who are familiar, not only with the figures, but with the financial position of the Dominion, and which was referred to in such eloquent terms by the mover and seconder of the Address in answer to the Speech from the Throne. I may, Sir, however, restate them here in order that we may refresh our memories with reference to the position that we occupy. First, Sir, let me say that the Consolidated Revenue of last year amounted to \$33,383,600, and the expenditure to \$27,067,000, leaving a surplus of \$6,316,600—the largest surplus that has ever been declared in Canada. Add to that \$1,744,000 received as subsidies of land in the North-West, making altogether a surplus of over \$8,000,000 for the last year. Well, Sir, during the same period there was expended on Capital Account, for the Canadian Pacific and Intercolonial Railways, for the

enlargement of the Canals, and on the Surveys in the North-West, \$7,400,000, leaving a handsome surplus over and above all the expenses of Capital Account during the last year; and when we take into consideration the Sinking Fund, which forms a fund for the reduction of the debt, the net debt for the Dominion, notwithstanding the expenditure of \$7,340,000 on Capital Account, was \$1,750,000 less, and the interest paid for the year, \$15,000 less than it was the year previous. Now, Sir, we not only spent \$7,340,000 on Capital Account, but we redeemed maturing liabilities, during that period, of \$4,000,000. We had paid in from the surplus earnings of the people of the Dominion five millions nine hundred and twenty odd thousand dollars, from which the amount I have stated was paid, leaving nearly \$2,000,000 towards the expenditure of the current year. Under these circumstances, our financial position was an easy one. We were not forced into any market for a loan, but met a large expenditure and redemption of debt with the surplus, and the deposits of the people in the savings banks. I need not dwell longer upon this general statement, with reference to the financial operations of the year; but I desire to call the attention of the House, for a few moments, to one point, which may be referred to by hon. gentlemen opposite when they deal with my statement. During the last year the expenditure was \$1,500,000 more than it was the year before

An hon. MEMBER. Hear, hear.

Sir LEONARD TILLEY. \$25,500,000 was the expenditure the year before last; last year it was \$27,000,000. Now, Sir, I hear an hon. member opposite say "hear, hear," and therefore I desire to go into details with reference to the increased expenditure, to show that, while it amounted to \$1,500,000 more last year than the year before, it did not mean more than \$500,000 of taxation to the people of the country. I have here, Sir, a statement of the increased expenditure during last year, and it will be satisfactory to hon. members, I have no doubt, to have their attention called to the different items of this increase, and to the circumstances which caused them. The first item is \$146,650 increase of interest. Now, Sir, we did not have to pay during the year \$146,650 more for net interest than in the previous year. That amount is simply the difference between the receipts on the interest account, and the payments on the same, as I explained at the outset. The net interest paid was \$15,000 less than the year before, but owing to the increased deposits in the savings banks, the Canadian Pacific Railway having also deposited with us under their contract a large sum on which interest had to be paid, the amount paid out in interest was larger than it would otherwise have been; but the Government did not allow the money so deposited to lie idle. They deposited it in the banks and obtained 4 per cent. interest upon it; and while the payments were increased, the receipts were increased in like proportion. Therefore, that \$146,000 of increased interest was not a tax upon the people. We paid that additional for the money deposited with us and received it in return, leaving \$15,000 less paid during the year than in the year before. That, I trust, is satisfactory so far as that item is concerned. The next item is Sinking Fund, which was increased by \$39,993. That item goes on increasing year by year, and is applied to the reduction of the debt. That is surely not a payment that can be complained of. It increases under the arrangement by which our loans are obtained, and is paid in for the extinction of maturing liabilities. Then we have \$75,481 increase of subsidies paid to the Provinces, which have not yet reached a population of 400,000, and are entitled to 80 cts. per head of the population, until they reach that point. The Government, surely, cannot be blamed for paying that. The next increase is \$30,072 for Civil Service. Hon. gentlemen opposite may say that might have been avoided; but when we consider the fact, that under our Civil Service Act, the

civil servants are entitled to \$50 a year increase, we see that that would consume half the amount; and as we are increasing so rapidly in population, and in the development of the resources of the North-West, the enlargement of our staff is necessary, particularly in connection with post offices and post office savings banks, so this increase of expenditure cannot be looked upon as unreasonable. On the Census there was an expenditure of \$125,637. That is a service the Government had to perform; and I do not hesitate to say that the hon. Minister who has it in charge has performed it, during the last year, upon terms much more economical than in 1871. Then for the Militia there was an increase of \$105,811. There may be some questions among hon. members of this House as to the expediency of increasing that expenditure; but for several years previous to 1879 it was reduced, and it was decided, last year, to increase it, and Parliament will probably be asked for a still further increase for this service. Though questions may be raised as to the expediency of this step, yet I believe that, considering the magnitude of our country and the position we occupy as a Dominion, and considering the diminution of this expenditure during four or five years previous to 1879, Parliament and the country will justify the expenditure. Then Public Works shows an increase of \$284,674. For two or three years past we have not expended so much on this branch as in 1874, 1875, and 1876. The expenditure for public buildings, post offices, custom houses, &c., in various parts of the Dominion has been considered by both parties the duty of the Government, when the state of the public funds would permit it. With reference to Indians, on which service there has been an increase of \$378,317, I admit that the expenditure has been large. But I would ask whether any hon. member of this House would prefer the state of affairs we now see in the neighboring Republic, or have the Government deal honestly and liberally with the Indians, in order that we may avoid these difficulties. Therefore, Sir, though it may be regretted by every hon. member of this House on both sides, that it becomes necessary that increased expenditure should take place, I am satisfied not one will object as it is necessary to the development of the North-West. In the Post Office Department there has been an increase of \$103,909, to which is to be added \$30,000 or \$40,000 for expenditure properly belonging to last year. This would increase it to \$150,000, against which we have an increase of revenue of \$200,000;—the difference between the receipts and the expenditures for the last year in the Post Office Department. Notwithstanding our expenditure in the North-West, which I will not call extravagant, but expensive, it was less last year than it has been in any year since 1874-75. Then, with reference to Public Works and Canals, the increased expenditure was \$189,847; but I have the satisfaction of being able to state that there was also increased business on the road, and that that increased business gave us increased revenue, from which came that \$189,000. It, therefore, involves no taxation upon the people, and it shows that our railways are doing more work, giving us greater returns, and costing us nothing more than before. Out of \$1,500,000 of increased expenditure, I have named articles covering \$1,484,000; and I am sure the House will say, under these circumstances, that there is a very small portion of that \$1,500,000 of additional expenditure to be added as taxation upon the people, and that the circumstances connected with it are of the most satisfactory character. Now, Sir, I pass to another consideration in connection with this expenditure. It is a common thing for our friends of the Opposition to point to this increased expenditure without giving the explanation regarding it. But I want to emphasize my explanation by this declaration: though the expenditure was \$1,500,000 more last year than it was the year previous, if we had simply

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collected what was necessary for the expenditure, and nothing more, the sum that the people would have been taxed, would have been 13 cts. a head less than would have been taxed for the expenditure between 1874 and 1878 had the late Government collected sufficient to pay the expenditure. I want that to be distinctly understood, because it is the measure of the taxation upon the people. As we find our receipts from our railways and post offices and other sources increase, so, of course, the expenditure must increase in the same proportion; but, unless that increase causes an increase in taxation, the people will not object, but will rather be satisfied to know that our country is prospering, and that the public works are in such a satisfactory condition. Now, Sir, I come to the receipts and the expenditure of the current year as under the amended estimate. The amended estimate, based upon the data we have at present, that is after eight months of the year have expired, is that we will receive from Customs, \$22,750,000; from Excise, \$5,900,000; from the Post Office, \$1,600,000; from Public Works, including Railways, \$3,000,000; from Interest on investments, \$800,000; from other sources, \$800,000—making a total receipt for Consolidated Revenue for the present year, of \$34,850,000. The expenditure on Consolidated Revenue will be \$28,850,000, leaving a surplus for the current year of \$6,000,000. Now, Sir, we also estimate that we will receive from our lands in the North-West as large a sum during the fiscal year as during last year, \$1,750,000, making, altogether, a surplus during the current year of \$7,750,000. We will probably receive from savings bank deposits during the year, \$5,250,000. Now, what have we to meet? We have a probable expenditure on the Pacific Railway, on the Intercolonial Railway, on our Canals, and on the Surveys in the North-West, of \$12,500,000 this year. We have to redeem maturing liabilities—and at this moment they are nearly all redeemed—to the extent of \$7,000,000. With the surplus that is estimated, with the proceeds of the lands, with the money that we receive as deposits of the people in the savings banks, and the balance in our hands, deposited in the banks on the 1st of July last, added to these sums, we will have ample to pay all. If, under any circumstances, anything should occur to diminish the deposits in the savings bank, which is very doubtful, judging from the amount we have received, a loan of two or three million of dollars in Canada would be taken up readily—because there are enquiries in every direction for our securities. So that, under existing circumstances, we will not require to go abroad for one dollar, but will be able to meet everything in the way we propose. Sir, there is a very considerable increase for the current year. The increase was \$1,500,000 last year, and I doubt not that by the time the Supplementary Estimates are brought down, and some important undertakings provided for, that the expenditure this year will be \$1,800,000 more than last year. Now, let us see Sir, what the items are that compose that \$1,800,000. I will state the most of them to the House. There is an increase of \$500,000 to the expenses of the railway during the current year—\$500,000 the hon. Minister asks over and above the sum voted the last Session of Parliament. That would be a very important item if we had nothing on the other side; but it is quite clear that the revenue will increase over and above the estimated increased expenditure of \$500,000 during the present year—that is, the expense of working it will increase, owing to the increased business, but the increased revenue will be ample to meet it. This is what we are able to state from the results of the eight months that have already expired. Under these circumstances, it will be readily seen that the \$500,000, though it adds to the gross expenditure, adds not \$1 to the taxation of the people. Then with reference to the Indians, \$200,000 is asked for in order to meet the expenses I have referred to. We hope by-and-by, with

our large Indian reserves, with the instructions that are being given our Indians in agricultural pursuits, they may be induced to settle down and cultivate the lands, and cease to be, to a great extent, a charge upon the Dominion of Canada. But, as I stated with reference to the expenditure of the past year, it becomes a question whether we shall expose ourselves to the difficulties to which I have referred or whether we shall humanely spend an additional sum of money for this purpose, and avoid the difficulties which we might, without such expenditure, anticipate. Then there are \$32,000 this year additional for the service of Immigration. I think probably that may amount, with the Supplementary Estimates, which are to come down, to \$50,000; but, when we look at the prospects ahead, when we consider the indications that are already given, that we are to have, during this spring, a very large immigration indeed, and that the sum expended on immigration last year, as compared with the number of immigrants that came into the country, was very small, and that the expenditure this year, as compared with the number of immigrants that arrived in the country, will be only one-third of what it was in former years—there is not an hon. member in this House on either side, who will object to an additional expenditure of \$50,000, if it results in bringing men and women into the country to settle here and make it their home. Then, in reference to Canals and Telegraphs, we shall have expended \$50,000 extra this year. That has been found necessary with reference to the repairs of canals and the extension of our telegraph system—telegraphs on the coast, telegraphs in the North-West, telegraphs in British Columbia; and as the means of communication by telegraph becomes an absolute necessity in these days for the economical management of our commerce, no hon. member, I am sure, will object to an increased expenditure in that direction. Then we have, in the current year, \$150,000 which was appropriated by Parliament last Session, for a bounty to the fishermen. That, of course, was voted by the House and accepted, and it is considered, I am satisfied, a wise, a judicious, and a just contribution to the fishermen of the country. Then we have \$130,000 spent for the Census, over and above the expenditure last year. The expenditure last year was \$100,000 and upwards, and the expenditure this year is \$130,000 in excess of that. There can be no objection to that, knowing that it is being economically expended. Then we have, for the North-West Mounted Police, an increase of \$123,000. The right hon. the leader of the Government stated in the House last Session, the reason why it became necessary to increase that force. Parliament sustained it, and this increased expenditure is the result of the action of Parliament. Then, with reference to the Post Office, \$100,000 will be the increase during the present year, and we expect an equivalent in the shape of additional income from it. Then we have General Election expenses, \$175,000. That might have been postponed, Mr. Speaker, for another year, but I think the majority in this House will say it was money judiciously expended. Then there are the subsidies to Provinces. That is the result of the action of Parliament, and became necessary under its action. There is \$150,000 increased expenditure on Public Works. I venture to say that there is scarcely an hon. member of this House but will sustain the Government in that expenditure, unless, perhaps, he thinks his locality is neglected in its apportionment. When I made the statement that, whenever the means of the country would justify it, these buildings were to be erected, I observed that there was a very general response. These items amount to \$1,665,000 of the \$1,850,000 which it is supposed will be the increased expenditure of the present year, and but a limited portion of that will be in the shape of taxation on the people. Taking the expenditure of this year based upon the Estimates I have just stated, and taking the population as a basis, the sum the

people require to be taxed to meet it, is but 1 ct. per head in excess of the average from 1874 to 1873, and that notwithstanding we have spent \$30,000,000 on railways and other public works since 1878. So much with reference to the increase and expenditure of last year and this year. I desire now to come, before I refer to the next financial year, to a few points that I think, after consideration, I will be justified in calling the attention of the House to. It has been the policy of the Government, ever since 1879, to present, in the financial statement to Parliament, the facts which, in their judgment, justify the policy known as the National Policy. From 1879 down to the last Session, and including last Session, we laid before Parliament facts that, in our judgment, could not be gainsaid, to show that the policy was a sound policy and a policy in the interests of the country. To show, at the same time, that the fears that were expressed by hon. gentlemen opposite were groundless with reference to its effect, I might on this occasion rest the cause of the Government upon the verdict of June last; but I think it is better to go on year after year, not relying upon that verdict, but, as the evidence accumulates, laying it before the House in order that the public may have it and understand it, and in order that they may become even firmer, if need be, in their faith in the policy than they showed themselves to be in June last. Under these circumstances, I desire to submit a few facts for the consideration of the House which, in my judgment, justify that policy. Although I may be travelling over to some extent the ground I have gone over on former Sessions, still there is an accumulation of evidence. I may not occupy so much time as last Session, when, because I made my speech a little longer than usual, hon. gentlemen said: "We are going to have an Election." I do not desire now to go into the details so minutely, but I desire to point out some of the leading facts, and, as the hon. leader suggests, get ready for another Election. I will take up a few statements made by hon. gentlemen opposite in 1879 against this policy. One of them was that it would make the rich man richer, and the poor man poorer; that it really was a system of taxation that was to bear especially upon the poor man, but the rich were to be benefited by it.

Mr. MACKENZIE. Hear, hear.

Sir LEONARD TILLEY. Well, hon. gentlemen opposite say "hear, hear." I will only state one or two facts. I have stated them before, but they are made stronger year by year. What are they? What is the evidence that is unmistakable as to the position of the poor man, the working man, taking the masses of the people who have necessarily to work for their living? What is the result? From 1874 to 1878 inclusive they only increased their deposits in the savings banks by \$2,300,000, in 1875 and 1876 they were absolutely less than the previous years, and, in 1877, were increased, by the fact that a disastrous fire took place in the city of St. John, and the parties who obtained their insurances could not get 3 per cent.—no, nor 2 per cent.—in the banks of New Brunswick, and so deposited them in the savings banks as they could do then without limit. The large portion—I may say the whole—of the increase of 1877 was due to policy holders, who had received their insurances placing them there, not requiring them immediately. But including the increased deposits of 1877 and 1878, the increase in five years was only \$2,300,000, or practically about the interest that was added to the principal, whereas during the last four years they have deposited, in excess of the sums withdrawn, \$13,000,000. And, what is more, the deposits in the banks, which were \$66,406,516 in 1873, were \$96,879,544, on the 31st December, 1882—an increase of \$30,473,028 in four years. Now, here we have \$43,000,000 increased deposits, and is not that a proof that the masses of the people of this country are in a better position than

they were before, when, in five years, they could only lay by, including interest, \$2,300,000 in five years? I think it is needless for me to say any more to establish that the country is better off now than it was then; that men are earning better wages than they were then receiving, and that they are employed wherever they require employment. Their surplus earnings are shown by the returns of the banks, and their purchasing power by the quantities of goods they have used in this country, both imported and manufactured; this should be a sufficient answer to the fears expressed by the hon. gentlemen at that time. Now, Sir, that was one fear they expressed; what were some of the others? Why? That trade with Great Britain, under this policy, would diminish, and trade with the United States would increase; and we were charged with being disloyal, because we introduced a policy which would inevitably produce that effect. That was stated here distinctly on the floor of this House, and given as one reason why this policy should be rejected. What are the facts? They are simply these: that last year the imports from Great Britain were \$13,000,000 more than they were in 1878, while the imports from the United States were between \$300,000 and \$400,000 less than they were during the same period. Now, Sir, there is another important feature connected with this matter. I think my hon. friend from Lambton undertook to represent, after the first year's operation of our policy, that the duties on English goods had increased in a greater ratio than the duties imported from the United States. I have the imports of last year before me, and what do I find? I find that the duties on goods imported from Great Britain have increased  $2\frac{1}{2}$  per cent. as compared with the year 1878, while the duties on goods imported from the United States have increased  $4\frac{1}{2}$  per cent., and it must be borne in mind that of the goods imported by us from the United States, a very considerable portion now consists of raw cotton—and that there has been a very large increase in that article—200 per cent. or something of that kind—and that we in 1878 imported a large portion of our sugar from the United States, which likewise tended to increase the rate duty. Now, the nature of and limited value of these importations from the United States clearly shows that, so far as the present Tariff is concerned, it is indirectly in the interests of the British manufacturers, as compared with the manufacturing industry of the United States; and, therefore, the fears of my hon. friends, upon this subject, may also be dispelled. Confident as we were that this policy would, to a large extent, establish an equilibrium between our imports and exports, fear was expressed that our expectations would not be realized. And the hon. leader of the Opposition, in the remarks that he made on the Address in reply to the Speech from the Throne, drew attention to the absence of any reference to this subject in that Speech. Well, let me say for his information—he may, however, in looking over the papers, have ascertained it already—let me say to him, and to this House, that the present Tariff has had, very largely, the effect we anticipated. From the year 1867 to 1871-72, being the first four years of the Union, the difference between the exports and imports averaged \$12,250,000 per year; during the second four years, it averaged \$36,000,000 per year; in the third four years, it averaged \$15,000,000 per year, and during the last four years, that is from 1878 to 1882, the average was \$8,333,333. It will, therefore, be seen that our policy has had very considerable effect in establishing an equilibrium between income and expenditure. Now, Sir, there has been some anxiety manifested in the country, and I think it was also manifested by the hon. leader of the Opposition, with reference to the effect that must necessarily be produced if our exports are not equal to our imports. I think I gathered from him that he had grave doubts as to the early future of our country if that state of

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things continued. If I am correct in my recollection of the views he expressed upon that occasion, he differs from some of the hon. gentlemen who sit near him, because I have heard them state in this House that the greater the difference between imports and exports, the greater evidence was there of the increased wealth of the country. From the discussion that has taken place upon this subject, it will not be expected that the Government should entertain that view. The opinion has been expressed through the press that, owing to our increased imports, a commercial crisis is not far off. I have thought it my duty, occupying the position I do, to enquire into this matter, and to see whether during the last four years there has been any evidence of the approach of such a crisis, arising from this cause—that is in the demand for exchange or in the facilities or means of paying for these imports. Now, Sir, we had to provide during the last four years, not only \$33,000,000, but we had to provide for exchange to the amount of \$32,000,000, interest on debt and sinking fund—these items amount to an average of about \$8,000,000 a year—and, of course, it is quite proper for us to consider whether or not we are in a position, and have been in a position, for the last four years, without creating embarrassment with reference to exchange in making payments on the other side of the Atlantic. Are we in a position, and have we been in a position to meet this amount without any difficulty whatever? I am satisfied, Mr. Speaker, that we have been able to do it without embarrassment or difficulty. You add the \$32,000,000 transmitted during the four years to the \$33,000,000, the difference between the imports and exports, and you have \$65,000,000. How has that been met? There are certain data of a reliable character that we have, and from it I am satisfied that this amount has been met without any difficulty whatever. In the first place, the Government of Canada have floated loans to the extent of \$8,000,000 in excess of payments that at the time had to be made on the other side of the Atlantic. That \$8,000,000, of course, was available for exchange, or was brought into the country in gold; then, in addition to that, we had \$4,500,000 paid as the Fishery Award: that is \$12,500,000. We had, belonging to the Dominion of Canada, about \$30,000,000 worth of shipping engaged in foreign trade. It is but a low estimate to suppose that \$30,000,000 yielded 10 per cent. to the owners. Every man who is interested in shipping will say that that is a ruinous return, considering the depreciation in the value of the vessel; but taking that as the basis, it shows a return in the shape of exchange payments made for freight earned abroad, of \$3,000,000 a year. In four years that amounts to \$12,000,000. Then, during the four years, we exported in lumber, grain, and other products of Canada, \$350,000,000 worth. There has been expended in the disbursements, 5 per cent. on the value of the cargo, that amounts to \$17,500,000. Then, Sir, there has been about \$1,500,000 received on insurance—on vessels which have been lost during that period. Then we have sales of Provincial Government bonds, and capital stock of the Canadian Pacific Railway, that was paid by persons residing outside of the Dominion of Canada, making altogether about \$15,000,000. It was stated, either by the mover or the seconder of the Address in reply to the Speech, that the money brought into the country by immigrants during the last year amounted to \$10,000,000; but I take a low estimate, and I will fix that item at \$10,000,000 for the four years. Having provided for the payment of interest and sinking fund, and the exchange necessary to pay for the difference between imports and exports—we have, on these items alone, \$3,000,000 or \$4,000,000 in excess of the sum necessary. Under these circumstances, I think our fears as to the future may also be quieted, provided we can keep, as we hope to keep, by this policy, the ratio between imports

and exports nearer than they were from 1871 to 1878, or even from 1867 to 1871, or from 1874-75 down to 1879. This, I say, will be the case if we can keep the proportion where it is; and I do not hesitate to say that I, for one, do not look upon a very large increase of imports as an unmixed blessing. If the people are in a position to consume the goods which come into the country—if they have the purchasing power, it is an evidence of their wealth. But my hon. friend the leader of the Opposition called the attention of the House to a remark which I made to a personal friend—a merchant of St. John—and I suppose I repeated it in public afterwards—to the effect that if I were his age, and engaged in business, I would put on the whole of the canvas I could carry for ten years, and then take in sail. I believe, from the fact that we are opening up and developing the great North-West country, from the fact that the population coming into the country at the present time are bringing in a large amount of money for investment, from the fact that, last year, we had of the value of imports over \$1,000,000 of settlers' effects—and which will be increasing, and which, of course, does not create any difficulty financially—from the fact of the large expenditures in the North-West, I hold that the return of the pendulum—which always does come back—will be deferred, and that we have seven years of prosperity before the country. If, Sir, our business men are not carried away by this success and prosperity—if they do not import over and above what the requirements of the country absolutely demand, if they do not, in their anxiety to do business, trust men who will fail and not pay them—then, Sir, I say there will be no difficulty whatever, in my judgment, for the next seven years, with reference to the commercial condition of the country. So I hold that the fear which was entertained and declared that we would not be able to establish the equilibrium between the exports and imports must to a certain extent have been dispelled, because there were \$8,333,000 as compared with \$12,000,000 for the first four years; \$36,000,000 the second, and \$15,000,000 the third, which shows, that with the prosperous times of last year, and the large importation which took place, the balance was only \$8,333,000 against us. Therefore, their fears on this point ought also to be dispelled. Then, Sir, it was stated, that this policy being at variance with the policy of the Mother Country, it would create a bad feeling there, and the result would be that Great Britain would be anxious to throw us off in her indignation. Not only so, but it was said that it would affect our credit abroad. Well, Sir, has it affected our credit? I cannot see that it has. Year by year our position is becoming better. As I stated on a former occasion, in 1879, our securities were 4 or 5 per cent. below those of New South Wales, which stood at the very top of the list. To-day, we are 2 per cent. above them. We are further in advance than we were twelve months ago. Hon. gentlemen may say that this is caused by the cheapness of the money, but that would not account for the difference between the two cases. Let me give some of the reasons why our securities stand where they do to-day. This policy of the Government which is securing a handsome surplus from year to year, has, in the first place, given confidence to the investors, and what has it done besides? Where would our securities have been to-day, if, considering that during the last four years we have spent \$36,000,000 on Capital Account, and that during the same period we have redeemed \$20,000,000 of debentures and other securities falling due—if, instead of having the surpluses we have had—if, instead of having increased the earnings of the people placed at the disposal of the Government—if, instead of having \$1,750,000 paid in yearly from the proceeds of our lands—if, instead of this state of things we had had deficits, and our savings bank depositors nearly stationary, we would have been compelled to go to the Eng-

lish market for \$10,000,000 a year, and ask the capitalists of that country to take our securities for that amount—I ask where would our securities have stood in that case? We would have stood as to New South Wales, as we did before. Whereas, to-day, we occupy the proud position of being at the head of all colonial securities in the English market. We are likely to stand there, because, apart from our maturing liabilities—\$25,000,000 in 1885, and \$10,000,000 which we have taken up and will be taking up, the next three, or four, or five years—if we can have a surplus of three or four millions a year, and saving deposits of a like sum, we will not from this day to the finishing of the Canadian Pacific Railway, require to go to the English market, except to replace those liabilities which mature; under those circumstances, hon. gentlemen can easily understand that our securities will continue to maintain a good position. But if we had not a surplus, if we had not this money paid in by our people out of their savings and had to go to England to ask for these loans we would soon see the effect. Our credit has not been injured; and every hon. gentleman knows that our position to-day—in the estimation of our fellow countrymen in the fatherland—stands higher than it ever stood before. Then, Sir, there was another fear expressed by hon. gentlemen opposite. It was said that the imposition of a duty upon agricultural products, necessitating their being bonded in their passage through Canada, would interfere with our trade—that is, it would diminish the value of the foreign exports, and this it was not desirable to do. One hon. gentleman, who is not now in this House, pointed out how large a sum of money was paid to the railways and forwarding companies for the transmission of American products to the ports of the Dominion of Canada for shipment, and he made out apparently a strong case. His arguments would have had a great effect if his conclusions had been justified by the facts. But it was found that measures were taken by the hon. Minister of Customs, by which very little difficulty occurred in the transmission of the products of the United States through Canada. It was found that there was a large increase in 1878-79, and 1879-80, but in 1881 a falling off, as compared with 1879-80, and hon. gentlemen opposite called the attention of the House to that fact. I understand that a very large falling off in the exports of the natural products of this continent, both in the United States and in Canada, occurred. But I may state here that, during the past year, there has been an increase of nearly \$1,000,000 in the exports of American products from the Port of Montreal alone, and the quantity would have been much larger had it not been for the failure of the corn crop, which affected the exports from the American ports as well. The falling off in the exports from Canadian ports has been in the same proportion as the falling off at American ports; but had it not been for the failure of the Indian corn crop, the exports would have been as large as they were in any year from 1879 to the present—except one. It is quite clear, however, that up to the present time there has not been a falling off, but an increase; but that increase has not been as large during the last year or two as it was for the two years previous. The Government have always been exceedingly anxious to encourage this trade. They would have hesitated a long time before taking any steps that would diminish the volume of trade going from the ports of the Dominion. Our whole policy, the policy of both Governments since 1867, has been to do everything that the means of the country would justify to afford increased facilities to the shipping coming to and going from Canadian ports. Since Confederation \$1,200,000 have been expended in establishing lighthouses, fog-whistles, &c., in order to give additional security to our shipping; and the expenditure for the maintenance of these has increased \$250,000 a year since Confederation. These figures

show that every Government, and every Parliament, have been fully alive to the importance of this matter; and it is probable that before Parliament rises there will be an application to the House for further aid in this direction, in order that we may secure a larger proportion of the export trade of the United States, if it is possible to secure it. There can be no doubt as to the policy of the Government on this question, when it is remembered that it has been the policy of the Government, in legislating for the Canadian Pacific Railway, to direct the trade of the great West, during the summer, through Montreal and Quebec, and during the winter, through the open ports of the Dominion. The House may rest assured that no step will be taken by the Government that will in any way diminish the extent of the exports of the United States, or of our own country, from our own ports. Then, again, Sir, it was said that this Tariff would not prove to be a Protective Tariff; and that if it did prove to be a Protective Tariff, it would not be a Revenue Tariff; that we were on the horns of a dilemma, and must fail one way or the other. Is it necessary for me, Sir, to produce any data to show that it has been a Protective Tariff? Well, I think I will, because before this discussion closes, I have no doubt that, because the increased purchasing power of the people of Canada has been such that they have gone on largely increasing the consumption of imported and Canadian manufactured goods, some hon. gentleman opposite may argue that this is an evidence that this Tariff has failed to be a Protective Tariff. I have a few figures which I think it is important to give, in addition to the evidence that must have come to the attention of every hon. gentleman, no matter where he has gone throughout the length and breadth of the Dominion. If his eyes were open, he must have seen new industries arising, large extensions being made to existing industries, and a largely increased population engaged in them. In 1877-78, the quantity of wool imported into Canada for manufacturing purposes, was 6,230,081 lbs., against 9,646,684 lbs., in 1881-82, an increase of 50 per cent., besides an increased consumption of our own wool. The raw cotton imported, in 1877-78, amounted to 7,243,413 lbs., against 19,342,059 lbs., or an increase of over 175 per cent. Nothing can show more accurately the increased manufacture of cotton goods, than the extent of the imports of raw material, because we produce no raw cotton in the country. With reference to hides. In 1877-78, the value of the imports was \$1,207,300, while, in 1881-82, the value was \$2,200,000, an increase of nearly 100 per cent. Then the consumption of coal is a very good test of the extension of machinery driven by steam. In 1877-78, the consumption of coal, not including British Columbia, was 1,665,401 tons, and, in 1881-82, 2,525,297 tons, an increase of 859,896 tons. That shows the extent of the demand for the article that is necessary to create the power to drive the machinery of our various industries in Canada. Then we have another test. Go where you will, my experience has been that the manufacturers of machinery are full of orders—so full, in fact, that they are unable to supply their customers, who are, therefore, obliged to order from the United States in some cases. Wherever we go, we find the manufacturers smiling, and looking perfectly satisfied with what they have to do. In 1877-78, the value of the machinery imported into Canada was \$283,633, while, in 1881-82, it was increased to \$2,194,446, an increase of nearly 700 per cent., besides the greatly increased quantity of machinery manufactured in the country—which gives unmistakable evidence as to the increase of our manufacturing industries. As to our friends fears about the progress of our manufacturing industries, I think that fact ought to be sufficient to quiet them. It was also alleged that the Tariff would increase the price of coal, and would not promote the development of the coal beds of

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Canada. In 1879, I stated that the opinion of the Government was that in four or five years the quantity of the coal raised in Canada would increase 400,000 tons. Within four years it has increased between 500,000 and 600,000 tons. It is, therefore, evident that this policy is developing the coal beds of the Dominion. I may state that the indications are, in Nova Scotia alone, at two points within a short distance of the coal mines, the consumption of coal this year by two manufactories will be 70,000 tons in excess of that of last year. I think this is pretty good evidence that, as far as the development of this particular industry is concerned, the policy has been a success. Then, again, there was another industry the Government stated it was their policy to encourage—the reestablishment of the refining of sugar here, and the restoration of our sugar trade with the countries of produce. We had lost our direct trade with the sugar producing countries to such an extent that, in 1877-78, but 6 per cent. of the sugar consumed in the Dominion came direct from those countries. That has been changed. Last year 87 per cent. of the quantity consumed came direct from the sugar producing countries. That shows pretty clearly, I think, that we have reestablished our trade with the West Indies. It was said, however, that this policy would put millions into the pockets of a few rich men, the sugar refiners, and give employment to a limited number, but would cost the people in the increased price of sugar so much money that it would be better for them to pay the board of the men who were to be engaged in those refineries rather than depart from the old system. Now, I have in my possession a carefully prepared statement of the value of refined sugar in New York and the Dominion, at stated periods in every month during the last year; and, according to that statement the consumers of Canada had their refined sugar—this table applies particularly to granulated sugar, but it is still stronger with reference to the other sugar—at a saving to them of 67 cts. per 100 lbs. during the last year. If that be the case, and if but 100,000,000 lbs. of refined sugar were consumed in the Dominion, that would represent a saving of \$670,000. It may be quite true there was some deficit in the revenue as the result of this; but take a-half off the amount and put it into the revenue, and you have still a very large and handsome sum saved by the people of Canada. In addition to the building up of this important industry, and the reestablishment of our trade with the sugar producing countries, we give employment directly and indirectly to thousands of people besides fostering an industry which the Government and Parliament thought it was highly desirable should be restored. The results, in my opinion, are so satisfactory that hon. gentlemen opposite who opposed this policy will have now to abandon their objections.

Mr. PATERSON (Brant). Will the hon. gentleman give the figures in New York and Montreal?

Sir LEONARD TILLEY. I shall be very happy to do so. I was not in this House in 1874, but I read the Budget Debate. The then Finance Minister expressed regret that there was no ex-Finance Minister to reply to his Budget Speech. Considering the reply he obtained from a gentleman who was not an ex-Finance Minister, I will not venture to say anything of the kind on this occasion, because I may find that I may meet a more formidable opponent than I did formerly. I am sure I will meet a much more courteous one, as I understand the hon. gentleman who has just put me this question is to reply. I will give the hon. gentleman the figures he has asked for. It was said that our Tariff, if it was successful as a Protective Tariff, would not give a revenue. Well, the trouble is now, that, in their estimation, it produces too much revenue. I have a few facts to give to the House which are very remarkable and important, as far as the producing power of

the Tariff is concerned. I have jotted down here a few of the articles, some fifteen or eighteen items, on which we received, during the last year, an increased revenue of \$6,689,000, as compared with 1877-78. They are worth giving to the House. On wines we received, last year, as compared with 1877-78, an increased revenue of \$195,977; on spirits, Customs and Excise, \$1,237,635. I am happy to say that this is not altogether an increase in the consumption, but an increased duty tended to produce this result; otherwise we might view it with more regret. On tobacco and cigars, Customs and Excise, the increase has been \$364,000; on silks, satins and fancy goods, \$731,000; machinery, \$498,000; on products of the farm, the increased revenue, as the result of this policy, on agricultural products brought from the United States, is \$532,000; fruit, green, \$57,000; dried fruit, \$91,000; from linen, on which the increase of duty was but 2½ per cent., we have received an increase, revenue of \$152,000 over 1878, showing, in a marked manner, the increased purchasing power on the part of the people; furs of manufactured, \$63,000; jewellery, \$68,000; watches, \$74,000; manufactures gold and silver, \$53,000; glass, plate and plated manufactures, \$143,000. Here is the astounding fact that, notwithstanding the increased manufactures of cotton in the Dominion, and that the quantity of raw cotton thus consumed here was increased by 200 per cent., imports were greater last year than in 1878, of the description of cotton not made in the country; and the amount of duty collected was \$1,230,000 over that collected in 1877-78, notwithstanding the vast increase in our cotton mills. On the finer descriptions of woollen goods, the increased revenue is \$1,189,000, making an aggregate increase of \$6,689,000. Of this a large portion has been on articles which are certainly not the necessities, but the luxuries of life, which people consume when they have the means to do so. We, therefore, see how it is that this Tariff, which has given increased employment to an increased number of men and women in the country, has really produced a largely increased revenue, owing, to a very great extent, to the present prosperous and happy condition of the people. May I say that there has never been a period in the history of this country, when taxation was paid more cheerfully by the people, than the present. We do not hear any grumbling about the rate of taxation; on the contrary, as long as men are prospering, as long as they have money in their pockets, as long as they have plenty of employment—and it is the duty of every Government and the representatives of the people to see that the masses, as far as possible, have these—they are in a contented condition. Sir, this, to my judgment, establishes pretty clearly that the Tariff has proved itself not only protective, but beyond doubt, a revenue-producing Tariff. Our friends on the opposite side say: a Tariff producing more than is absolutely necessary. I think I have answered the several objections raised by hon. gentlemen opposite in 1878. A great many more objections were made, and a great many more might be answered, but I will satisfy myself with these for the present. Now, Sir, I desire to call the attention of the House, before I take up the expenditure of 1883-84, to the changes that are proposed in the Tariff to be submitted in Committee. I may say that these propositions are submitted with the view, in the first place, of relieving the country of \$1,000,000 or \$1,250,000 of taxation; and, in the second place, they are submitted so as to give, wherever we can, what we felt we could not safely give in 1879, because the Tariff was then to some extent an experiment. Articles that were raw material to a manufacturer, in some cases, was subjected to a duty of 10 per cent., though it was not produced in the country. We did so because we were not quite sure that the operation of the Tariff would give us all the revenue we desired. But finding that it gave us more than we wanted, we proposed, last Session, and now we continue that policy, to take off

the 10 per cent. duty—or duties analogous to that—and on goods that are not manufactured in the country, and we give the raw material to the manufacturer free, in order that he may have the benefits and advantages of this. We would have taken that course in 1879, had we felt quite certain as to the effect to be produced. But more than that, we find that our enterprising neighbors to the south of us have made up their minds that, if such a thing is possible, they will have for their manufactures the market of Canada at any price. Circulars are being distributed with reference to certain articles, and we find by them that if they could choose certain manufactures and obtain our market for a year or two they could have the market for themselves, and they are making an effort to get it. Therefore, it is that wherever we find from past experience that the competition is sufficient among our own manufacturers to give us an article as cheap or cheaper than it was before, we propose to ask Parliament that the market shall be largely retained to these manufacturers. We have taken some time to consider certain cases, and we can afford to wait a year in order to ascertain results with reference to some of the industries, and in regard to these we are not prepared to ask the House to make a change at present; but in others, where we are satisfied that we have produced articles in the past at a lower price, or at as low a price, as they were produced before this Tariff came into operation, we propose to ask Parliament to protect these men from the sharp competition from outside. I take up the Free List in the first place. We propose to add to the Free List, agates, rubies, pearls, sapphires, emeralds, garnets, opals, not polished. Aniline dyes are now on the Free List, but we propose to make a change, and it is this: That all aniline dyes in packages over 5 lbs. shall be free. A large quantity of this article is imported into Canada in small packages, and we are adopting precisely the same principle with reference to this article that we did with reference to garden seeds put up in small packages. Under this arrangement the paper comes in free, and the labor also is untaxed; we propose that all packages of less than 5 lbs. shall be subjected to 10 per cent. duty. Celluloid in sheets, lumps or blocks, dry colors, metallic oxides, cobalt, zinc and tin, are also added to the Free List. Diamond drills for prospecting for minerals: these are frequently brought into the country and have been subjected to a duty. They were brought in by men who were prospecting for minerals, and, therefore, for the purpose of developing the mineral resources of the country, and we ask Parliament to declare that they shall hereafter be free. Dye, jet black, feathers, plush of silk or cotton, that formerly paid 10 per cent., are put on the Free List. Kainite or German potash salts for fertilizing: these are used in our manufactures, and have been paying 20 per cent., and it is proposed to admit them free. To lumber or timber—add gumwood; this description of wood is now imported from the United States by our sewing machine manufacturers, and as it cannot be had in the Dominion, we propose to put it on the Free List. Then, as this is a paternal Government, and a Government that looks after the smallest interest of the country, we propose that sawdust shall be free—sawdust of certain wood, of walnut and various other woods, because sawdust now pays 20 per cent. duty as unenumerated article. It is used in the manufacture of various articles, being mixed with some other material, and is to some of our manufacturers an article of importance, and, therefore, we propose to make it free. Hickory sawn, in shape for spokes for wheels, but not further manufactured, and natural mineral waters, to be free. Then, in regard to settlers' effects. Formerly a settler coming into the country paid duty on musical instruments, sewing machines, live stock, carts and other vehicles. It is now proposed that

all these articles when brought in by a settler and having been in use one year shall be free. Asphaltum, which paid 10 per cent., to be free. Now I come to a proposal that has elicited as much attention outside of Parliament as almost any subject that has been referred to in the last four years—that is the question of duty on books. A very strong pressure has been brought to bear on the Government to admit books for scientific institutions, for free libraries, and for educational institutions, free. The proposition was, that all books not made in Canada, nor likely to be made here, should be admitted free. The Government found it was not possible to adopt that proposition, because it could not be expected that the thousands of collectors all through the country, should know whether the books imported were made in the country, or likely to be made here, and it was impossible, therefore, to impose upon them this duty, intelligent and capable men as they undoubtedly are. We could not say that all books should be admitted free, because the manufacture of books and the printing industry of the country are important interests. We stated distinctly when we imposed a duty of 15 per cent., as against 5 per cent., that it was for the purpose of encouraging those industries in the Dominion, and, after giving the matter a good deal of consideration, we did not see that we could agree to the proposals made; but it was a question with the Government how far we could deal with the subject practically, in order that their wishes might be met in part, if not in whole. Under these circumstances, we decided to submit the proposition which I shall have the honor to present to the House. Free libraries asked to have their books free, this granted, individuals, who did not live in the neighborhood of free libraries, would, of course, feel it a great injustice to be compelled to pay 15 per cent. duty. We felt that we could not ask exceptional legislation, otherwise there would be a grievance. And, therefore, we propose—and it will involve the loss of \$50,000—that books bound, printed over seven years, or printed by any Government or scientific association and not for trade, shall be free. This will cover, perhaps, half the import of books, the duty collected last year being about \$100,000. It will cover books in the dead languages, reference books for libraries, a large portion of the books required for educational institutions; but when people wish to obtain the novels of the present day they will be required to pay 15 per cent.; and this will retain in the hands of the book publishers of Canada the publication of such books as they have been publishing. A gentleman said to me the other day: "If you lay down the principle that books not published in Canada shall be admitted free, what would I, an author, do? I would go to the United States and have my books published there, and bring them in duty free. I would thereby have both markets, and there would be no inducement for me to have my books published in Canada, but, on the contrary, there would be an inducement to go to the United States and publish them there."

Mr. MACKENZIE. Did I understand the hon. gentleman to say that all educational books would be admitted free.

Sir LEONARD TILLEY. No. Books of every description printed over seven years.

Mr. MACKENZIE. I understood the hon. gentleman to say that books used in educational institutions would be admitted free.

Sir LEONARD TILLEY. No; that was objected to. Chronometers and compasses for ships, free. Copper in sheets, formerly 10 per cent., free. A good many manufacturers use it very largely; we imposed a duty of 10 per cent. in 1879, but it is now proposed to admit it free. Iron and steel, old and scrap, free. Iron beams, sheets or plates, and knees for iron or composite ships, free. We are now building in Canada, and we will

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probably build more extensively in the future, composite ships with iron frames, iron beams, and sheathed with wood, and the iron that is imported for the purpose—because vessels so brought into the country would, if British vessels, under the Merchant Shipping Act, come in free—will be admitted free of duty. This is intended as an encouragement to the ship-building industry, and it is proposed to extend the time over which such articles will be admitted free for a period of three years, because we believe the time is coming when we will have sufficiently developed our iron industries so as to produce our own beams, sheets, and knees for iron vessels. I may say, while speaking on the article of iron, that it has been one of the most difficult questions with which the Government has had to grapple, because iron used in the larger portion of the manufactures of the Dominion, to-day, is a raw material; but the Government consider it so important an industry to develop that they are resolved to develop it if this can possibly be effected by any legislation or moderate encouragement, inasmuch as the value of iron when manufactured is mainly in labor, the labor of the country. From the time of mining the ore, excavating the coal, converting the coal into coke, until the operations are completed, its value, to a very large extent, lies in the labor employed, and it is therefore an industry of the greatest importance. The Government will submit a resolution to the Committee, that on and after the first of July next, and for three years, \$1.50 per ton will be paid on all pig iron produced in Canada during three years, and \$1 per ton during the next three years, as a bounty for the encouragement and development of this industry. Iodine, crude, is to be free. Marble in blocks, fifteen cubic feet and over, now paying 10 per cent., will be free; and sawn slabs, now paying 15 per cent., will be 10 per cent.: sawn slabs in the ordinary form, that is, sawn on both sides. Otto of roses will be free. Platinum wire will be free. Seeds, anise, coriander, fennel and fennugreek, will be free. Spurs and stiltis for earthenware makers; sausage skins or casings not cleaned; valerian root; wire of brass or copper, round or flat, will be free. Wire of iron or steel, galvanized or tinned, fifteen gauge, and smaller, will be free. There are industries in Canada at the present time engaged in the manufacture of iron cordage and rope. Cordage for ship purposes at present is free. The result is that while a duty of 15 per cent. is exacted on that description of wire, manufacturers were handicapped; and it is proposed, inasmuch as we are not likely to produce the finer wire of fifteen gauge and smaller, to admit wire used for the manufacture of sieves, and other work of that kind, duty free. Steel railway bars or rails, fish-plates and sheets for the manufacture of saws are all admitted free until the close of this Session; but as I have a proposition on this subject to submit further on I need simply say now that it is intended that from the close of the Session and afterwards that steel railway bars or rails, fish plates and steel for the manufacture of saws, shall be free. I now come to the articles the duty on which we propose to decrease. The first is buckram, which enters largely into certain manufactures, and now paying a duty of 20 per cent., we propose to reduce the duty to 10 per cent. Button covers 10 per cent. This will aid industries of the kind which are established here, the cover for the buttons being made 10 instead of 20 per cent. Coal dust to be 20 per cent. *ad valorem*, instead of specific. This article has been brought into Western Canada and used by manufacturers. Under the present Tariff, 50 cts. and 63 cts. a ton have been collected; if hard coal, the duty was 50 cts.; and if bituminous, it was 60 cts. This was a very large *ad valorem* duty on this article, which is used in certain industries in that section; and, therefore, it is proposed to change this duty to 20 per cent. *ad valorem*. Dried fruit, now 25 per cent., to be 20 per cent. Lamp black and ivory black, now 20 per cent., to be 10 per cent.

Lead, nitrate and acetate, now 20 per cent., to be 5 per cent., the same as dried white and dried red lead. Leather: lamb, sheep, buck, deer, elk, and antelope, dressed and colored or not, reduced from 15 per cent. to 10 per cent. This description of leather is used by glove makers. Kid, tanned, dressed and colored or not is now 15 per cent. This is also used in the same manufacture. Liquorice paste, now 20 per cent., to be 15 per cent. Marble in blocks, fifteen cubic feet and over, free, and under fifteen cubic feet, 10 per cent. Slabs, sawn on two sides, now 15 per cent., to be 10 per cent. Oil and enamelled cloth for trunk and valise makers, now 30 per cent., to be 15 per cent. Paper, union collar, cloth, now 10 per cent., to be 5 per cent. Precious stones: opates, emeralds garnets and opals, polished, to be 10 per cent. Spices, except nutmegs and mace unground, now 20 per cent., to be 10 per cent.; ground spices remain as at present. Tobacco and snuff, specific duty, reduced from 25 cts. to 20 cts. per lb. I may state here, that owing to the fact that the United States have reduced the Excise duty on tobacco and snuff, from 16 cts. to 8 cts. per lb., the Government found it an absolute necessity, for many reasons—though there are other articles on which they would rather relieve the people from taxation—to reduce our duty on tobacco made from foreign leaf, from 20 cts. to 12 cts., and from Canadian leaf, from 8 cts. to 2 cts. And as the amount obtained from Canadian tobacco is small, we propose to make the rules and regulations such as will be acceptable to those who are tobacco growers. Spirits of turpentine, now 20 per cent. to pay 10 per cent. It is proposed to make the duty on bells—except on bells imported for church purposes, which are free—30 per cent. Sometimes they are made of brass, and at other times of other material, and the rate of duty was fixed according to the material of which they were made; and, therefore, in order to obviate the difficulties which have arisen in the past, it is proposed that all bells, except church bells, shall pay a uniform duty of 30 per cent. Cloth of other materials than cotten or woollen, made uniform, 30 per cent. For the same reason, we find it necessary to deal with these articles to which I have just referred. Sometimes a difficulty arose with reference to the material of which a cloth was made. If part cotton and part wool, and in some cases, part rubber, a great deal of difficulty has arisen in the Department; and, in order to obviate this, a specific duty of 30 per cent. is imposed. Either sulphuric or nitric, 20 per cent. The question has arisen, whether these articles are subject to spirit duty, or non-enumerated; and in order to set this question at rest, it is proposed to make the duty 20 per cent. Clothing made waterproof, now, according to material of cloth—now 35 per cent. Jellies and jams, now as confectionery, 6 cts. per lb., specific. A difficulty has occurred in past as to the value of these articles, and it is proposed after a careful examination, to fix the duty at 6 cts. per lb., specific. Magic lanterns and optical instruments, now according to material, to be 25 per cent. The same difficulty has arisen, as to the material of which these articles were made, and it is, therefore, proposed to make the rate of duty clear, no matter what material is used in their manufacture. Nickel anodes to be 10 per cent., same as now charged. This is to settle a question which has arisen as to their class. Lubricating oils, the wording of the Tariff is changed. To avoid difficulties, the wording of the Tariff is now so made as to settle the rate of duty; but there is no change as to the rate which has been collected by the Department in the past. Vaseline and similar preparations of petroleum, in bulk 5 cts., and in bottle, &c., 6 cts. per lb. This is a case of the same kind.

Mr. BLAKE. What is the proposition about lubricating oils?

Sir LEONARD TILLY. It is simply to settle the question which has been raised; but the same rate of duty is now to be collected.

Mr. BLAKE. What duty do you fix?

Sir LEONARD TILLEY. It remains just as it was.

Mr. BLAKE. The hon. gentleman does not state what he proposes to do?

Sir LEONARD TILLEY. It is 25 per cent. Then pocket-books and purses. There has been a question whether or not they are under the heading: trunks and valises made of leather; and to settle this, they are added to that list, in order that the duty may be definitely fixed. I now submit an important proposition in reference to woollen cloth, which is to be charged as woollen clothing; dress and costume cloths, under 25 inches wide, and not weighing more than three ounces per square yard, to be 20 per cent. I call the attention of the House to this matter, because I think it is important. A great deal of difficulty has occurred all over the country in establishing a uniform rate of duty on certain classes of goods. In one locality, 7½ cts. per lb. and 20 per cent. would be collected, and, in another, 20 per cent., and this rate is fixed for the purpose of defining clearly the duties which are imposed upon these articles; and therefore the Department have fixed it in this way: that the article being 25 inches in width or less, and not weighing over 3 oz. per square yard, shall pay 20 per cent., while that which is wider—the class of goods manufactured in the Dominion of Canada to-day, and heavier—shall pay a higher rate of duty. This is a definite description by which our officers everywhere will be able to collect a uniform rate of duty. This is a matter of considerable importance, as hon. members who are in business will readily understand, and I am sure that the hon. Minister of Customs has experienced a great deal of difficulty in connection with this subject.

Mr. BLAKE. Does the hon. gentleman mean to say that the present rate of duty is maintained with reference to wider and heavier goods?

Sir LEONARD TILLEY. Yes; wider and heavier goods pay the present rate of duty; only narrow goods, under 25 inches wide, and light goods, pay 20 per cent. Recently the Government have had deputations waiting upon them, asking their co-operation in the protection of the game of the country, and the Government will ask Parliament to prohibit, for reasons which will be stated, the export of deer, wild turkey, and quail. In Ontario, so far as deer are concerned, and that is the Province most interested, Americans go in there and slaughter deer right and left, and if not checked will soon exterminate them. The Ontario Legislature have prohibited their export, but, at all events, it is more properly within the authority of the Dominion Parliament to deal with the prohibition of exports, and so it is proposed for the time being at least, to prohibit the exportation of deer, teal and wild turkey, and to impose a penalty in case of violation. Now, Mr. Speaker, I come to the items in which we propose an increase of duty. Acetic acid is a material which varies very much in strength, and in the United States a duty is imposed in accordance with the strength; but it is not imported in sufficient quantities to justify the Government in applying that expensive test. It is proposed to increase the duty from 12 cts. to 15 cts. The manufacturers of vinegar assert that this article, imported in strong condition, being reduced, enables the parties importing it to undersell them. As to other acids, the importers sometimes mix them, and in the same way they are in the habit of mixing sulphuric acid with others, which are admitted at 20 per cent., in order to evade the higher rate of duty imposed on sulphuric. Mixed acids are to pay 25 per cent. instead of 20 per cent. Absinthe is another article which is imported into Canada; I suppose it is to be found in the list of unenumerated spirits, but it is an article deleterious in its effects, and it is proposed to impose upon it a duty of \$2 per gallon. Aniline dyes, of less than 5 lb. packages, are to pay a duty of 10 per cent.;

agricultural implements and machines to pay a specific and *ad valorem* duty equal to 35 per cent., and upon portable machines, spades, hoes, and forks the same duty will be imposed. A careful examination has been made of the value of these goods, and we came to the conclusion that a specific and *ad valorem* duty equivalent to 35 per cent. should be imposed. This is one of the articles to which I referred in my remarks with reference to the policy of the Government in changing the Tariff. If you take up the list of the American houses in Winnipeg, you will find that they offer their agricultural implements at precisely the same prices as our manufacturers have been selling them for, and in some cases men who were agents for our manufacturers in the North-West, have become agents for American manufacturers, and a fair inference is that they allow them a larger margin than our own people allow them. The result is, that unless some steps are taken, the Americans will drive our people out of that market, and they will then increase the price of the implement to the consumer. Our people show that their prices are as low as those of the United States implements, and we ask Parliament to say—inasmuch as the people of Canada, who manufacture these implements, can produce them as cheaply and sell them at from 10 to 15 per cent. less than in 1878, and are prepared to supply them as cheap as the Americans—that they shall not be deprived of our own market, and therefore we ask for this increase in the Tariff.

Mr. BLAKE. What are the proportions between the specific and *ad valorem* duties?

Sir LEONARD TILLEY. We propose to make it 35 per cent. It is now 25 per cent.

Mr. BLAKE. How much is specific?

Sir LEONARD TILLEY. About one-half, I think.

Mr. BLAKE. What are the proportions of specific and *ad valorem* duties?

Sir LEONARD TILLEY. About half each, I think. The same principle of specific and *ad valorem* duties is applied, as the House will see as I proceed, to carriages. In many cases inferior goods are sent into Canada, their defects being covered with putty and varnish, and under-valued and inferior; and the Government has decided that the only way to reach such cases is to impose a specific and *ad valorem* duty. Bed comforters and quilts, now paying 20 per cent., it is proposed shall pay 27½ per cent.; boot and shoe laces are to pay 30 per cent. instead of 20 per cent.—they are now manufactured in the Dominion, and can be furnished as cheaply as the imported if the manufacturer can secure the market. Braces and suspenders, now paying 25 per cent. are to pay 30 per cent.; playing cards, now 35 per cent., 6 cts. per pack; carriages, now 30 per cent., are to pay a specific and *ad valorem* duty equal to 35 per cent. on the same principle as that applied to agricultural implements.

Mr. BLAKE. Is it about equally divided?

Sir LEONARD TILLEY. Yes, I think it is 15 or 20 *ad valorem*, and the balance is specific. Children's carriages are to pay the same. Cordage of all kinds, 20 per cent. Cordage for shipping purposes at present pays 10 per cent. and all other cordage 20 per cent.; and what is the result? The result is that nearly all the cordage imported into Canada is for shipping purposes. It is now proposed that all cordage shall pay 20 per cent. Ten cents per ton will be added to the drawback paid to the builders of new ships in the Dominion. This change is made in order to give the manufacturers of cordage in Canada a fair chance, which they have not now. Cotton, printed or dyed, now 20 per cent., after the 1st January next will pay 27½ per cent. There are establishments for the manufacture of these goods being built in Canada. When the Tariff was changed in 1879, we imposed only a Revenue Tariff duty. Whenever capitalists were in a position to manufacture it in Canada

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we stated, it would be placed on the same footing as other protected goods; but as they will not be ready to manufacture before the 1st of January, it is proposed that the new duty shall not go into force until that date. Jewel, watch, and similar cases, lined with satin or silk, now 25 per cent. are to pay 30 per cent. The material now pays 30 per cent., and it is proposed to place the manufacturers of the cases in a better position by making the duty on the manufactured article 30 per cent. Cane or ruttan, split, to be 25 per cent.; it is now 20 per cent. There is an establishment for the manufacture of ruttan goods at Woodstock. They furnish the split cane to furniture manufacturers, and they furnish it of as good quality and as cheaply as the imported article. This industry is capable of being made one of the most flourishing in the country, and it is desirable to give them some protection.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

Sir LEONARD TILLEY. When the Speaker left the Chair I was calling attention to the proposed increases in the Tariff. I think the last article I referred to was split cane. It is proposed to increase the duty on cane from 20 to 25 per cent. It is also proposed to change the duty on fruit in air-tight cans. There is a different duty imposed upon fruit which is sweetened and fruit which is not sweetened in the Tariff as it stands at present; but there have been so many attempts to enter sweetened fruit at the low rate of duty, that I propose to place the same duty upon all fruit in cans—3 cts per 1 lb. can. Iron bedsteads, I propose shall now be classed as furniture and be placed at 35 per cent. On show cases, now paying 35 per cent., a specific duty of \$2 is to be added. Hair cloth, now paying 20 per cent., is to pay 30 per cent. A first-class article is now being manufactured in that line in the Dominion, and is sold at a price as low as it can be imported for and less; and the parties who manufacture it simply ask that they may have the market. Jute carpeting, matting or mats, now 20 per cent., are to be 25 per cent. *ad val. rem.* Lamp wicks, now 20 per cent., are to be 30 per cent. Music, printed, now paying 6 cts. per lb., I propose shall pay 10 cts. per lb. Fancy paper, now paying 25 per cent., is to pay 30 per cent., the same as wall paper. Iron pumps in addition to the 25 per cent. duty now paid, to pay 50 cts. each specific duty. Steel in ingots, bars, sheets, coils, I propose shall pay \$5 per ton, on and after 1st of July next, when steel will be manufactured in Canada. Files, now 30 per cent., are to pay a specific duty: under 9 inches in length, 5 cts per lb.; 9 inches and over 3 cts. per lb. Tin crystals are to pay 20 per cent. Vinegar, now 12 cts. per gallon, is to be 15 cts. per Imperial gallon. Vegetables, that is, tomatoes, including corn and peas in cans, are to pay 2 cts. per lb. can. Tomatoes have been charged 2 cts. per can of a pound, but it is proposed to include peas and other vegetables at the same rate as tomatoes. I referred, a short time ago, to the proposed reduction of the Excise duty on tobacco. I now desire to refer to the proposed Excise duty on cigars. At present it is 40 cts. per lb. It is proposed that, between this and 1st of July next, the Excise duty on cigars, manufactured from imported tobacco, shall be 30 cts. per lb., and that after 1st July, when the stamps have been prepared and the arrangements made in the Department for the change, it shall be \$3 per thousand. That will make a difference after July—the Customs duty remaining as it is—in favor of the manufacturers of \$1.80 per thousand. On cigars made from home-grown tobacco, the Excise duty will be \$1.50 per thousand, after July 1st, but it will remain at 15 cts. per lb. in the meantime. This covers very generally the articles, except one I do not recollect having referred to, but which I am quite sure is in the resolution, cotton duck. Cotton duck for ship sails and for fishing vessels and boats now pays 5 per cent. A large

portion of the cotton duck imported during the past year or two has been imported for these purposes, but it has been found that much of it—in one case 70,000 yards—though imported for sails of vessels, has been used for tent purposes in the North-West. As we were losing revenue by it, and as the manufacturers were interfered with in this respect, it is proposed to make no exception, but to return 20 per cent. duty to the importers when they show that the duck thus imported was used for ships' purposes and for sails, which means, of course, that the manufacturer is in a better position than he was, and importers are all in a like position. I may state that within the last three or four weeks a very influential deputation waited upon the Government with reference to the extension of our trade with the West Indies. It was suggested that the Government should take steps to see if some arrangement could not be made, especially with the sugar producing countries, and especially with the West India Colonies, where they produce sugar and other products imported into the Dominion of Canada, by which we could increase the exchange of the natural products and manufacture of the Dominion of Canada for the products of the West Indies. The deputation was informed by the Government that their proposition was perfectly in accord with their policy, that they were in a position to ask the House, providing such arrangements could be made, to reduce the duty upon sugar from all countries that would give us an equivalent by the reduction of the duty on the manufactures and products of Canada. Instead of asking Parliament, at the present time to reduce the duty upon sugar or molasses, we propose to continue the enquiries we entered upon some time since, with the view of extending trade with the West India Colonies. We have, in the past, experienced considerable difficulties, because these colonies have very little revenue to spare. We find them anxious that we should give favorable consideration to their productions, but when we ask for a reduction of the duty on Canadian products, they hesitate, because they find it difficult to surrender the necessary revenue. In reference to Cuba, we proposed to the Spanish Government, through the High Commissioner in London, to ask Parliament for a subsidy for a steamer to ply between Canada and Cuba under the French flag, we paying the subsidy, if the products of Canada would be admitted on the terms which are extended to imports under the Spanish flag. That proposition, after some consideration, was refused. Other propositions have been before the Spanish Government for some time, and down to the present time they have not been successful, although, unlike the proposition in reference to subsidizing a steamer under the French flag, they have not refused them, and they are still under consideration. I can say, on behalf of the Government, that it is their intention during the Recess to enter into negotiation with the West India Islands, and other sugar producing and coffee producing countries, to see whether any arrangement can be made by which we would be justified in submitting to Parliament, when we next assemble, a reduction of the duty on sugar and molasses, on receiving as an equivalent for it a reduction of duty on the natural products and manufactures of Canada. In addition to that, we have been endeavoring to negotiate arrangements with France, by which the products of Canada may be admitted on more favorable terms than they are at present. Down to the present time, while the negotiations are not broken off but are still continued, we have not been successful; and I desire here and at this time to state, on behalf of the Government that, if we fail to make satisfactory arrangements with Governments that do not place the products—the natural products and manufactures—of Canada on equal terms with those of any other country, we will ask Parliament at the next Session to impose a duty of 10 per cent. additional on their products until they grant us such terms. This is the policy of the Government with reference to these questions,

and I trust that the changes that are now proposed—though we have not been able to grant all that was asked—will meet the appropriation of the House and the country. Still we feel that in the resolutions that we now lay on the Table of the House we are continuing the policy that is calculated to strengthen the manufacturing and other industrial interests of the Dominion of Canada. I now, Sir, turn from the subject of the Tariff to the probable income and expenditure for the next fiscal year. It is estimated that the revenue for the next fiscal year will be: from Customs, \$21,500,000, that is less than is estimated for the present year, occasioned in part by the changes in the Tariff, of \$1,000,000 to \$1,200,000, certainly \$1,000,000, from Customs and Excise. The revenue from Excise we estimate at \$5,400,000, which is \$500,000 less than is estimated for the present year. The reduction would be greater, but we will lose some \$300,000 Excise duty in the present year, because it has been well known by the manufacturers and retailers of tobacco that the Congress of the United States proposed to reduce the duty there, and they knew perfectly well the duty must be reduced here, and, therefore, purchasers have not bought more than was absolutely necessary, and those who have had stocks on hand have not desired to increase them. Therefore we will lose, no doubt, \$300,000 or \$400,000 on tobacco during the coming year. Post office receipts we estimate at \$1,750,000; revenue from public works, \$3,000,000; interest on investments, \$800,000, and from other sources, \$300,000 more, making the total revenue \$33,250,000. The Estimates that are now before the House are nearly \$30,000,000, and it will be found that Supplementary Estimates will be brought down, rendering necessary, I am satisfied, an additional expenditure, but I think we may fairly estimate the surplus at \$3,000,000 for next year. The estimated expenditure for next year, as compared with the estimated expenditure for the present year, shows an increase of over \$1,000,000. The increases are stated as follows:—Post office, \$220,000. A very large increase is required next year for the following reason: the business has grown to such a volume, that under the arrangement that was made with the Grand Trunk Railway, by which the Post Office Department had the use of half a car for postal purposes, the business could not be transacted in half a car, and we were compelled to make arrangements for a whole car, and this additional outlay on the Grand Trunk Railway alone involved an increased expenditure of \$25,000. Then the increased business on the Intercolonial Railway was such that the Department demanded that the road be placed on the same footing as other lines, that they were entitled to the same compensation for carrying the mail as other lines, and demanded that the appropriation for the postal service should be increased. Of course, as the Intercolonial Railway is a Government road, it is taking money out of one pocket and putting it into the other, but it was thought to be a proper arrangement, and this increase amounts to \$33,000. In the North-West the proposed increased expenditure for next year amounts to something like \$57,000, so there is nearly \$120,000 from these three items alone. Then we have proposals to establish new offices; the fact is we find every day and every week applications from the older Provinces asking for increased accommodation, and as the revenue is increasing in about the same proportion as the expenditure, we trust that the revenue from this source, though it will not quite cover \$220,000—because the sum paid to the railways is in excess of former payments and for it there is no return—will largely come back to the Treasury. The expenses are regulated by the receipts, to a considerable extent, because nearly all the postmasters, except those in the cities receive 40 per cent. on their receipts as salary, and as the receipts increase, the salaries increase, as also do the

charges on the Department. The increase in the Civil Service Estimates, as hon. gentlemen will notice by the Estimates on the Table of the House, is \$130,000—a larger amount than in any year for some time back. I may mention that of that sum, \$32,000 was formerly paid out for salaries to officers in that service. Then in the vote for the Geological Survey—it having been in the Department of the Postmaster-General, alone are nineteen or twenty-one men, I forget which, who were employed as packers, and paid out of contingencies, but who have been transferred under the Act to the Civil Service expenditure, making in that item an addition of something like \$13,000. In the Department of the Interior, the work has grown so rapidly, and is becoming so enormous, that the expenditure, in order to keep up with the requirements of the vast settlement in that country, in the way of the survey, sale and allotments of land, has necessarily been largely increased, the amount in that Department being altogether \$130,000. The hon. Minister of Agriculture asks for next year \$200,000 more than was voted for the present year. The largely increased immigration, and the amount given in aid of immigration by the Department of Agriculture will not, I think, be objected to by Parliament or the country, if the results prove to be such as are anticipated. The Public Works expenditure it is proposed to increase by \$265,000. As we have the means, there is a demand for an increased number of these public buildings, and in many cases it will be found that the rent now paid for buildings used by the Customs and Excise Departments; by the Weights and Measures offices, and by the Post Office Department, will only be about equivalent to the interest of the proposed expenditure for those purposes. The increase in mail subsidies will be \$48,000. This is to meet the expenditure—provided arrangements are made, and they are now in course of completion—for two lines of steamers, each running monthly—which, of course, under this arrangement will make a fortnightly service—from Germany and Belgium to Canada, for the purpose of encouraging and extending the trade and emigration between Canada and those countries. Then there is an increase in lighthouse and coast service of \$22,000. This is in the direction of practically cheapening freight, and increasing the value of all articles exported, and decreasing the cost of articles imported into the Dominion. The increase in Customs expenditure is \$45,000, of which \$25,000 is in Manitoba and the North-West. This increase will be readily understood by hon. gentlemen when I tell them that the probabilities are, that this year Manitoba will be the third port in the Dominion, so far as revenue is concerned, so that the increased expenditure cannot be avoided, the increased work rendering it imperative. The same thing may be said with regard to Excise. The increase on public works and canals is \$26,000; Dominion lands \$30,000; and there will be a probable expenditure for militia purposes, under the Bill now before the House, to the extent of about \$150,000. To these sums will have to be added—if Parliament sustains the proposition—the bonus to be paid to the iron manufacturers during next year. Under these circumstances, Sir, while nominally there appears to be a large increased expenditure, there will be practically, even in the next year, a very considerable return from the Departments where that money is expended. And I may add this—that, although I stated that last year the taxation requisite to meet the expenditure of the Dominion was 13 cts. a head less than the average of 1874–78, and for the current year 1 cent. more, the increase now proposed will, if you take the average of the three years, leave the taxation just about what it was from 1874 to 1878, notwithstanding the fact, as I stated before, that at the close of this year we shall have expended \$11,000,000 on the Pacific Railway, on the enlargement of our canals, on the extension and equipment of the Intercolonial Rail-

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way, and on the surveys of the North-West. Under these circumstances, Sir, I think the country will not object to the increased expenditure, when they find that the taxation is not increased. Now, Sir, having proceeded thus far, may I be permitted to call the attention of the House for a few moments to the verdict of June last. It was a very marked verdict. It was marked, Sir, because of the statement by hon. gentlemen opposite, that the country was misled, in 1878, when the Tariff resolutions were submitted by the Government. It was alleged that the statements made throughout the country in the Elections of 1878 were not justified by the Tariff that was brought down. It was known that a general policy had been propounded by the right hon. leader of the Government, then the leader of the Opposition, with reference to protection to the industries of the country. It was known that in the Elections of 1878 that general policy was presented to the country. But when we came here in 1879, and in subsequent years, and put that policy into the form of a resolution for the consideration of Parliament, then we found hon. gentlemen rising in the House and charging individual members, and the Government as a whole, with having failed to carry out what they had pledged themselves to carry out before the Elections of 1878. Well, Sir, we have the satisfaction of knowing that after that policy had been put into form, after it had been adopted by Parliament, after it had been in operation for three years, and the people were appealed to with reference to its details, two-thirds of the people's representatives are now in this House to sustain that policy. There is the still more significant fact, Sir, that eight gentlemen who sat on that side of the House, and who had been members of the Free Trade Government previous to 1878, with the Free Trade ex-Speaker, lost their elections. That verdict was very marked, also, because we were told in the late Parliament that this policy would have the effect of driving out of the Union the smaller Provinces. Has it driven out the smaller Provinces? What is the verdict? Two-thirds of the members elected in June last from the smaller Provinces are sent here to support this policy. And I think hon. members who were members of the late House will pardon me if I say that I feel a special pride and satisfaction in standing here to-night as the representative of New Brunswick; because those who were here during the last three or four years know how often I was taunted with the statement that I misrepresented my native Province. Unfortunately, we had but few supporters here after 1878 sustaining this policy; but at the General Elections of 1882, what was the verdict? Though I was specially charged with misrepresenting what the policy of the Government would be, a majority has been sent from my Province to sustain this policy. Sir, the majority of the vote was larger for the policy than the representation in the House. That is another important fact. I took the liberty to say to the hon. leader of the Opposition, last Session and the Session before: "If you expect ever to come to this side of the House, you must accept the National Policy." Now, I hold that the verdict given in June last was most emphatic, and proves the truth of my statement, that hon. gentlemen opposite must accept the National Policy before they can hope to come on this side of the House. The fiat has gone forth, and it will be perpetual. And it is this: that the hand must perish that attempts to remove one single stone from the foundation, or one single arch from the superstructure of the national edifice whose foundation was so carefully laid and superstructure so skillfully superintended by the right hon. gentleman whose name I need not mention in this House. I said, in 1830 and 1831, that whenever an Election came, this policy would be sustained, that after it had been five years on the Statute-book; and after having been perfected from time to time, it would never be repealed.

Under these circumstances, I desire to lay upon the Table of the House the resolutions that, when we are in Committee, I propose to move in confirmation and perfection of that policy.

Mr. PATERSON (Brant). We have had again the pleasure of listening to the financial statement from the hon. Finance Minister of the Dominion. It is a statement of a great deal of importance to every hon. member of this House, as, no doubt, it is to every citizen of the country who takes any interest in the affairs of State. I have listened, in common with others, as carefully as I could to the remarks that have fallen from the lips of the hon. gentleman who administers our finances. It is impossible, of course, to remember all the points, to recollect all the statements, much less to carry in one's mind or jot down as they are uttered all the figures and tables of figures that may be given; but I think I have been able to gather, from the statements that have fallen from the hon. gentleman's lips, enough to enable me to, at any rate, follow in some measure the line of his argument, and to notice at some length some of the statements he has made and the deductions he has drawn therefrom. No doubt the debate will go on, and many other hon. members will take part in it, and it will be quite possible for them, when the figures we have listened to are in print and in the possession of hon. members, to carefully scan them and see whether the interpretation placed upon them by the hon. Finance Minister can be fully borne out. This task I leave in the hands of hon. gentlemen on both sides of the House who, I am sure will be able to deal intelligently with the subject. Following then the line adopted by the hon. Finance Minister, I am brought first to consider the question of administration with reference to the public expenditure. The hon. gentleman knew that the Public Accounts were in the hands of members; he knew they showed that there had been a very great increase of expenditure; and he did what it was only natural he should do, he sought to break the force of that fact by attempting to explain and justify each item, in order, if possible, to save himself, and the Administration of which he is one of the able members, from blame and censure in that regard. Nor am I disposed to say that he altogether failed in showing that in some of this increased expenditure there is a corresponding benefit derived from the receipts of different Departments in which this increased expenditure is made; nor do I desire, though the hon. gentleman seemed to think it was part of our policy to withhold this information from the public, to withhold it from them. I am quite willing that the people of this country should understand, that while we have increased the expenditure upon our railways and canals, we have also increased the revenue therefrom, and that that should be taken into account. But, Sir, the point I think the country is interested in is this: that in all these explanations, in all these justifications, the people are sometimes apt to be bewildered and to say: "Why can't you Members of Parliament, in dealing with figures, give us some figures that may be taken and accepted as correct—without explanation, without justification, without explaining away. Why not give us figures upon which we can all agree?" Now, Sir, I think that this is the duty of the Government, and I think that it is my duty, addressing myself now to the task of attempting to reply, though it may be but feebly, to the utterances of the hon. Finance Minister. And if I do that, I will have but little difficulty in convincing the people that the hon. gentlemen opposite who, when in Opposition for five years, charged upon the Administration of that day, gross extravagance, because the public expenditure had been increased, are themselves guilty of still greater extravagance. I will be able to charge back upon those hon. gentlemen, and it will not be for them to resent anything in this direction, they themselves having adopted that line of criticism when they occupied this side of the House. The figures I propose

to take are those of the official documents furnished by the Government to the House; the figures I shall adduce, will be figures not cooked in any manner by myself, but those placed in our hands by the Government of the day. And am I not fair in doing so? While I admit the hon. Finance Minister has a right to make explanations as to the increase in various directions, he will not forget that the same state of things prevailed under the Mackenzie Administration—that if there is justification now, there was justification then; that if there is an increased expenditure and an increased revenue now, there was an increased revenue following an increased expenditure then. Therefore, for the purposes of comparison—and it is by comparison we learn—all the specious arguments of the hon. gentleman must be cast aside, and we must take the figures as they are furnished to us in the Public Accounts, and judging from them we must determine what the record of this Government has been. I do not desire to go too far back in the history of the country; I, therefore, make brief mention of the fact that, while the present Government were in power seven years prior to the Mackenzie Administration, they justified the charge that we have to make upon this occasion upon them—that they increased at an enormous rate, and with prodigious speed, the public expenditure; that in their seven years they ran it up from \$13,000,000 to \$23,000,000; that they ran the controllable expenditure from \$3,000,000 to \$8,000,000. Then they were succeeded by an Administration, who, for five years, conducted the affairs of this country, and I propose now to look at the record of that Government and to compare it, not with the record of this Government in the seven years preceding, for that is past and gone, but to compare it with the record of this Government for the five years that have succeeded the period, taking the Estimates for the coming year 1883-84. What are the facts, Sir? When the Mackenzie Administration came into power the expenditure was \$23,316,316. They remained in power five years, and when they went out of power it had increased to \$24,455,381, or an increase of \$1,139,065 during the five years. Now, Sir, we are taking the Estimates that have been placed upon the Table for the year 1883-84, and what do they show? Simply an increase of a little over \$1,000,000 as the Mackenzie Administration showed? No, Sir, but it exhibits an increase of \$5,734,619. These are the bare facts. Looking at them we can readily understand how desirable it was on the part of the hon. Finance Minister, that he should attempt some explanation to account for this rapid increase, which explanation is of no avail, inasmuch as the mitigating circumstances mentioned by him operated under the Mackenzie Administration as well as under his. The expenditure when those gentlemen who denounced the Mackenzie Administration for their extravagance went out of power, was \$24,455,381; to-day, by the Estimates placed upon the Table of the House, the hon. Finance Minister asks us to give him \$30,250,000 to carry on the affairs of the country. Sir, there is another test with reference to the economical management of the affairs by the Government, and that is the ordinary expenses of the Government—the controllable expenditure; that expenditure, which a gentleman who is now a member of the Government, during the time of the Mackenzie Administration, declared was as much under the control and the management of the Ministry of the day as were their household expenses. When the hon. member for East York took possession of the Government he found the controllable expenditure was \$8,324,076. He administered the public affairs for five years, and when he left office he left the controllable expenditure at \$6,941,577. Instead of increasing the controllable expenditure, he succeeded in decreasing it by \$1,382,499. But, Sir, what is the record of the hon. gentlemen opposite with reference to this controllable expenditure since they have attained power? Taking their expenditure for a like period of five years,

including their Estimates for 1883-84, what do we find? When they came into office the controllable expenditure was \$6,941,577; they ask us this year to give them \$10,073,015; in other words, in their five years, instead of decreasing it, as the Mackenzie Administration did nearly \$1,500,000, they have increased it \$3,131,438. There, Sir, is a plain financial statement of figures that no man who is desirous of discussing the question can get behind, for they stand for comparison by the people of this country and the hon. members of this House to look into for themselves, and to judge with reference to the protestations of economical management on the part of hon. gentlemen opposite. If we were to look into them in detail what would we find? We would find that in all the departments of the Government there is a very greatly increased expenditure. Take the item of Civil Government. In the year 1878-79—for I take the year 1879, though the Mackenzie Administration were in power but a part of that year; but I desire to take all the hon. gentleman can fairly charge upon them—\$861,170 sufficed for the purpose of Civil Government. This year we are asked to give the hon. gentlemen opposite \$1,109,100 for the same purpose, or an increase of \$247,930. When we were in power the hon. gentlemen opposite were fond of charging us with employing a larger staff of men than was requisite, but they have increased it to a wonderful extent. Then 302 men, at a cost of \$343,510, sufficed to run all the Departments. Now they come down, and, by their Estimates, ask to employ 499 men at a cost of \$538,989; they ask us to give them 197 more servants in the different Departments than the Mackenzie Administration had, at an increased cost of \$195,479. They ask us to increase the staff 65 per cent., and the pay 57 per cent. Thus we have some idea of how matters go. If we were to take a peep into contingencies of Civil Government, into the little odds and ends jotted down for this and that purpose, we would find that extravagance has run riot in the Departments in regard to contingent expenses. Little expenses are jotted down under convenient heads, but they are specified sometimes, and we are able to form a judgment respecting them. In looking into contingencies I find hon. Ministers, now occupying the Treasury benches, spending thousands of dollars for traveling expenses, where hundreds sufficed under the Mackenzie Administration. I find considerable sums set down in items of that kind; and if I were to go through the various Departments and specify items, hon. members would be inclined to laugh and wonder whether some of the items charged were really correct or not. I find an increase in the Militia Department \$1,106 in contingencies alone. I find placed down for cab hire alone, \$550. I am not objecting to the hon. Minister of Militia engaging a cab once in a while, or even oftener; but I do object to the demoralizing effect of the hon. Minister of Militia—a man who should be trained to war—riding about in a cushioned carriage. I would recommend, not with the view of taking away from the ease which I desire the hon. gentleman to enjoy, but, in order that there may be no demoralizing influence on the force, that he should put down instead of “cab hire,” “war steeds,” so that the Militia might think that the hon. Minister was engaged in practising with his war charger, in order the more effectually to show an example of bravery and efficiency to the troops under him. Let me now come down to the Secretary of States’ Department, which shows an increase of \$924. The item of cab hire figures there to the extent of \$331. And so we might go on through the Department of the Interior, which, however, I will not touch upon, because, no doubt, the hon. First Minister, having had his attention called to the matter, will see that economy is practised in the future, as he was careful to press upon my friend the member for East York when he occupied the position of Head of a Department. And so we might go

Mr. PARSONS (Brant).

through the Department of Public Works, where a certain Mr. Mackay is mentioned in the Auditor General’s Report as having been paid \$1,109, the Auditor General remarking that he had not been able to get an exact copy of the account and full details. Thus we find, all through the Departments, increase of staff, increase of cost, increase in contingent expenses; and the Government are running the mad race they ran when in power before, and are expending, I repeat, thousands, where hundreds served for the same purpose when Mr. Mackenzie was in power. We next come to the question of Immigration and Quarantine. \$212,224 answered for that service during the Mackenzie Administration, while hon. gentlemen opposite are asking this year for the like purpose, \$570,487, or, in addition to what was expended at that time, \$358,263, an increase of expenditure under that head amounting to nearly 150 per cent. We are entitled to some explanation in regard to this increase, and the House did not receive it from the hon. Finance Minister. Hon. members who were in this House at the time the Canadian Pacific Railway bargain was submitted, will remember how the hon. the First Minister insisted that the bargain should be completed soon, because the Canadian Pacific Railway Company were then about initiating an extensive system of immigration in concert with the Dominion Government; and it was of the utmost necessity that the bargain should be consummated quickly, in order that they might be enabled to go over to the Old Country and perfect a system of immigration, and let this country have the benefit of it. That bargain was consummated. I think the terms were extravagant, that the company obtained terms altogether too liberal from the people of this Dominion. But what have they done with respect to this matter of immigration? How comes it that we are asked to devote \$358,263 more to promote immigration than before this company was formed, when we were told expressly that one of the great benefits conferred by the company was to be that they would reduce the cost of immigration, they acting as immigration agents in bringing men here. I have not seen the report of the Canadian Pacific Railway Company, and I therefore make this remark subject to correction, but I have been informed that in the report of that company there does not appear the expenditure of a single dollar for immigration purposes. And yet the Government of Canada proposes to expend 150 per cent. more for immigration purposes than it did before that company was formed. For whose benefit? If the lands in the North-West had been ours, if colonization companies had not been so largely increased, and if the lands had not been locked up in the hands of those companies, and the railway company, then I could understand that we might derive some benefit from that expenditure; but the land being tied up in every shape and form, I fear the money voted for the purpose will be used far more for the purpose of enhancing and benefiting the Canadian Pacific Railway Company than for benefiting the country whose money is being used for that purpose. We pass on to consider the question of Pensions and Superannuations. \$221,326 answered for that service under the late Government, but \$293,385 are now asked for, being an increase of \$72,059. Public Works were managed for \$1,013,593, but \$2,447,940 are asked, being an increase of \$1,434,347. Under the head of Miscellaneous, \$101,602 proved sufficient in 1875, but we are now asked to vote \$194,950. Indian grants involved an expenditure of \$489,327 in 1879, we are now asked to vote \$875,949. Here I must say that the remarks of the hon. the Finance Minister in regard to that point carried a good deal of weight. If this money is required to be expended on the Indians, fault cannot fairly be found with the Government in adopting the plan of conciliating the Indians. The expenditure for Mounted Police has increased from \$344,823 to \$416,000, being an increase of \$71,177. This outlay for the Mounted Police, if required in order to preserve the peace

and well-being of the country, is an item to which I will not take very great exception; but I take the opportunity to point out that hon. gentlemen opposite, when in Opposition, found fault with expenditures in the very Departments in which increases are now observable. We find that \$719,711 answered for the Customs Department in 1878-79, but now we are asked to vote for this service \$779,450, or an increase of \$59,729. Permit me here to say, I think that this is an expenditure which may fairly be justified, and I am not prepared to find fault with it. I am free to admit that the administration of this Department by the hon. Minister, who presides over it, has been remarkably economical, and it is but fair to give him credit for it; but I do not wish him to assume that I consider he has discharged his duty in all respects, because I have to find fault with some matters with reference to the administration of his Department; but he has kept closer to the line which he laid down for himself, than other hon. members of the Government who sit beside him have done. I wish I could say the same thing with reference to the Excise Department with which I have to find fault. Hon. gentlemen opposite, when in Opposition, denounced the extravagance of the Mackenzie Government, on account of the great cost attending its administration; but whereas that Government asked for \$211,064 for this Department in the year 1879, we are now asked to vote \$258,380 to do the same work, or \$77,316 more to do the work for the year 1884, than was necessary in 1879. Well, Sir, it cannot be alleged, as the hon. Minister of Customs might allege in his case, that there is an increase in the revenue from this Department, and a greater volume of merchandise handled, or greater traffic to be looked after; for we find that the revenue from Excise, in 1879, was \$5,390,763, while this year the hon. the Minister of Finance estimates receipts of \$5,400,000 from this source, being almost precisely the same as they were in the year 1879, and yet we are asked to expend \$77,316, or 33½ per cent. more for collecting this revenue than was demanded during the last year of the Mackenzie Administration, when they were denounced for their extravagance. In reference to it, Sir, I trust that the hon. Minister who presides over this Department, will give his attention to it, instead of devoting his time, which a Minister of the Crown should give to the duties of his Department, to other matters—now that the Ontario Elections are over—elections which did not concern that hon. gentleman in the slightest degree. I hope he will find it convenient to discharge the duties of his office, which should not suffer from his taking part in a Local Election in a Province to which he does not belong; and will see to it, that he rectifies the gross extravagance which pervades his Department, shown by the immense sum asked for it by the Government. With reference to the Post Office Department, we find that we are asked to vote \$453,887 more than was required in 1879. This item, I shall not criticise very closely, because I think that the hon. Finance Minister gave a reason—and a good reason, I will even go the length of saying—for this increase in this Department. We must expect it, while we are opening up a new country as we are doing in the immense North-West, and while providing necessary postal facilities, we must make up our minds to the fact that we must have an increased expenditure in this Department; and we will rejoice if the hon. gentleman is able next year, as he was to-day, to say that the increase in the revenue from this source was greater during the coming year than was the case during the past year. I think that the next point alluded to by the hon. the Finance Minister was the result of the working of the Tariff as between Great Britain and the United States; and he took credit to himself, while speaking on this subject, that the position which he had taken when it was discussed with a good deal of vigor in 1879, was fully justified by the returns; and that the position which was taken by hon. gentlemen on this side of the

House was not borne out by the facts. With an ingenuity that rather characterizes him—and which he is willing to ascribe to hon. gentlemen on this side of the House, when it suits him to do so—he took certain years which made out apparently a case for himself; but I would ask him to take the bearing of the trade between Great Britain and the United States as it now exists. Why did not the hon. gentleman make a comparison in this respect between the years 1881 and 1882—years just following each other. Let us not go back five or six years to see whether the Tariff works as he represents. What are the facts with reference to these two years? Have the imports from Great Britain increased in greater ratio than the imports from the United States. No; but quite the reverse. Instead of the position of the hon. gentleman being borne out by the facts, the position of the hon. gentlemen on this side of the House is fully borne out. What are the figures which are furnished by the hon. Minister of Customs himself, and therefore thoroughly reliable. In 1882, there entered into consumption, of imports from Great Britain, \$50,597,341 worth; and, in 1881, the imports from the same country amounted in value to \$43,583,808; or we had an increase in the imports from Great Britain of goods entering into consumption in the year 1882, over the year 1881, of \$7,014,533. Well, then, we had entered for consumption, in imports from United States in the year 1882, \$48,289,052 worth; and, in 1881, we had from them but \$36,704,112 worth; or we had an increase, in the imports from the United States, in 1882 over 1881, of \$11,584,940, against an increase in imports from Great Britain of \$7,014,533; and yet the hon. Finance Minister thinks that his position is borne out by the facts, and that the operation of the Tariff is such that the imports from Great Britain have increased, while the imports from the United States have decreased. Well, Sir, with reference to the duties paid on these goods, what are the facts? With regard to the \$50,000,000 and over imported from Great Britain in 1882, we collected a duty of \$10,011,811, which is as near as may be 20 per cent.; and, in 1881, on \$43,583,808 of imports from that country, the duty collected amounted to \$8,772,949, or the same average duty of 20 per cent. Now, what was the amount of the duty collected on the goods imported from the United States? On the \$48,289,052 worth of goods imported from the United States in 1882, the duty collected was \$7,082,722, or only 15 per cent., as against 20 per cent. on British goods.

Sir LEONARD TILLEY. Hear, hear.

Mr. PATERSON. Yes; hear, hear. The hon. Finance Minister says, "hear, hear," but he will not deny that I have stated the figures correctly.

Sir LEONARD TILLEY. Yes; but the fact is misleading, Mr. Speaker, because he required to look at the rate of duty collected in 1878 in order to reach a correct conclusion as to the effect of the Tariff.

Mr. PATERSON. I have no doubt, Mr. Speaker, that the conclusion is very misleading if applied to the conclusions drawn by the hon. Finance Minister; but it is anything but misleading when applied to the point which I am making. I have shown, I think, that the duty paid on British imports exceeded 20 per cent. in the years 1881 and 1882, while the duty on the United States imports in each case was 15 per cent.; and I pointed out that from the year 1881 to 1882 the imports from Great Britain increased but \$7,000,000, while the imports during the same period from the United States increased over \$11,000,000. Therefore these figures effectually disprove the position taken by the hon. Finance Minister, and fully establish what was contended for by hon. gentlemen on this side of the House. Now, let me say here, if it will be any comfort to the hon. gentleman—and in this matter I speak

entirely for myself—that I do not attach, and never did attach, as much importance to the question of the imports from Great Britain and the United States respectively, that some hon. gentlemen have attached to it. True, I recognize the fact that in England we borrow our money, that her flag floats over us, that her Army and Navy are pledged to defend us, and therefore it was not exactly a thing that might be called very loyal to Great Britain to put on a Tariff that would legislate specially against her. I have gone that far in sentiment, but we all know that in matters of trade there is very little sentiment; and while we are willing to give what advantages we might fairly accord to Great Britain, we also recognize that while she is one of our great customers, while we like to interchange our commodities with her, we should never lose sight of the fact that the great Republic to the south of us is a nation against which we should not stir up feelings of strife. I am one of those who believe that it is not in the interests of Canada that harsh words should be uttered against that nation. When I find them taking \$40,000,000 worth of our products, and giving us gold, or what is equivalent to gold in return, I value their trade as I value the trade of any other country, and, therefore, I say that I have not attached the importance to this question that some hon. gentlemen seem to have attached to it. I merely allude to this fact because the hon. Finance Minister thought it necessary to establish every position he had ever taken in the past with reference to Tariff changes, and sought to prove himself in the right in regard to them, and in consequence that those who differed from him were in the wrong. The next point touched upon by the hon. Finance Minister was one with regard to which I confess I felt a little sympathy for him; for even party warfare in the House of Commons, and the desire to get the better of an opponent, cannot prevent a little feeling of sympathy sometimes arising in one's breast when we find that opponent in too tight a place for his comfort. In such a tight place, I may venture to say, without offending the feelings of the hon. gentlemen, was the hon. Finance Minister when he touched upon that subject which is known by the name of the Balance of Trade. That was a subject upon which we have had very strong arguments from the hon. Finance Minister. That was a subject of which hon. gentlemen opposite were fully cognizant, a subject which they had grasped in its details, a subject as to which they had laid down a cast-iron rule, a subject which they had mastered thoroughly and entirely. The position which they took upon that question they held to be unassailable in its nature, and the arguments adduced from this side were arguments which they considered could not bear investigation. The hon. Minister of Customs in the year 1880, when the hon. gentleman succeeded for one year in reducing the imports below the exports, placed, or caused to be placed, in the Report of the Commissioner of Customs to the Minister of Customs, in the preface to the Trade and Navigation Returns, in a very conspicuous position the statement that at last they had accomplished what they had claimed they would accomplish; that they had equalized the imports with the exports, and, therefore, that prosperity had dawned upon the country, and that they had then achieved that which it was the duty of statesmen to achieve. When I made a motion in the House with reference to another subject, the Minister of Customs, in replying, said, that all it was necessary to do in answer to my argument was simply to point me to the fact that the Commissioner had stated, in the preface to the Trade and Navigation Returns, that we had equalized the imports and the exports. Next year the balance of trade was \$7,000,000 against us. The Commissioner of Customs alludes to that fact in a very gingerly manner in the preface to the Returns. Next year the balance of trade against us had swollen to \$17,000,000, but the Commissioner of Customs forgot to report that fact altogether. Now, let us

Mr. PATERSON (Brant).

look at what the hon. Finance Minister himself said with reference to this matter. That hon. gentleman, in speaking at the Grand Conservative Convention, in Toronto, on 24th November, 1881, is reported to have used language which I shall quote from the *Mail* newspaper; a newspaper that gives a very correct report of the hon. gentlemen opposite—reports quite as correct as it sometimes gives to hon. gentlemen on this side, without my attributing to them any design to misrepresent. What I mean to state is, that the reports given by that paper of speeches made by a distinguished gentleman like the hon. Finance Minister, are verbatim, and, therefore, the *Mail's* report may be accepted as the language used by him. The hon. gentleman said:

“During the last two years we have nearly equalized the exports with our imports. Whatever Free Traders may say our people cannot understand the theory that the larger the excess of our imports over our exports the more prosperous is the country. We say that as with the individual so with the nation, and that if he expends more than he receives, poverty stares him in the face. If, on the other hand, his receipts exceed his expenditure his condition is hopeful. The latter is the position of the Dominion if we take into account our receipts for freights.”

That statement was received, as every utterance of the hon. gentleman would be received in a gathering of such intelligent men as would constitute a Conservative Convention, with enthusiastic cheers. Now, let us look into this question of the balance of trade. The hon. gentleman recognizes that to day that balance is against us, but he seeks to minimize the fact by taking the last four years, and he says it is only \$8,000,000 a year against us. That does not show our position, for this year the balance is against us to the extent of more than double \$8,000,000, and it is to that fact that we must address ourselves, for if the hon. gentleman succeeded in gaining an equilibrium three years ago and has lost it now, according to his own language, poverty stares us in the face. How an hon. gentleman who took the position which he took, can, in the face of an adverse balance of trade, last year amounting to \$17,000,000, rise in his place and say this year, as he did last, that never in the history of the country were we so prosperous as we are to-day, is something which the hon. gentleman has not explained. With reference to the annual balance of trade, in the fifteen years since Confederation there has been an annual balance of \$18,858,526 against us; in the seven years they were in power before, the annual balance of trade against us was \$22,123,745. In the five years of the Mackenzie Administration it was \$21,022,215; while, in 1881-82, the adverse balance is \$17,282,297; and in the six months which have elapsed, between July last and the 1st of January, 1883, the balance of trade was \$10,799,358 against us. It is going on increasing at an enormous rate. If poverty stared us in the face before, poverty is now knocking at our very doors, and yet the hon. Finance Minister tells us that we stand to-day in a happier and more prosperous position than before. How to reconcile these things is not for me to say; that is a task which devolves upon the hon. gentleman, and it is one to which I wish to direct his attention. What has been the course of our trade during the six months that have elapsed since the Trade and Navigation Returns were completed in June last. I have the figures here, and they show very badly from the stand-point of the hon. Finance Minister. In the six months ending December 31st, 1882, as compared with the six months ending December 31st, 1881, our imports increased by \$9,546,436. That, according to the hon. Finance Minister, indicates the ruin of the country; because when he introduced his Tariff, and time and again afterwards, he stated that it was absolutely necessary for the welfare of the country, that we should decrease our imports. Had we covered them with corresponding exports the case would not be a matter for regret; but what are the facts? During the same six months our exports, instead of increas-

ing, decreased \$3,709,249. All these figures show that, according to the theory of the hon. Finance Minister, everything is working wrong. These figures will require a better explanation than they have yet received at the hands of that hon. gentleman, before we shall be able to accept unreservedly his statement that at no period in the history of Canada was the country more prosperous than it is now. With reference to this question of the balance of trade, the hon. Finance Minister went into an explanation to show that the balance of trade, as it appears in our Trade and Navigation Returns, is after all not the correct balance of trade. I quite agree with some of the statements made by the hon. gentleman on that point; but what is true now was true in 1879, when his contention was, that the balance of trade which appeared in our Trade and Navigation Returns was the one that must be taken; and if the explanations that he gave this afternoon as to the influence of certain items upon this question are to be taken now with reference to the balance of trade, they must also be taken with reference to the period of the Mackenzie Administration. When we find that in the case of Britain, the balance of trade against her amounts to hundreds of millions in the course of a few years, we can readily understand that she cannot possibly be that much poorer than she was before. How can it be explained, then, that England goes on increasing in wealth with this balance of trade against her? The hon. the Finance Minister touched one of the great secrets of the question when he said that Britain has to do the work of carrying the commerce of the world. The wealth that she earns on the sea as the carrier of the trade of all nations, enters materially into this question; and as the hon. Finance Minister said, our balance of trade is overcome partly by the fact that about \$30,000,000 is engaged in shipping, which, he estimated, at 10 per cent. would give us \$3,000,000 per annum to be applied to the reduction of the balance of trade against us. Then he said that the trade carried by our ships amounted to \$350,000,000, which, at 5 per cent., would give \$17,500,000 that should be applied to reduce the balance of trade against us. The hon. gentleman may be correct in part; but I think, in giving our own carrying trade the benefit of the whole of that amount, he lost sight of the fact that we carried only one-fourth of it ourselves.

Sir LEONARD TILLEY. I did not say it was the freight carried, but disbursements at the port where the loading took place.

Mr. MACKENZIE. That is the same thing.

Mr. PATERSON. Well, scarcely the same thing. I do not wish to misquote the hon. gentleman, but he will find that his statement will not be borne out fully, although there is something in it. But I say that the hon. the Finance Minister's position, which he took so definitely and so positively, that an adverse balance of trade is an indication of poverty, in which opinion he was joined by the hon. members who surround him, cannot be borne out by any facts which he chooses to bring, and must be given up as an utterly untenable position, and that the statement made by hon. gentlemen on this side of the House that the balance of trade is subject to explanations and variations from outside causes, is right and correct, and that an apparent balance of trade against us, according to the Trade and Navigation Returns, does not of necessity mean that the country is poorer by the excess of imports over exports. I agree with the hon. Finance Minister in the opinion that it is not desirable that there should be too great an importation of goods. I think we are threatened, and will be to a greater extent before long, with an over-importation of goods from other countries. But there is the fact to be borne in mind—that the hon. Finance Minister gave us to understand that the increase in our importations was largely in fancy goods. Now,

I maintain that it is possible for a country to import more than it exports and be financially embarrassed without being any poorer. If a farmer spends \$200 more than he makes in any one year, you would say that he was \$200 poorer; but if he applies that money to the erection of a barn, or to anything else that would come back to him in increased profit in years to come, it might be said that he is hard-up, but not poorer. He has his money in a different shape. So the country that imports that which is necessary to develop the country and to get out its hidden wealth, though it may for a time be short of money, it cannot be said to be poorer, because what it has spent will come back to it in increased profit in years to come. But the hon. Finance Minister tells us that this is not the kind of goods we are bringing in at all, but perishable commodities, the consumption of which actually leaves us poorer by the amount expended in that direction. Instead of it being a matter of congratulation to the people of this country to be told that the excess of imports consists of fancy goods, it is a matter to be regretted, because it can be of no lasting benefit to the country. Now, permit me to notice, in a brief way, the claim of the hon. Finance Minister with reference to the effect of his Tariff, as shown in the prosperity that prevails in the country. Allow me to say at the outset, that I am willing to admit—nay more, I am glad to admit—that during the year 1882, the Province, at any rate, from which I come, and of which I know the most, has been in what may be termed a prosperous condition. It must be a source of great satisfaction to any citizen to know that the country in which he dwells is thriving and prosperous; and when I scrutinize the statements of the hon. Finance Minister, when I take exception to some of them and endeavor to prove that he has misstated altogether the causes of that prosperity, I do so in order that the people may understand its real cause, and knowing the cause, bend their energies in that direction. The hon. Finance Minister has done what I am sorry to see him do. I had thought that he would have modified his language somewhat, and depart a little from the line of boasting which has been indulged in during previous years by himself and his colleagues. Last year, in the Speech from the Throne, that was put into the mouth of His Excellency by hon. gentlemen opposite, there was a clause which I considered to be eminently appropriate. Having referred to the many blessings, commercial and others, that we enjoyed, the Speech said, we cannot be too thankful to the Giver of all good for these blessings. I would say, without desiring to treat the matter with the slightest irreverence, that I consider that paragraph as an acknowledgment on the part of the Government of the good Providence, which overrules the destinies of men, having been extended towards us; but as I listened to the same hon. gentleman, who now claims all the credit for our prosperity, I wondered whether the Government meant in that paragraph to substitute some other one for the One that I understood to be referred to under the title of "The Giver of all good." I believe that in this land we have been blessed by a beneficent Providence, but I notice that even the acknowledgment of this Providence has been omitted this year by hon. gentlemen opposite in the Speech from the Throne. Willing to attribute the blessings last year, in word, to Him, they are unprepared to do even that this year; and the hon. Finance Minister comes down and says: "See our prosperity and behold the giver of it. If you do not believe," he says, "that I am the giver of prosperity, look at your earnings as shown by the deposits in the savings banks; that will tell the tale. See your extra deposits in the chartered banks; see the price of your bonds in the London market. I am the giver and I am the man that raised the price of your bonds in the London market. It is I," he says, "that has done all this." It is not necessary to follow the hon. gentleman in his argu-

ment to prove that we are enjoying prosperity. We admit that. Still he will allow me to draw his attention to the fact that he takes a strange way of proving, by figures, that we are enjoying prosperity. Take, for instance, the deposits in the savings banks. The hon. gentleman claims they are proof positive that the laboring classes are better off now than in previous years; but he fails to recognize the fact that those deposits are affected by many other influences than the savings of the people. Deposits are often withdrawn from one investment and placed in another. Changing circumstances and events may lead to larger deposits at certain times than at others. Sums of \$2,900 may be placed in one deposit in those banks, and such deposits are not made by the laboring classes. In order to show how fallacious are the data on which the hon. Minister endeavors to prove positively that the savings of the working classes are abundant compared with previous years, let us look at the deposits in the savings banks of the different Provinces. They show an increase in the year 1879 over 1878 of \$710,670. But here is the fact to which I call the attention of the hon. Finance Minister. Of that increase, \$383,953 is in Quebec and Ontario, and the balance, \$338,482, in the Provinces of Nova Scotia, New Brunswick, and Prince Edward Island. In those three small Provinces, therefore, the increase was almost as large as that in the two great Provinces of Ontario and Quebec, with four times the population of the other three; or, in other words, that the working men in Nova Scotia, New Brunswick, and Prince Edward Island were four times better off than the same class in Ontario and Quebec. Now, every man knows that such could not be the case, and to show that an argument is founded on such data proves its fallacy. In 1880, there was an increase over 1879 in the deposits in the savings banks and post offices of \$1,845,273. Of that increase, the amount in Ontario and Quebec was \$877,873, and in the three Maritime Provinces, \$819,599. Then again, the Maritime Provinces, with one-fourth the population of the other two, deposited almost the same amount of money in those institutions. Is it possible that the people of those three small Provinces could have saved as much in that year as a population four times greater in number in the other two Provinces? The thing is absurd, and hence the data of the hon. Finance Minister were of the most fallacious description. Take the following year. The increase was \$4,783,716, of which \$2,485,836 was in Ontario and Quebec, and \$1,998,114 in the Maritime Provinces, very nearly as much as in Ontario and Quebec. Again I ask the question, did the working men of the Maritime Provinces save four times as much as their fellow laborers in Ontario and Quebec? No one will allege that such was the case. Take last year. The increase was \$5,931,989, of which Ontario and Quebec had \$3,364,181, and the Maritime Province \$1,921,205, a little greater difference than in the other years. But if we were to follow that out and accept what the hon. gentleman furnishes us, we would have to say that the laboring men of the Maritime Provinces last year saved three times as much as their fellow laborers in Ontario and Quebec. Since 1878, the total increase has been \$13,271,648, of which \$7,111,843 was in the Provinces of Quebec and Ontario, and \$5,077,400 in the Maritime Provinces. That being the case, how is it possible for the hon. Finance Minister to allege that the savings in the Post Office Savings Bank demonstrate beyond a peradventure that they are the savings of the working people exclusively, and point incontrovertibly to the fact that they are that much better off? If they prove that, according to the figures that are given, the working men and mechanics of the Maritime Provinces have, during the past four years, earned and saved four times as much as those of Ontario and Quebec, Sir, it is only necessary to mention the matter in order that the House and the country may see how entirely fallacious is the statement he has made. Then I come to notice an-

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other point—not alluded to by the hon. Finance Minister himself, but I have heard hon. gentlemen on the same side make use of the statement, that whether this prosperity was dependent upon or produced by 'the Tariff, the prosperity and the introduction of the Tariff were coincident. I desire now most emphatically to say that that statement is entirely erroneous and without the shadow of a foundation. I am making this statement in the presence of an hon. gentleman who hastens to note it down, and I hope he will take particular notice of it, and disprove it if he can. I repeat that this prosperity was not coincident with the introduction of the Tariff. How shall I establish this fact? Well, Sir, I will take that which is taken by the hon. Finance Minister himself as an indication of the prosperity of the country—the value of stocks, which we are often pointed to now as having risen greatly in value. I will look at the value of stocks in 1878, on the 12th of September, five days before the Mackenzie Administration were defeated at the polls, and then I will take the value of the same stocks one year after that, the 11th of September, 1879, months and months after the Tariff had been put into operation, the effect of which, it was claimed by the hon. First Minister, would be to restore confidence at once. I think, Sir, if I prove that stocks were lower one year after the Mackenzie Administration were dispossessed of power, I shall establish beyond controversy that the introduction of the Tariff and prosperity were not coincident. Take Bank of Commerce stock. On September 12th, 1878, it was 113½; one year after the hon. gentleman acceded to power, and months and months after their National Policy was in operation, it was down to 112½. Federal stock fell from 104½ to 98; Bank of Hamilton fell from 99 to 97½; Imperial from 103 to 95; Montreal, 170½ to 130; Dominion, 117 to 110½; Toronto, 138 to 111; Canada Permanent Loan 181 to 172; Canadian Government 6 per cent. debentures, 101½ to 100; Dominion 6 per cent., 101½ to 100; County debentures that were 102 went down to 101½. These figures are taken from sources that cannot be controverted, and they show that one year after the Tariff was introduced stocks which are taken by the hon. Finance Minister as the sure index of prosperity in a country, had fallen to a lower point than they had touched when the Mackenzie Administration went out of power. Next, we are told by the hon. the Finance Minister that our stocks have gone up in the London markets, that our stocks that were quoted at 93 have gone up to 104 or 105, an increase of 12 per cent. I rejoice in the fact. I am as glad as the hon. Minister can be that our stocks have gone up in the money market; but I hope the hon. Finance Minister will not think I am seeking to rob him of his glory when I say that I do not attribute the advance in our bank stocks to the fact that he presides over the Finance Department. I recognize the fact that the English money market is open to the nations of the world, and while I rejoice that our securities have gone up, I cannot ignore the fact that our neighbors across the line are equally prosperous in this respect; that their 4 per cent. issue redeemable about the same time as our own have advanced 20 per cent. Stocks have gone up all over the world, and the hon. Finance Minister in availing himself of the glut in the money market at the present time to reduce the loan 1 per cent. is but humbly following the example that has been set him by every agriculturist in western Ontario who has been unfortunate enough to have a mortgage on his farm the past few years. They are taking in their mortgages at 8 per cent., and are renewing them with mortgages at 6 per cent. The hon. gentleman deserves the same credit for saving 1 per cent. that we are willing to give to those farmers who have managed their own affairs as I have indicated. Our bonds have gone up in the London money market, not because we have the hon. gentleman at the head

of the Finance Department, but because the monied men of the Old Country have money to spare. Looking abroad they have seen what I have seen, and what every Canadian may see, that we have in this country, resources that may be made available, that are being developed, and that bespeak for us the position of a prosperous and thrifty nation. We have the reputation of a people who regard our national honor, among whom the thought of repudiation is never entertained. Money lenders recognize the fact that in our fields and forests, in our mines and deep seas, we have the sources of great wealth, that we have a people of indomitable energy, willing to develop all our resources; and they recognize the fact that the money we borrow from them is in safe hands, and we may rest assured that in the future, as in the past, Canada will receive full value for any bonds she may desire to float in the London market. We can all rejoice in this matter, though we, on this side of the House, are unable, though we might be willing, to give credit to the hon. the Finance Minister for placing the country in the position in which it is. It was assumed, and it was stated by the hon. Minister—not to-day, because it did not suit his purpose, but in the course of the Tariff debates we had in previous years—that the fact of decreased importations was proof that the country was prospering, because it could not prosper with large importations. The hon. gentleman pointed out that the decreased importations of 1880 proved that we had given the home market to our Canadian manufacturers and they were developing their industries, which was the cause of the great prosperity we enjoyed. But this year the hon. gentleman's calculations are entirely incorrect with respect to this point, for we find in the importations of manufactured goods of almost all kinds an enormous increase. Take books: there is an increase of 21 per cent. I speak of last year over 1878, the final year of the Mackenzie Administration, when according to hon. gentlemen opposite the country was being ruined because our friends would not raise a high wall in order to shut out foreign importations, which, according to those hon. gentlemen were ruining the home industries of the country. Of brass and manufactures thereof there were 221 per cent. more; carriages, including railway cars and rolling stock, 251 per cent.; carpets, 63 per cent.; clocks that we determined under this Tariff of ours to give a monopoly to one firm which manufactured them, 78 per cent. more than in 1878. Copper and the manufactures thereof, 591 per cent. increase; cottons, 51 per cent.; earthenware and china-ware, 34 per cent.; though we have placed a duty of 30 per cent. on that article which, together with the cost of carriage, it might be supposed would amount to a prohibitory duty. Furs and the manufactures thereof, 171 per cent. increase. Glass and glass-ware 32 per cent., notwithstanding we gave such great additional protection; hats and caps, 20 per cent.; iron and steel and the manufactures thereof, 88 per cent.; leather and the manufactures of leather, 58 per cent.; marble and the manufactures of marble, 120 per cent.; oil cloth, 93 per cent.; paper and the manufactures of paper, 113½ per cent.; silk and its manufactures, 116 per cent.; soap, 17 per cent.; stone and its manufactures, 193 per cent.; tobacco and cigars, 23 per cent.; wood and its manufactures, 72 per cent. No wonder the hon. Finance Minister did not venture on the same line of argument to-night, as on previous occasions, when the imports had somewhat decreased; because we now find an increase in the ratio I have described in all those lines over 1878, the year when hon. gentlemen, now occupying the Treasury benches, denounced hon. gentlemen on this side, because they did not enact a Tariff to shut out foreign goods which were coming in at that time. If prosperity was to be secured, as the hon. gentleman said, by shutting out the foreign manufactures he has proved, or I have proved, by the increased importations from figures furnished by hon. Ministers themselves, that, instead of enjoying prosperity now, we are

in this respect, as in regard to the balance of trade, in the position of having poverty staring us in the face. I will tell you now, and it is my bounden duty to tell you, what I conceive to be the true cause of our prosperity. Having assailed the position of the hon. Finance Minister, he might say: "You are very good at tearing down,"—if he would pay me that compliment—"but you had better give us your theory and tell us whence our prosperity comes; you have admitted that prosperity exists, why is it?" I will give it to the House, and in doing so I ask the careful consideration of hon. members as to whether it is possible, from the figures which I shall submit, to arrive at any other conclusion as to the secret and the source of the great prosperity that the hon. Finance Minister and his friends behind him, and myself and the friends behind me, rejoice at in common. I have already pointed out the fact that good times and the introduction of the Tariff were not coincident.

Sir JOHN A. MACDONALD. By the fact of the falling in banks stocks.

Mr. PATERSON. By the falling in bank stocks, says the hon. the First Minister. I do not wish to trouble the House, but if the hon. Minister desires it I can, within one minute, give him a table, taken from the *Mail*, showing that this was not only the case with respect to bank stocks, but with regard to all kinds of farm produce one year after the Mackenzie Administration left office. Does the hon. gentlemen desire this table?

Sir JOHN A. MACDONALD. If you please.

Mr. PATERSON. But the hon. gentleman will not deny it.

Sir JOHN A. MACDONALD. I must hear it first before I can deny it.

Mr. PATERSON. But the hon. gentleman will allow me to go on with my argument, while an hon. member beside me will turn up the book, so that I can give the hon. gentleman what he desires. I have not my own speeches so ready to refer to as some hon. members; I speak of what I know, and perhaps hon. gentlemen will wait a little before they begin to laugh. He should laugh who wins. I was saying in 1879 we had not good times. I have proved it by the statement I have given of bank stocks; I intend to give the hon. the First Minister what he desired in regard to that matter. I have it now, I am glad to say. I will let the hon. gentleman have the benefit of the figures, and he will correct my statements if he sees fit to do so. They are contained in a statement I gave to the House last year. I suppose what I said last year, having the eternal principle of truth as its underlying foundation, will be as good this year as last, because it will not be, like the hon. Finance Minister's statement of to-day, a retraction of what he said a year ago. My statement was as follows:—

	12th Sept., 1878.	11th Sept., 1879.
Fall Wheat, No. 1 .....	\$1 06 to \$1 07	\$1 02 to \$1 04
do No. 2 .....	1 02 to 1 03	1 00 to 1 02
Spring Wheat, No. 1 .....	1 02 to 0 09	0 98 to 1 00
do No. 2 .....	0 97 to 0 98	0 96 to 0 97
Oats .....	0 28 to 0 30	0 31 to 0 32
Barley, No. 1 .....	1 00 to 1 05	0 60 to 0 00
Pease .....	0 63 to 0 70	0 63 to 0 65

Butter fell from 12½ to 10 cts.; cheese from 9½ to 5 cts.; dried apples, mess pork, hams, lard, eggs, and hops fell; and wool fell from 24 to 20 cts. I hope the hon. gentleman is satisfied.

Mr. FARROW. I understand the hon. gentleman to say that oats fell from 28 to 30 cts.

Mr. PATERSON. Well, I may have made a mistake in reading the figures. If I did in the way the hon. gentleman says, it will prove the fairness I exhibit. He has picked out an article, which, it is true, I may have

misquoted; but I think I have shown sufficient to establish to the satisfaction of the First Minister what he demanded, as he wanted something more than bank stocks; and I have proved what I said in respect of every line of produce which the farmer has to sell. Now, Sir, that being the case, I will point out the true reason why we had not good times in 1879. And why was it? Simply because of the products of the field, of the forest, and of the mine, we were then able to export less in value than was the case in previous years. You will find, taking the year 1879, that we exported only \$60,000,000 worth of goods, the products of Canada. Now, Sir, what has been the result since the year 1879—the first year under the new Tariff, a year of the greatest hardships, of the most failures, of the lowest prices in bank stocks, of the lowest prices in produce? Why, Sir, I find that, in 1879, we exported \$60,089,578 worth; in 1880, \$70,096,191, worth; in 1881, \$80,921,379 worth; and, in 1882, \$90,042,711 worth. In other words, Sir, we exported \$10,000,000 in 1880 more than in 1879, \$10,000,000 extra in gold was circulated in this country in 1880 than was the case in 1879, and this very considerably lessened the pressure and tightness which was then upon us. In 1881 we had \$20,831,801 more in circulation than we had in 1879; \$20,000,000 more of gold brought into the country in addition to the \$10,000,000 circulated the previous year; and this still further mitigated the stringency which was then upon us. In 1882, the year just past, the increase was \$29,953,133, another \$30,000,000 placed upon the top of the \$30,000,000 of the two previous years, or \$60,000,000, in these three years, more of gold than was brought back into the country in 1879, and circulated amongst us. It requires no prophet, it requires no Finance Minister, but only a man of ordinary ability to know, that such a state of things must produce prosperity in any country; and in that fact lies the secret and the source of all the prosperity we have. But, Mr. Speaker, there can be no doubt, when speaking with reference to these matters, that, if the Finance Minister can show that he has been the means of producing these extra products, and of raising the prices in foreign markets, and that he has brought back that money into this country—then we must give credit to the Tariff for it. I will ask him whether he takes credit for the increase in the products of the forest during these years. I will ask the hon. Minister of Finance whether this was caused by the Tariff. Did the Tariff raise the price of lumber in England and in the United States? Sir, he will not even dare to do that, I venture to say, though he does, in my judgment, venture a long way. That, Sir, is a matter beyond him. He admitted once, that the lumber trade was a thing which he could not touch, except to injure it.

Sir LEONARD TILLEY. Oh, oh.

Mr. PATERSON. Well, Sir, he admitted last year in his speech that he could do very little to benefit it.

Sir LEONARD TILLEY. Oh.

Mr. PATERSON. This being the case, he will not claim that he could raise the price of lumber in Albany or in other foreign markets. Well, Sir, as to lumber and the products of the forest, we exported, in the year 1880, over 1879, \$3,593,018 worth; in the next year, \$11,698,553 worth; and, in 1882, \$10,729,596 worth; in these three years which have passed since the first year that these hon. gentlemen acceded to office there were brought into this country as the result of the higher prices of lumber which we exported—higher prices which the hon. Finance Minister was totally powerless to affect in the slightest degree—\$26,021,197 more than in the year 1879. As to animals and their products, the hon. gentleman will not claim that the Tariff has been the means of giving to

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us more cattle in the land than we had before. The hon. gentleman will not venture to do that; and yet, in the matter of animals and their products, which the Tariff was totally powerless to effect in the slightest degree, what are the facts? We exported, and brought back, of foreign gold into this country from that source, in 1880 over 1879, \$3,506,973; in the succeeding year, \$7,259,615 more; and in the next year, \$6,354,155 more; or \$17,120,743 more of gold was brought into Canada in the three past years, than was the case in 1879, as the result of the sale of animals and their products. Sir, the hon. Finance Minister did not raise the price of cheese and butter in Liverpool; this is a matter outside of and beyond him—it is the work of the grand, eternal and unalterable law of nature, the law of supply and demand. It was due to the scarcity in foreign markets. We had the articles to sell, the price went up, and the result was that increased wealth was given to us. Then take, Sir, agricultural products, and what do I find? Why, in the year 1880, over 1879, we exported of these products \$2,665,864 worth; in the next year, \$16,398,613; and last year \$11,407,243; or, in those three years, as the result of the increased sales and of higher prices, we brought back of gold into this country \$15,712,975 worth more than in 1879. Well, Sir, will the hon. gentleman claim, will he dare to say, that he was the cause of the rain falling and the sun shining on our fields; that he was the cause of the abundant harvests of 1881 and 1882? No, Sir, he will not venture to do so. Will he then seek to claim that he stands in the room of Providence and caused the rain to fall and deluge the fields of England and Ireland and Scotland, rotting the crops in their fields, producing a scarcity there, and increasing the prices of the articles which we have to sell. Sir, he will not dare to say he was the cause of Providence smiling on us in this land, by which we were enabled to show that we had these \$15,712,975 as the result of it. Sir, add up these three items, and the result of the sale of the products of the forest, of animals and their products, and of agricultural produce, and you have in these three years, \$58,854,915 out of the total increase of \$60,791,547. Sir, I give that to you, and I give it to the House unhesitatingly, as the source and the secret of the prosperity which this country enjoys, and which I trust it may enjoy for some time to come. Last year when I had spoken in reference to a motion, in which I used figures which pointed in this direction at that time, so far as they went, and the hon. gentleman alluding to that point, gave utterance to words which will be found on page 80 of last year's *Hansard*. He said:—

"I have made up a statement to show that the present state of the country cannot be the result of largely increased exports of the products of Canada."

And then he quoted a table. It is an extraordinary thing that a Finance Minister should venture on a statement of that kind—that he should say that \$60,000,000 extra gold could come into the country, and the country not be made more prosperous thereby, was something I could not comprehend. The hon. gentleman took the table of 1874, 75-76-77-78, and dividing the amount by the five years, he said we had an average export of \$68,576,901, and then taking 1879-80-81 and dividing them by three years, he said we had an average export of \$70,369,049, or a difference of \$1,792,148, and he held he had therefore established his point conclusively. I am rather afraid, Sir, that the hon. gentleman was guilty on that occasion of doing what he would fain have charged upon us this afternoon—of using figures calculated to mislead. He took the year 1879 as one of his years—that lean year, that year of \$60,000,000 exports, and, of course, thereby reduced the average annual export.

Sir LEONARD TILLEY. Why should we not?

Mr. PATERSON. Because of what I have laid down now—that the argument was as to the cause of the prosperity; and I have established beyond a doubt that in 1879 you had not the prosperity though you were occupying the Treasury Benches, but that you had a depression greater than ever before, and therefore, the hon. gentleman had no right to take that year. Let me give the hon. gentleman this table, and if he had even taken that table, and added in the year 1879, and taken those four years, he would have an average annual increase over the five years which he gave, of \$6,710,564; but if he leaves out the year 1879, as he is bound to do in making a fair calculation taking the three succeeding years, he will find that the average annual increase over the years 1874 to 1878 will be \$11,766,526, and, therefore, the statement he made that the increased prosperity could not be due to the largely increased exports, would fall to the ground. To say that a country is not richer which sends out a larger volume of exports and brings back gold for them is to make a proposition which, I think, will not commend itself to the intelligent understanding of any hon. member in this House or out of it. Last year the hon. gentleman took credit to himself for the prosperity among the farmers, because he said he had enhanced the value of what they had to sell. Last year, the hon. gentleman told us that when the people asked for a change in the Tariff, it was given to them, and he said the people of the country paid into the Treasury more than he expected, because he had found employment for them at higher wages. He said that men who were working half time are now working full time; farmers who found sales difficult and prices low, are getting high prices, and ready cash. And then he congratulated himself again that he was the man who had done it. For this occasion I will hold him to it, that he was able to do it, and that he had done it. But I ask him now, having that power which he claims to have exercised, and for the exercise of which he must be held responsible, why, during the past year he has allowed the magnificent crop of 1882, greater in its proportions than Canada ever had before, to decline in price nearly one-quarter of its value, thereby taking \$8,000,000 out of the farmers of Canada? Why did he allow fall wheat to be sold for 24 cts. less than in the ruinous years when the hon. member for East York led the Government? He has allowed fall wheat to fall 24 cts. per bushel from last year; spring wheat, 31 cts.; peas, 6 cts.; barley, 14 cts.; oats he has kept where they were; butter he has kept where it was; pork he has allowed to fall 26 cts. per hundred weight; wool 4 cts. per lb. Why has he allowed all this? He cannot say, "Why ask a silly question?" though I admit that it would be a silly question if asked of any man except the man who declared in this House that he had the power to do these things, and that he had done them. I tell him that from this time forward he will be watched in this House and in the county. He claimed that he had the power to make good times, and that he had made good times. He has claimed credit for the opening of every factory, and at his door will be laid the blame of the closing of every factory. He has claimed credit for the enhanced price of wheat, and at his door will be laid the blame for the low price of wheat. As I heard the hon. gentleman hesitate to-day, I had a strong suspicion that he recognized the fact that the state of affairs was about to be changed, notwithstanding his seven years prediction. I believe that he saw in the failures which are taking place, not by ones or twos, but by scores, in the neighboring cities, that the tide is turning. We heard him to-day using the term cycles of depression, but that is a word which we should not hear from the other side of the House. The hon. gentleman told the people that if they would only put him in power he would banish these cycles and give them perpetual prosper-

ity. I hold him to that statement, and I charge him with being derelict in his duty in having allowed the price of farmers' produce to fall for months. If he does not waken up soon the lumbermen of New Brunswick will find themselves in a difficult position, because there are indications that the market for the products of the forests are going down in England, and that if he does not wave his wand and keep up the prices heavy losses will fall upon men who work in the forests of his native Province. I tell him that if he does not see that the crop of the Mother Country is blighted again this year, there is danger that prices here will go down again. The hon. gentleman will say, admitting that they have gone down a little, "One thing I deserve credit for, and that is, that I promised that I would make the farmers prosperous, because I would give them a home market for their perishable commodities—eggs, butter, and cheese, and other articles which cannot well be exported." Let us see, by the figures given by the hon. Minister of Customs, how much of the perishable products of the farm he has found a home market for by his Tariff. If we take horned cattle, we shall find that he has allowed 32,188 head of horned cattle of the value of \$2,103,996, to leave the country during the past year, more than went in 1878, because they could not find a market at home. In swine, sixty-two head had to leave the country more than left in the last year of the Mackenzie Government. In sheep there were 68,680 more exported, at a value of \$529,620; in poultry \$82,356 worth more. We all remember the hon. Finance Minister telling us last year how in going through the country he was met by the delighted farmers, who said to him: "You have conferred blessings on us; well do we remember the days of Mackenzie, when we came and exposed our chickens for sale in the rain and could not sell them." Yet we find that \$82,356 worth more had to find a market outside of the country than in the last year of the Mackenzie Government. In butter, 2,155,213 lbs. more, valued at \$553,919, had to find a foreign market. In cheese, 12,752,955 lbs. more, valued at \$1,503,347, had to be sent away. No less than 5,226,162 dozens of eggs, valued at \$997,135, were exported last year more than were exported in 1878. Surely the manufactories that were opened ought to have consumed all the eggs; they are certainly a perishable article. The hon. gentleman will not claim that his Tariff has caused the hens to produce more eggs. In hides and skins, \$6,171 worth more were exported last year than in 1878; in meats of all kinds, including bacon, beef, &c., \$125,808 lbs. more, valued at \$129,625; in green fruits, a very perishable article, which it was said would be bought from the farmers by the manufacturers at higher prices than they could get abroad, 159,313 barrels more were exported, valued at \$391,131, than in 1878. Perhaps the hon. gentleman will claim that he made the fruit trees bear more.

Sir LEONARD TILLEY. No insects on them this year.

Mr. PATERSON. Then, the hon. gentleman has developed into something more than a financier; he has developed into an insect-killer. In potatoes, which are an exceedingly perishable article, and which are very bulky for exporting, 2,737,933 bushels, valued at \$1,907,635, had to find a market abroad more than did so in 1878; and in other vegetables, \$169,419 worth more had to be exported. Last year the hon. Finance Minister took credit to himself for having provided a home market for what the farmer had to sell; but he has wisely abandoned that position this year. That calculation was like many others of his calculations. He took the year 1877, because it was, according to the Trade and Navigation Returns, the only famine year we had—the only year in which we did not grow as much wheat as the necessities of the

country demanded, and had to import foreign wheat; and he tried to show that he had greatly enlarged the farmers' home market. Suppose he had done so, of what benefit would that be to the country? If the hon. gentleman will take the trouble to go into the calculation he will find that when he claims to have benefited the farmers by forcing a certain portion of the people to use Canadian wheat, when their interest would be to take American wheat, his claim is not just; for he would find that although he has imposed a burden upon the people of the Maritime Provinces, he has not benefited the farmers or the millers of Ontario. If we look at the figures of last year, we shall see how this matter stands. In 1882, we imported 2,931,220 bushels of wheat, valued at \$3,358,571, and we exported of the non-produce of Canada, 2,588,498 bushels, leaving as the consumption of foreign wheat 342,722 bushels. But what did that foreign wheat cost per bushel? It cost \$1.14½ per bushel. But we exported of the produce of Canada in the same year 3,845,035 bushels, valued at \$5,180,335. What, then, did the farmer get for the wheat he exported to a foreign country? He got \$1.34½ per bushel. Yet the hon. Finance Minister claims that he has conferred a great benefit on the Western farmer because he has secured for him a home market in which the price averages \$1.14½. I think the Western farmer would say he did not care for the Eastern Provinces when he could get \$1.34½ in a foreign market. Take flour, the average price of which imported in the Eastern Provinces was \$5.40, but which when exported to a foreign market netted \$5.85. Do the millers or the farmers of the West want a market for flour at \$5.40 in the Dominion when they can get \$5.85 in a foreign country? What do they care where it goes provided they get a good price. And the effect has been that in many parts of New Brunswick and Nova Scotia the consumers had to pay 50 cts. per barrel duty without benefiting in any way the Western agriculturist because he could export it at a higher price. The hon. gentleman has boasted that he had a surplus, and he has one. I come now to consider that question of surplus, and in doing so I call attention to the fact that this question was debated during the reign of the Mackenzie Administration, which was not a reign wholly of deficits as the hon. Minister of Railways would fain have us believe. At any rate the then hon. Finance Minister claimed at one time that he had a surplus. What was the language of the hon. Minister of Railways with reference to that surplus. I invite the particular attention of the House to this, because it was alluded to by the hon. leader of the Opposition, and because the force of his utterances was sought to be broken by the right hon. First Minister on behalf of the hon. Minister of Railways, but with the effect, through his not understanding the position, of placing the hon. Minister of Railways in a worse position than before. In 1875, he said [*Hansard*, 1875, page 176]:

"Then there is the question of sugar \* \* \* There never was a time when the hon. Finance Minister had it in his power to deal with this question in a manner more just to the people than at present. He says we have a surplus of half a million. I say the Government have no right to have a surplus. If they have, they should endeavor to get rid of it, and the best way to do so is that pursued by us and by the Government of Great Britain—by lightening the taxes on the people, and when I tell you the article of sugar pays in this country 50 per cent. on its cost, while in England the Government have swept the tax away altogether, I think this House will agree with me that the time was most opportune to have used this surplus—not in adjusting the Tariff for sugars as the hon. gentlemen proposed last year, but by such a decrease of duty upon the lower grades of sugar as might accomplish the object the hon. gentleman had in view when bringing the Tariff before the House, and which would be received as a boon by the poorer classes of the country."

This is a most emphatic declaration on the part of the hon. Minister of Railways, who was then exercising the duties which would have been performed, no doubt, by the hon. Finance Minister, had he then been in the House; and I am bound to say that he performed them with great ability.

Mr. PATERSON (Brant).

We have further the utterances of the hon. Finance Minister on this question of surplus and the duty of the Government in dealing with it. He said, in 1881 [pages 1,020 and 1,021 of *Hansard*]:

"Hon. gentlemen may ask if with the estimated surplus for the present year of \$2,000,000 and the estimated surplus next year of \$1,000,000, we propose in the resolutions we are about to lay on the Table any great reduction in the Tariff."

After stating it was not his intention, owing to inability, to estimate exactly what effect the increased home production would have, and also the hope of Reciprocity, he further says:

"We thought it would not be injurious to be able to show in two or three years that we had a surplus of two and a half or three millions. \* \* \* If there is no chance of our natural productions having a free market in the United States, if we find that in addition to the \$300,000 required for interest on our expenditure in the construction of the Pacific Railway, we have a handsome surplus, I need not tell the hon. gentleman that we shall be only too glad to relieve the people of taxation, whether to the extent of half a million or a million of dollars. But at present we feel that it would be unwise and undesirable to do that."

We have, therefore, first the opinion of the hon. Minister of Railways that a Government has no right to have a surplus, or if they have it is their bounden duty to get rid of it by lightening the taxes. Then we have the hon. Finance Minister saying that he did not know exactly what the effect of the American Tariff legislation would be on our revenue, but that if at the end of three years we had a surplus of \$3,000,000 he would only be too glad to relieve the people of taxation of half a million or a million dollars. Now, with a surplus of \$4,000,000 in 1881, over \$6,000,000 last year, and about \$6,000,000 this year, or about \$16,000,000 in the three years, instead of this estimated surplus of \$3,000,000, he purposes to lighten the burdens of the people only by the paltry reduction he proposed to make should we have a surplus of \$3,000,000. If it were wrong to have a surplus at all, how can the hon. Minister justify himself for having taken out of the pockets of the people \$16,000,000 of money which ought to be circulating among the people, and locking it up in the coffers of this country or expending it on public works which the Government were pledged to construct, without increasing the taxation of the country—for the construction of which they were to borrow money and pay out of the sale of lands? To-day he proposes no lessening of the burden of taxation except the paltry relief of \$1,500,000 of duty, and of that \$500,000 comes off the article of tobacco, a luxury which people were willing should bear an increase if necessary. He proposes no relief on sugar, no lessening of the taxation on the other necessities of life. While reducing the duty on tobacco he is enhancing the taxes on other articles of prime necessity. Hon. gentlemen opposite should decide whether the position now taken by the hon. Finance Minister is the right one or whether that taken by the hon. Minister of Railways, that a Government has no right to a surplus, is the right one. I agree to a great extent with the hon. Minister of Railways. When the Government find they have beyond doubt a surplus, when they can calculate to a certainty on having one, it is their bounden duty to reduce taxation. It is no part of the duty of a Finance Minister to extract more money out of the pockets of the people than is absolutely wanted to carry on public affairs. He has done his best, I admit, in the estimate he has made to make the expenditure keep up with the taxation of the people—I admit that—running it up at the rate of a million a year. His duty is plain, the hon. Minister of Railways being his judge, his own words telling him in 1881, that he has no right to come down here proposing no greater reduction in taxation than \$1,500,000 when he has \$16,000,000 of a surplus. He claims it as an evidence of statesmanship that he has succeeded in taking \$16,000,000 out of the pockets of the people more than was needed. Is it statesmanship in England, where they have statesmen to

administer their affairs? Let me point out to the hon. gentleman that if the Chancellor of the Exchequer of the United Kingdom was to have a surplus, in proportion to their revenue, equal to that which the hon. gentleman has boasted of to-night, he would have a surplus of \$2,000,000. Fancy what would be said of a Chancellor of the Exchequer in England if he could not estimate the requirements of the public service nearer than \$2,000,000. He would be ridiculed as unable to grasp the financial condition of the country. The Finance Minister will reply to me: I estimated the surplus at \$3,000,000. Even then he was mistaken in his estimate of the revenue. After five years experience the hon. gentleman is astray in his calculation with reference to the effect of this Tariff, \$3,316,000. That would be equivalent to a miscalculation on the part of the Chancellor of the Exchequer in England of \$46,000,000. Fancy a Chancellor of the Exchequer in England making a mistake like that. Sir, the Finance Minister has to learn, and he has to be told, that Finance Ministers are judged by their ability to estimate closely what the revenue and expenditure are likely to be, that they may ask from the people no more than what is required to carry on the public service. He has completely failed in this respect, for he has asked for \$3,316,000 over and above \$3,000,000 surplus he estimated last year. We remember the denunciation heaped upon the late Minister of Finance because, during his administration, he had been unable to keep the expenditure of the country within the bounds of the revenue—he who had to administer the affairs of the country with one-third less taxation than at the present time. He was, at any rate, able in five years to show a deficit of not more than \$5,000,000, or only \$1,000,000 a year. The present Finance Minister in his calculation is, in three years, \$16,000,000 wrong, or over \$5,000,000 a year. Sir, this surplus business is quite understood by the people of this country. If the surplus was paid by the Minister himself, if he had some means of taking it out of his own pocket and putting it into the Public Treasury, or if the combined supporters of the Ministry had some means of putting that money into the Treasury, then we would hail them as benefactors of their country. But when the hon. Finance Minister has put his hand into your pocket, and my pocket, and the pockets of the people of this country, and taken therefrom this \$16,000,000, then we claim that he has not accomplished any very great feat, though backed in his act by the Parliament of this country. I say that he has proved himself unable to estimate aright the resources of this country, he has been unable to grasp the tax-paying power of the people, and he is still going on in the same way, for he tells us that in the current year he expects another \$6,000,000; and I suppose that for the year that is to follow we may calculate upon a little surplus. In this matter of a surplus it is time the hon. gentleman should act upon the advice of the hon. Minister of Railways, and lighten the burdens that are laid upon the people of this country. I tell the hon. Minister of Finance that I believe, before the seven years he has talked about rolls round, he will find things in this country very much changed—

Sir LEONARD TILLEY. Blue ruin predicted.

Mr. PATERSON. Oh, no. I think that it is quite possible that blue ruin may overtake the hon. gentleman's political fortunes, but I do not think that utter ruin will come to the country, because I think the country will exist in spite of all the hon. gentleman can do to ruin it. But it is quite possible there may be relief in the near future. I am not one of those—and no hon. gentleman in this House can make the charge against me—who take too dark a view of the affairs of the country. I was one of the first to acknowledge the time when prosperity began to dawn

upon us. I am fain to admit it to-day. My opinions are not worth a great deal, but what I am saying now is backed up by men who are quite as good financiers as the hon. gentleman himself; and I mean no disparagement to him when I say that a former Finance Minister, once a colleague of the present First Minister in, looking abroad over the commercial condition of the country, has seen fit more than once in his paper to raise a warning voice. Other commercial journals point in that direction. It is not a prediction that I make alone. Let me read to him what one of his own organs says, a paper that supports the hon. gentleman opposite at least three days in the week, let me read from the *Montreal Gazette* of March 8th, the following editorial:—

“The disturbing elements which for some time past have existed in the commercial atmosphere have not yet been dissipated, and it is feared that further disturbances as a result of over-trading are inevitable before business regains its wonted health and vigor. Not in Canada alone, however, is this unsettled condition of affairs discernible, as the depression is certainly more marked in the United States than here, and has become sufficiently developed in Great Britain to draw forth comments upon it from the press. Some of our leading merchants are of the opinion that references to trade difficulties should be avoided as much as possible in commercial articles, on the ground that they tend to create unnecessary distrust. In this view of the subject, however, we cannot concur, for the reason that the more the question of commercial depression is publicly discussed and understood, the more speedy and effectual is likely to be the application of the remedy. It has come to be a recognized axiom, that cycles of depression follow periods of prosperity as surely as night follows day, although we maintain that the former sequence is not as necessary to trade as the latter is to nature.”

Then he goes on and instances cases in support of his statement. Now, I hold that is very wrong language on the part of the editor of the *Montreal Gazette*. That is blue ruin, and I would suggest that the hon. member for Cardwell (Mr. White) should write to the editor of the *Montreal Gazette*, protesting against it. The thing is an outrage. That paper is guilty of infidelity to the hon. Finance Minister. Why, Sir, here we find the very expressions in a good Tory newspaper that we used to hear in the time of the Mackenzie Administration. Here we find a paper that is known to the hon. member for Cardwell, a strong supporter of the hon. Finance Minister, talking about cycles of depression. Has he forgotten that the hon. Finance Minister still lives? Has he forgotten who administers our affairs? Has he forgotten that cycles may come and cycles may go, but that applies to lands where they have not such a Finance Minister as we have, for here there are no disturbing influences in the commercial atmosphere? How dare he make these utterances in view of the failures that are taking place. I read a speech delivered by the hon. member for Cardwell very nearly, if not on the same day, delivered in a neighboring county where the hon. gentleman held forth with all the eloquence he possessed, and told the people how blest we are in having the present Finance Minister, and that with the Tariff in force and the present Ministers in office we were on the way to perpetual prosperity. But even the Finance Minister has declared to-night a want of faith in himself. He believed that for seven years we would have prosperity. Does he intend to die in seven years, or to leave us in seven years; I pray him not. If he can maintain this buoyancy in the commercial atmosphere and stave off this blue ruin, why should he only do it for seven years; why should he not live and serve his country and not voluntarily retire? Canada has placed him in that high position, and it will expect him to remain and give effect to all his prophecies, and that for all time to come, because he says the present Tariff is to remain in force for all time to come. Neither wages, nor the price of wheat must decline for all time to come; there is a little fall for the time being, but the hon. Minister will regulate that. For all time to come our factories must have their home market. I recognize the fact that, while I believe Canada is prosperous to-day, and has another good year before her, long before the seven years which the hon. gentleman has mentioned

have elapsed, the country will be in the midst of one of those eras of depression which the *Montreal Gazette* truly says, come round in cycles; that one year after you find depression existing in the United States, look out for depression in Canada, and I, faithless in the power of the Finance Minister, would be glad if he had the power to save us from that which will inevitably come. The large expenditure of foreign capital in the Prairie Province may for the time tide us over, but depend upon it that when the Pacific Railway is completed and trains are running through, when our exports decline and a poor harvest comes, and there is a lowering of the United States lumber market and decline in the price of our products in England, then there will be a stringency in this country again; and let me tell the hon. Finance Minister that, though he rejoices to-day, and says the people to-day pay their taxes willingly, yet at the rate he is spending the public money now, taxes will have to be kept up with diminished imports, and the people having to pay 35 per cent. on many of the necessaries of life, instead of 17½ per cent., will turn round on the hon. Finance Minister and say that their burdens are greater than they can bear, and he will be unable to give relief, because the country has entered upon an era of extravagance, and expenditure can be more easily increased than retrenched; and therefore it is that I look forward to that time, and am willing to see the hon. gentleman sitting in his place and take all the pleasure that he can derive—and he seems to derive much pleasure from the fact—that he sits surrounded with two supporters at his back to every one in the Opposition. This country will, as I have said, pass through a period of stringency and trade depression as well as of prosperity, and I venture to prophecy that in a few years from now, the hon. Minister, if he still retains his position as Minister of Finance, will find that he will be compelled to offer apologies; he will explain how this factory and that factory was closed; how wages in this department were lowered, and how it occurs that the exports have declined. I believe this, and I am confirmed in my view by writers in commercial journals, equally well informed with the hon. Finance Minister. And then we, on this side of the House, will have the satisfaction of knowing that though we may have had to wait a few years, till a period of trial came round, yet it was bound to come at last. We will know that the principles laid down on this side of the House, and acted on, were the correct principles, and that hon. gentlemen opposite, who attempted to give the people relief by means of bogus medicines, would be declared by the people themselves, to have been administering quack medicines. They would ask the advice of physicians who practise according to well understood remedies, and when that time came, the hon. Minister would find, that having had his day of rejoicing and exaltation, that his utterances would fall back on himself, and that he had proved powerless to accomplish the good he declared he would be able to accomplish through the agency of the Tariff. I have not gone into a discussion of Free Trade and the present Tariff. Free Trade has never been an issue in this country. It has always been held that we should afford protection, while raising the necessary revenue, and I have pointed out time and again that under the late Administration the manufactures had attained a proud and prominent position, as far back as 1876, when the products of the manufactories of Canada, placed side by side with the manufactured products of other nations, challenged the admiration of the people who beheld them. I have pointed out that the display of Canadian manufactures at the Centennial Exhibition, followed by the exhibitions at Paris and Melbourne, aided by a grant made by the Government, opened up a foreign trade to this country, that in 1878 had expanded to \$4,000,000. What have hon. gentlemen opposite done to promote our manufacturing industries? Some few lines have been benefited, and I am willing they should be benefited. But what has been

Mr. PATERSON (Brant).

the effect on the manufacturing industry as a whole? The export trade has not been developed. It fell nearly \$1,000,000 during the first year that hon. gentlemen were in office; it fell \$1,000,000 another year, and an aggregate of \$2,750,000 less of manufactured goods were sent from this country during the last three years than during the last year of the Mackenzie Administration. And yet they claim that they alone developed manufactures. Hon. gentlemen opposite can take whatever credit they can find from the claim that they benefited some industries; but it must be remembered that they handicapped others, and those the largest and most important in the country. Among those handicapped were the manufacturers of agricultural implements, and to-day the hon. Minister proposes that an extra duty be levied upon that industry, to be borne by whom? By the people of Manitoba. Poor Manitoba. The figures given to us by the Minister of Customs himself reveals this fact: that while the other Provinces of this Dominion pay an average of \$5 per head of taxation, Manitoba pays \$16, and it is on the imports directly into Manitoba, while the duties on the goods they purchase in Montreal and Toronto have to be added to it. In addition they pay enormous freight rates, monopoly rates forced upon them, fastened upon them by hon. gentlemen opposite, so that every man in Manitoba with five of a family faces the fact, that he will have directly and indirectly a taxation of about \$200 a year to bear. Sir, I think that this is a matter which deserves the attention of this House and country—that in this fair land of ours from which we had hoped for great things, under the management of hon. gentlemen opposite, they are making it intolerable for the people of that country. I am not so much surprised that the agricultural implement manufacturers are seeking more protection, because the Government by heaping taxes on their raw material, compels them to ask for high prices, and again, because the Government, instead of retaining the Thunder Bay Branch, built with the money of the people of Canada, and which, when in our own hands, would have enabled us to lay down a car load of freight for \$40, or on regular mileage rates for \$43, have handed all the outlets and the inlets into that country into the hands of the Syndicate, who charge these same men \$176 to lay down a car of freight for the same distance. That, Sir, handicaps these agricultural implement makers, who have to pay extortionate freight rates; and who, in buying their raw material, have duties heaped upon them by the hon. Finance Minister; and they say: Why, we cannot hold our own unless more protection is given; and if the hon. gentleman grants their request he imposes on the people of that Province additional taxation. Sir, there is a blight on that land in the presence of these hon. gentlemen, and I will not allow them to charge on me disloyal utterances because I speak out openly in this House with reference to this matter. I will not permit them to charge me with running down the country. I am not doing so. No man in this House desires to see progress and prosperity in this country more than I do; with the feelings of a young Canadian I desire, above all things, to see great national progress in this country to which I owe my birth; and I looked forward hopefully to the opening and development of the North-West, which has all the resources required to make a great nation, and it is because I am a patriot to that country, and because I am a patriot to my country, that I speak out plainly. I am not disloyal to my country when I speak in this way, and I am not running it down. It is a magnificent country, and it has an enterprising people in it; but they are chained down hand and foot by the Government of the day. I am, however, opposed to the Government of the day, and herein lies my disloyalty. I am disloyal only to their policy which has fastened these fetters on what ought to be a free nation. The Finance Minister boasts of his majority in the House. We recognize the fact, that though but 70, while they are 140, and

you, Sir, the impartial one, whom we have in this House; and that though it be the state of parties in this House, it is not the state of parties in the country; and even were it so, no man is to be blamed for holding views different from his fellow men; and we will maintain in all their force, and propound with all the possible vigor of which we are capable, the principles that we think ought to guide us in administering the affairs of this country. I have only one thing to say, and I would not have alluded to it, had it not been for the boasting of the hon. Finance Minister. He might, under the circumstances—remembering by what means his majority was attained—have, at any rate, felt that it was not necessary to allude in such jubilant terms to the fact, that they are 140 to our 70. Not that we care for that, for 70 believing themselves to be in the right, may stand in the face of not 140 but of 740; and when that hon. gentleman knows the means by which they obtained power; when he remembers that he himself was a party to the conception, and the introduction, and the passing of a Bill through this House, by which the late Finance Minister, a man whose abilities the country might have had the advantage of at this time, who had been received in a constituency by the unanimous nomination of his party, in a constituency in which that nomination meant his election to this House—he might well have refrained from making such a boast. The hon. gentleman was a party to the introduction of a Bill to wipe out the ex-Finance Minister's constituency at the expense of depriving him of a seat in this House; when he in common with other hon. gentlemen opposite, day after day, week after week, month after month, manifested that noble, that brave and that chivalrous disposition which enabled them to retire into the secret recesses of a room, and there in darkness to take their maps and change constituencies so as to strike at the members of the Opposition, tearing townships from counties and casting townships into other counties, disfiguring, marring, and blotting the whole map of Ontario, by legislative enactment, in order to lessen the chances of many of their opponents in this House. That hon. gentleman professes to have some regard for his character; to have some of the elements of fair play in him; and when he remembers that he was a party to this, that he sat here and plotted in secret in common with others of his party, and carried through this House a Bill in an underhand way, and by this means succeeded in capturing the Province of Ontario, he might have refrained from his boasting. Sir, if it be any pleasure to one of his noble and chivalrous nature, to see that he was successful in accomplishing what he sought—to diminish the number of hon. gentlemen on this side of the House—the pleasure is his; and, Sir, we on this side of the House would rather remain here from now until doomsday, a small minority, than ever be guilty of doing that upon which we could not reflect without feeling that we had committed an act which could not commend itself to any man possessed of a noble, brave, and chivalrous nature. Mr. Speaker, I am sorry I have detained the House at such length. I have spoken with some vigor and force on the subjects which I have touched; but I have endeavored not to trespass beyond the bounds of Parliamentary debate. Differing from the hon. Finance Minister, I have endeavored to give the reasons for my views; and whether I have done so ably or not, the House, at any rate, will be able to see the line of reasoning which I have endeavored to adopt; and if that line of reasoning will commend itself to any independent members of this House and lead them to review the opinions of both political parties and take into more earnest consideration heretofore all the great questions of the day—not one, but than the great questions of the day; and if it should be the means of influencing them to cast their votes in the direction which I conceive to be the right one, then, Sir, I will feel

more than repaid for any efforts that I have made in thus placing my views before you.

Mr. WHITE (Cardwell). Mr. Speaker. The hon. gentleman who has just taken his seat, has devoted a large portion of the time which he has occupied in replying to the Budget Speeches of last year and of the year before. Sir, those Budget Speeches were before the people of the country in June last; the replies of those hon. gentlemen to those Budget Speeches were also before the country, and in the face of arguments used by hon. gentlemen opposite, the people of Canada—not the people of Ontario alone, but the people of the whole Dominion—returned to this House a majority to support the hon. gentlemen who now occupy the Treasury Benches. The hon. member has been good enough to say that we should not boast of that triumph, because of the fact that it was achieved, as he alleges, in some parts, at any rate, by what was commonly known as the Gerrymandering Act. I did not understand the hon. Minister of Finance, when he referred to the fact that eight ex-Ministers, who were in office during those five years that the opposite party were in power, had fallen victims to the popular indignation at the last election—I say I did not understand him to refer to the triumph in the Province of Ontario alone. The fact is that of those eight hon. gentlemen only one can, with any show of reason or truth, be said to have fallen a victim to what is called the Gerrymandering Act. The late member for Bothwell is now, it may be, occupying a position which is not an uncongenial or unpleasant one; it is one which, in some respects, has its advantages over the position of a member of this House—that of an editor of a leading newspaper in Ontario. He occupies that position to-day, it may, perhaps, be said, because of the change in the boundaries of his late constituency, but certainly the ex-Finance Minister cannot claim that to be his case. If the constituency which he formerly represented was changed, the changed constituency is in this House represented by an hon. gentleman who is in sympathy with him, and who supports the party with which he was connected; and the other constituency, into which portions of his constituency went, returned a member to this House by the enormous majority of somewhere about 800. The late Finance Minister himself chose a place in which to try conclusions with the Conservative party, and in choosing that place he chose one in which, judging by the preceding election, there was fair reason to expect that he might have some chance of success. What was the result? He was beaten by a majority of 157, and the township which was added by the Act of last Session to the constituency, only gave a Conservative majority of somewhere about thirty. How was it with another gentleman in this Province? How was it with an hon. ex-Governor of the Province of Ontario, Mr. Macdonald, who ran in Glengarry and was so gallantly beaten by the hon. gentleman who sits behind me? How was it with the late hon. member for Shefford, whose constituency was not gerrymandered? How was it with the late hon. and gallant knight of Westmoreland, whose place was taken by the hon. gentleman whom we are all so delighted to see in this House? How was it with the late Minister of Justice, Mr. Lafamme, in whose constituency there was no change of boundaries? How was it with Mr. Laird who ran in Prince Edward Island, and who was so unpopular that, if I mistake not, he almost prevented his own colleague in finding a place in this House? How was it with Mr. Jones who ran for Halifax, and who, I am glad to know, was defeated by the hon. gentleman who sits behind me? How was it with the ex-Speaker of the House who failed to get the votes of one-fourth of the constituency which formerly supported him? What influence had the Gerrymandering Act on those constituencies? If it had any influence whatever, it should have had

an influence in their favor. If it was an Act which deserved the name of an infamous Act—and I have heard that term applied to it in western constituencies—the argument was good in every part of the Dominion, that the party guilty of passing such an Act were unworthy of public confidence; yet that measure, used along with other measures passed by this Government, and denounced with equal vehemence when they were before Parliament, and for which they were responsible in all those constituencies, failed to bring back these leading men to the other side of the House. As we gaze on it from this side and miss the faces of those who used to do loyal battle for their party in debate, we experience a feeling of absolute commiseration at the poverty of the Opposition in this House. Sir, the truth is, that the people of Canada, in June last, gave their verdict for the same reason that they gave it in September, 1878. They had had experience of the Liberal party in power. They found that that party in power had failed to carry out even the pledges they made in Opposition, and they found that, more serious than that, they had failed to appreciate the wants of the people; they had ignored the condition of affairs in which the country stood, and, unwilling to trust them again, they preferred, even if the statements made by the hon. gentleman opposite as to the mal-administration of the Government were true, to trust the destinies of this country to the Conservative party whose administration they had had experience of for nearly twenty years, rather than run the risk at a time like that of placing the affairs of the country in the hands of hon. gentlemen opposite. There never was in any country a triumph so signal, so significant, as that which came to the Conservative party in June last; and hon. gentlemen opposite, if they realize the real sense of the country, if they could learn to forget a little or learn to remember a little, would not come back to this House the first Session of a new Parliament with the worn-out speeches which had been delivered in the old Parliament, which had been before the country at the time of the elections, and the verdict of the people upon which had been one of unqualified condemnation. I propose to review very briefly some of the points to which the hon. gentleman has referred in his speech. He commenced by referring to the finances, and he told us the old story that the Conservative party had increased the expenditure of this country from \$13,000,000 in 1868 to \$23,000,000 in 1874. Well, we have heard that before, and it has had no effect upon the country. The hon. gentleman himself does not believe that there is any force in the statement as a condemnation of any party in this country. He knows that in 1868 we were four Provinces, and that in 1874 there were seven Provinces. He knows that in 1868 we were entering upon Confederation, that we had not yet commenced to expend money upon the development of this country. He knows that in 1873 and 1874 we were in the full career of development; that we had purchased the North-West, that we had almost built the Intercolonial Railway, that we were commencing to enter upon expenditures in connection with the North-West, and he knows that there is no fair comparison between the periods of 1867 and 1874. But, Sir, he fell into the further error of misstating the expenditure on Consolidated Revenue account, at any rate, in 1873-4. I will not here revive the old controversies of the last Parliament. I will not discuss beyond the mere statement of the fact which was so ably discussed at that period, that the expenditure of 1873-4, instead of being over \$23,000,000 was \$23,300,000, and that hon. gentlemen opposite actually cooked the Public Accounts—I use the word advisedly—in order that they might be able at the end of their period to present a misleading statement, with a view of making out as good a case as possible for themselves. By placing sums spent on Capital Account, to the account of Consolidated Revenue, by including Customs refunds and a number of other items,

Mr. WHITE (Cardwell).

they added nearly \$1,000,000 that certainly did not belong to the expenditure of that year; and they succeeded in raising the yearly expenditure from \$22,300,000, to some \$23,316,000. But it is when we come to deal with the details of these expenditures, that we see the difference between the two parties. It is quite true that hon. gentlemen opposite, when in power, only increased the general expenditure from \$22,300,000 to \$24,456,000. But how was it done? Will any one tell me that a decrease in the expenditure on Public Works is a matter of economy? The hon. gentleman who has just sat down boasted that public works were managed for a certain sum of money. I do not know whether he is aware that the expenditure under Public Works, has nothing whatever to do with the management of public works. It is expenditure on Capital Account for the construction of public works; and the only difference between the two parties in that respect is this, that at one period, with an overflowing Treasury, the Conservative party were enabled to do what, happily, they have been able to do ever since, viz.: expend public money on the public works of the country, whereas hon. gentlemen opposite, with annual deficits, were obliged to stop such expenditure. And now they claim credit for so doing, as if it was an evidence of economical administration. So with other expenditures, such as Immigration and Quarantine, Militia, &c. But hon. gentlemen opposite claim to have succeeded in decreasing the ordinary expenditure during the five years that they were in power. If you examine the cost of collecting the revenue, which must be to a considerable extent included in the controllable expenditure, you will find that, instead of being decreased during that period, it was very largely increased. Between 1879 and 1882, the expenditure was increased considerable. I am not going to trouble the House by reading over the items of that increase, which are connected largely with Public Works, Dominion Lands, the Census, &c. But when we come to comparison between the Administrations of the two parties, we find the following to be the result:—

REVENUE.			
	1879.	1882.	
Public Works.....	\$ 1,863,149	\$ 2,711,134	
Customs.....	12,900,659	21,581,570	
Excise.....	5,390,763	5,884,859	
Post Office.....	1,172,418	1,587,888	
Total.....	\$21,326,989	\$31,765,451	
EXPENDITURE.			
	1879.	1882.	
Public Works.....	\$ 2,680,979	\$2,893,512	
Customs.....	719,711	723,913	
Excise.....	211,064	280,573	
Post Office.....	1,784,423	1,980,567	
Total.....	\$5,396,177	\$5,878,565	

That is, Sir, the income during those years increased no less than \$10,438,462, or 49½ per cent., while the cost of collection increased only \$482,383, or a fraction under 9 per cent. Now, Sir, if you compare this with the period when hon. gentlemen opposite were in office, you will find the following result:—

REVENUE.			
	1874.	1879.	
Public Works.....	\$ 1,509,915	\$ 1,863,149	
Customs.....	14,325,192	12,900,659	
Excise.....	5,595,903	5,390,763	
Post Office.....	1,139,973	1,872,418	
Total.....	\$22,569,983	\$21,326,989	
EXPENDITURE.			
	1874.	1879.	
Public Works.....	\$2,389,679	\$2,680,979	
Customs.....	658,299	711,721	
Excise.....	206,935	211,064	
Post Office.....	1,387,270	1,784,423	
Total.....	\$4,642,183	\$5,396,177	

That is, while the revenue decreased \$1,242,994, or 5½ per cent., the cost of collection increased \$753,994, or 16½ per cent. That is the answer I give to the hon. gentleman when he undertakes to compare the expenditure from 1874 to 1879 with that from 1879 to 1882. Then, Sir, I take some details. I take the expenditures in relation with the management of the Government railways. I have no doubt that when the hon. Minister of Railways comes to deal with this subject he will do so very fully, but I will be pardoned for stating one or two facts in connection with it. I find that the mileage of the Intercolonial open in 1879 was 720 miles, and in 1882, 840 miles, an increase of 120 miles. I find that the train mileage run was 2,111,426 in 1879, and 3,195,566 in 1882, or an increase of 1,084,140. I find that the passengers carried numbered 640,101 in 1879, and 779,994 in 1882, an increase of 139,893; that the tons of freight carried in 1879 amounted to 510,861, and in 1882 to 838,956, an increase of 328,095 tons. One would naturally imagine that, under these circumstances, with greater mileage to work, with a greater carriage of passengers and freight, and consequent larger expenditure, the increased expense ought to be very great. Yet what are the facts? The revenue in 1879 was \$1,294,099; and in 1882 it was \$2,079,262—an increase in 1882 of \$785,163 over 1879. Everyone who knows anything of railways, knows that the increase in expenditure and revenue always bear some relation to each other. Yet in this case, we find that although labor was undoubtedly higher in 1882 than in 1879, and the revenue was so much greater, there was substantially no increase in the cost of working the road. In 1879 the cost was \$2,010,183, and in 1882, \$2,069,657, an increase of only \$59,474 in expenditure for the production of that enormously increased revenue and business. I find further that the deficit in 1879 in the working of the railroad was \$726,084, while in 1882 its working showed a surplus of \$9,605. The cost per mile of running a train on the Intercolonial was, in 1879, 95.50, in 1862, 64.74 cts., a decrease of 30.73 cts. I ask whether, under these circumstances, we may not fairly say that in relation to this, our greatest enterprise, upon which the largest expenditure may be made without any special oversight or attention of the public or Parliament, that it is an evidence of the careful administration which has characterized the conduct of the hon. gentlemen on the Treasury Benches. Take the matter of Customs as another illustration, and what do we find? The hon. member for West Middlesex, in the debate on the Tariff in 1879, stated this among other objections:

"The Finance Minister, in bringing down the Budget, said it would be necessary to employ a number of experts to examine the goods imported into this country, so that their value might be appraised and the country saved from being defrauded. This meant a positive increase in the collection of Customs hereafter. It meant his hon. friend would have to dismiss a number of Custom House officers and appoint others who had had a peculiar training in order to do this business. It meant more than that, an increase of the number of Custom House officers of the present grade. When a bale of goods came to the Custom House consisting of cottons, silks, velveteens, etc., in order to calculate the Customs dues, they would be compelled to measure every article. Then the invoice would have to be looked into in order to levy the *ad valorem*. Thus there would be a large increase in the labors of the Custom House officers. A large increase would be necessitated in the Custom House staff, and for that reason he objected to the Tariff as being expensive."

What has been the result? The cost of collections in 1874, when hon. gentlemen opposite took office, was 4.55 per cent.; in 1878 it had increased to 5.56, an increase of 1.01 per cent. In 1882 the cost of collecting the revenue was 3.32 per cent., or a decrease from that of 1879 of 2.24 per cent. But percentages, of course, are sometimes misleading. They may mean a good deal, or nothing. I will, however, take the actual figures. In 1874 the receipts were \$14,325,192, and the cost of collecting those receipts, \$658,299. In 1879 the receipts were \$12,900,659, and the cost of collecting, \$719,711, or a decrease in the revenue of \$1,424,533, and an increase in the cost of collecting that decreased revenue of \$61,412—that is, 10 per cent. of a decrease in the receipts,

and 10½ per cent. of an increase in the cost of collection. In 1882 the receipts were \$21,581,570, and the cost of collecting, \$723,913, showing an increased revenue over 1879 of \$8,680,911, and an increased cost of collecting of \$4,202—or 67 per cent. increased revenue at an increased cost of collecting under ½ of 1 per cent. I think we may fairly offset that against the statement made by hon. gentlemen opposite as to the difference between the two parties in the management of our public affairs. I will take another Department, in relation to which hon. gentlemen opposite are disposed to charge inconsistency against the Conservative party. When hon. gentlemen were in office they were charged with having unnecessarily increased the Post Office expenditure. They have since charged us with inconsistency because it has also been increased by this Government. But what are the facts? During Mr. Mackenzie's term of office, the revenue from Post Offices in 1874 was \$1,476,207, and in 1879, \$1,534,363, an increase in the latter year of \$58,156, a fraction under 4 per cent. On the other hand, the expenditure increased from \$1,695,480, in 1874, to \$2,167,266 in 1879, an increase of \$471,786, or about 28 per cent. That is to say, while the revenue increase was under 4 per cent. the cost of collecting it had increased 28 per cent. What has been the fact since? In 1882 the revenue was \$2,022,996, or an increased revenue over 1879 of \$188,633, 31½ per cent. In 1882 the expenditure, \$2,459,356, or an increase of \$292,090 over the expenditure of 1879, giving a percentage of increase of 13½ per cent.; thus while the revenue increases 31½ per cent., the cost of collecting it only increased 13½ per cent. When we look at this matter in another light, we find this to be the result: the average cost per Post Office in 1874 was \$326, in 1879, \$386.59, and in 1882, \$398. That is to say, an increase of \$60 per Post Office between 1874 and 1879, and of only \$12 between 1879 and 1882. Then, if you take the mileage travelled you will find that the increase is more than accounted for. The mileage of travel in 1874—and that is a very good indication of the expenditure of the Post Office, because it is one of the methods by which you can show how postal facilities have been increased to the people of this country—you will find that the mileage in that year was 13,929,180, and the cost 11 cts. per mile. In 1879 it was 16,156,034, or 13½ cts. per mile, being an increase of 2½ cts. per mile. In 1882 the mileage had increased to 18,091,996, or 13½ cts. per mile, so that there was no perceptible increase in the mileage cost of working the Post Office between 1879 and 1882. But if you look at what has been done, the kind of mileage that has been covered, you will see that there might reasonably have been a considerable increase. In Manitoba and the North-West Territories, in 1874, the Post Office mileage covered was only 79,567; in 1879 it was 149,843, while in 1882 it had increased to 738,206, so that with all that enormous development of the postal facilities in the North-West, the cost per mile of working the Post Office has not increased during the time the hon. gentleman on this side have had charge of the Department, while during the time the hon. gentleman opposite had charge of it the mileage cost increased 2½ cts. per mile. Then, another way of dealing with the matter is to look at the cost per letter. I find that in 1874 the cost per letter was 4 cts.; in 1877 the hon. gentleman opposite managed still to increase it to a fraction over 4 cts.; while in 1882 the cost per letter had been decreased to a fraction under 3½ cts. per letter; so that in every way in which we look at the administration of the Post Office Department we find that we were right in charging extravagance against the hon. gentleman for the increase between 1874 and 1879, and that this Government is not fairly open to the same charge for the increase since they came into office. Now, Sir, in relation to our financial condition, I may further refer to the state of our Public Debt, and I think it is worth while looking at it in order that people may see what is the posi-

tion which this country is occupying at the present moment. This is of great importance, because it will be remembered that in the debates in this House, in 1880, when the Government proposed to assume the task of building the Canadian Pacific Railway, the hon. gentlemen opposite, and especially the hon. member for West Durham, pointed out the serious evil that must result to this country, if there was a great increase in the Public Debt. He pointed to the fact that emigrants from the other side, choosing a country to come to, finding in the United States a country where there was an annually decreasing debt, and finding in Canada, a country where there was an annually increasing debt, would naturally seek the United States rather than Canada. Well, Sir, under these circumstances, I think it must be a matter of sincere congratulation to us all, that we appear reasonably, at any rate, to have reached a period when there would be no further material increase to our Public Debt in connection with the enterprises upon which we have now entered. In 1867, the net debt was \$75,728,841; in 1874, it was \$108,344,964, or an apparent increase during that period of \$32,616,323. But of this increase to which we are often referred as an evidence of Conservative extravagance, there were no less than \$20,452,340 for debts allowed to the Provinces, that is to say, for the entry of Manitoba, British Columbia and Prince Edward Island into Confederation, and for the assumption of the debts of Ontario and Quebec, amounting, with the equivalents to the other Provinces, to \$13,859,079, making an actual increase in the burden of the country of \$12,163,983, or an average for seven years of \$1,751,993. In 1879, \$34,645,223 had been added to the debt, being an average annual increase of \$6,929,045, making the net debt at that time, when hon. gentlemen opposite left office, \$142,990,187. In 1882, \$10,671,463 had been added, making an average increase during the time that the present Government has been in office, of \$3,555,055, as there will be no increase during the next year—that fact has been announced by the Finance Minister—but, on the contrary, as there is a fair prospect of a small decrease, we may take \$2,667,866 as the average increase under Conservative rule. Now, if we leave out this \$20,452,340 of debts allowed to the Provinces, the net increase has been \$57,680,667. We have to show for that, in four articles alone, these sums: On canals we have spent \$12,671,125; Canadian Pacific Railway, \$26,046,339; Intercolonial Railway, \$26,464,017; North-West, \$2,920,000, making altogether, \$68,101,481; or we have in these four items alone an excess of \$10,420,812 over the entire addition to the debt during the period since Confederation. I think that is a fact which we may fairly present to the public, and especially to the emigrating public in whose interest the warning was given by the hon. member for West Durham. We may fairly present it as a fact to reassure them to come to this country. Now, we have this other fact by way of contrast between the hon. gentlemen opposite and hon. gentlemen on this side. During the time that the Conservative party were in office down to 1874, considerably over \$10,000,000 were expended on Capital Account, in excess of the additions to the public debt. From 1874 to 1879, \$5,723,083 were added to the debt more than were expended on Capital Account; so that while the hon. gentlemen opposite were in office, they were expending money every year obtained from loans, and therefore from additions to the Public Debt for the ordinary administration of the affairs of the country. We may well say to them that they could hardly have gone on increasing the expenditure upon public works—at a time when they were only able to carry on the affairs of the country—in spite of two increases in the Tariff, from one of which they estimated an increase of \$3,000,000, and from another of which they estimated an increase of \$1,600,000—by increasing the debt \$6,723,083 more than they expended on Capital Account. What has been the result since? I

Mr. WHITE (Cardwell):

find from 1880 to 1882 there has been expended on Capital Account, \$15,535,034 more than has been added to the Public Debt. I think we may fairly congratulate ourselves upon this fact, a reassuring one to the immigrant who is comparing the condition of this country with that of the United States before selecting his residence. Looking at the future I think we may fairly say, in spite of the warning of the hon. member for Brant, that we will have an annual surplus during the next five years of about \$3,000,000. I do not believe we can have very much less than that, even assuming what the *Montreal Gazette* says is correct, that we are on the eve of a period of depression as compared with the inflation of last year, in view of the development of the North-West. That will give us \$15,000,000 in money during the next five years to expend on Capital Account. In 1885 we shall have \$32,467,169 of 5 per cents. maturing, and to redeem. Redeeming them at 4 per cents., even at par, and we may be able to go a little better than that, it will be equal to a new loan of \$8,000,000, without adding a single dollar to the interest-charge on the Public Debt of this country, and after all the interest-charge is the measure of the burden on the people. Those two items, amounting to \$23,000,000, will be applicable to Capital Account without adding to the interest-charge, which, as I have said, is the measure of the burden of the debt. Then we shall have the receipts from Public Lands. The hon. First Minister declared, in 1880, that we would receive by 1890, \$38,593,000, that being on the basis of an annual increase of immigration into the country of 5,000 souls, and from securities, being money secured by land, \$32,712,000. I am aware that statement was challenged. The hon. member for West Durham, in referring to it, said:

“The hon. gentleman expects to receive in the fourth year \$1,870,000; in the following year, \$2,622,000; in the next year, \$3,230,000; in the next year, \$4,112,090; in the next year, \$5,058,000; in the next year, \$5,833,000; in the next year, \$6,877,000; while the last year of this series of rapid progression is to yield, \$7,562,000, to be received in cash from sales in the North-West lands—an aggregate of \$38,593,000 apart from the sums not yet due of \$32,712,000. Now, I venture to say, if every one of the other calculations be realized, if the hon. gentleman gets into that country the amount of emigration he expects, and at the time he expects, if he makes sales to the numbers and at the prices he expects, these calculations as to the dates and the amounts of his receipts will under no circumstances be realized. Under no circumstances will he receive these sums or anything like them, at these times or anything like them.”

Now, in this, as in almost everything else, time appears to be the great enemy of hon. gentlemen opposite, and the great friend to hon. gentlemen on this side of the House. What do we find? We are only in the second year, not the fourth. That speech was made by the hon. member in 1880, and at the end of 1882 we had, by the Public Accounts, acknowledged receipts from public lands of \$1,744,456; that is to say, we have received in the second year within \$125,544 of the sum estimated by the right hon. gentleman for the fourth year. I think we may fairly say, under those circumstances, we have reason to believe now, in view of what has actually taken place, that the estimate given us by the right hon. Minister of the Interior in 1880, will be fully realized as time goes on, and giving the opportunity for its realization, under those circumstances we will be in this position by 1890, or perhaps before that. In five years from to-day, in all likelihood: the Pacific Railway will be completed from ocean to ocean; immigrants will be able to take the cars at Halifax and go to Vancouver Island, or rather to Port Moody, without changing cars or leaving British territory. We will not only have the railway built, but we will have the work accomplished without any increase being made to our public debt. We will have to complete the improvements now contemplated on our canals, and I hope we will be able to dredge and improve the channels of our rivers. We will be able to light and to greatly improve the great waterways of

the North West, and I sincerely trust that this is a work which will be undertaken by the present Administration. We will be able, I hope, and I trust the policy of the Government will yet be to do so, to remove the tonnage dues from all vessels from the time they enter the Gulf till they reach Lake Superior, if they can go as far, so as to have free navigation over our magnificent water system from one end to the other and we will be able to accomplish all that without adding a single dollar to the public debt; but, on the contrary, I believe, while making annual payments in reduction of that debt, as they are doing to-day in the United States. I think, under those circumstances, we may fairly claim that the policy of this Government, not only in regard to what is called the National Policy, but their policy in regard to the material development of the country, is in every respect one which merits the approbation of the people, and justifies the verdict which the people gave in June last. So much for the question of expenditure; and I come now for a moment or two to touch on the question of the National Policy, about which so much has been said. I find that the hon. member who preceded me is not very strong in his position on this question. I can remember very well that figurative speech of his in which he pointed out the great advantages which would result to the people from an increase in the duties on tobaccos and cigars. And one can readily understand a gentleman whose opinions as expressed originally in this House, and as we all hope he still entertains them, whose honest opinions are to the effect that the true policy for this country is a policy of protection to native industry—how difficult it must be for him to take the position and to play the rôle which was imposed on him to-night, in the absence of another hon. gentleman who certainly had no difficulty in relation to circumstances of that kind to embarrass him. What has been the position of this country with respect to general trade? There has been an extraordinary revival of trade. No one doubts that. The hon. member for Brant admits that the country has been very prosperous. It is true; but he could not forbear saying that things were changing and that we were going to everlasting smash. He remembered some failures, and rubbing his hands, as hon. gentlemen opposite are in the habit of doing, he declared with delight, "this is sweetness indeed, another failure." The hon. gentleman declared we were on the eve of another period of depression, that there was a crisis coming at last—and, indeed, he seemed most cheerful when he came to that part of his speech. There was no chance for them so long as the country was prosperous; the people would never trust them so long as the country was prosperous; but if times become depressed, and the people do not care much who governs the country, possibly they may have a chance, but so long as the people feel an interest in and a hope for the country's success and prosperity, hon. gentlemen opposite feel they have no chance to take seats on this side of the House. What has been our position with respect to general trade? That there is an extraordinary development, every one will admit. I have a statement here, but I will not detain the House with details of exports and imports. I find by it that the imports have increased from \$81,964,427 to \$119,419,500. But, Sir, the argument is used by the hon. gentleman that the fact of our increased imports into this country is proof that the policy of Protection has not succeeded. He tells us that if Protection had succeeded, and if we were manufacturing more goods in this country, we ought, in the nature of things, to have imported less goods; and I am bound to say that, as a general proposition, made without enquiry, and without serious thought, it seems to be a reasonable statement, and it is a statement which was made a good deal of, I know, on the public platform. Now, Sir, what is the fact? We can take, in this matter, the position of the United States. Hon.

gentlemen opposite, when we used to discuss the question of a National Policy, or Protection, on the floor of Parliament, referred us to the United States. They told us that the depression which was pointed out here, was due to the depression on the other side, and when prosperity was pointed to here, that it was due to revived prosperity on the other side. We are now told that depression is threatened in the United States, and that we are certain to have the same condition of things here. They all said, during the discussions of 1878, that during 1877 there was great depression in the United States; we were pointed to their industries standing idle, to the people who were idle, to the tramps who were going about that country unable to find employment, and to the fact that so large a number of different kinds of industries had absolutely failed and closed their doors. Well, Sir, in 1877 the imports into the United States, less coin and bullion, amounted to \$451,315,992. Now, Sir, in 1882, the hon. gentleman will tell us that the United States were prosperous, that we had our prosperity because of their prosperity, that their industries were all reopened—as was indeed the fact—that there was abundant employment given, that every department of the manufactures of the United States, had assumed a very much better position, and yet, in spite of that, the imports into that country in 1882 had increased to \$724,639,574, or an increase of \$273,323,582 between the time when many of their manufactories were closed and the period when all those manufactories were opened and working. Let me give you some details with relation to that increase. I will take cotton, for instance. In 1877, cotton goods were imported into the United States to the value of \$18,923,614, and in 1882, these imports had increased to \$31,285,306. Woollen goods—a large article of American manufacture—were imported in 1877 to the value of \$31,955,244—in round figures, \$32,000,000—and in 1882, this had increased to \$47,618,182. Silks, in 1877, were imported to the value of \$21,830,159, and in 1882, this had increased to \$38,328,251, so that in these industries, which had been suffering, and were suffering very seriously in 1877, and which were prosperous in 1882, the imports from foreign countries of articles similar to those manufactured in these factories had very largely increased. Now, Sir, an analysis of the imports into Canada—I admit that they have largely increased—shows as strongly as anything can show, how great has been the development of the manufacturing industries of this country. Let me point out some facts in regard to it. The total increase in the imports in 1878, was \$26,337,713; and the increase in raw material which goes into the manufactures of the country, and the increase of which is in fact a pretty certain test by which you may judge of the increased prosperity of the manufactures of Canada—was as follows: Steel rails, which are raw material in the sense of going into our railways, increased from \$1,049,107 to \$3,531,330; coal, which is perhaps more applicable, because it is used in driving machinery in our mills, increased from \$3,054,846 to \$5,118,616; hides and pelts, from \$1,207,304 to \$2,215,419; wool, from \$1,106,210 to \$1,843,857; raw cotton from \$774,703 to \$2,286,534; leaf tobacco, from \$703,581 to \$1,334,110. There are a number of others, which I will give in bulk: raw furs; hemp, undressed; raw silk; india rubber, raw; rosewood, mahogany, &c.; rags; machinery; used in our mills and factories, increased from \$516,035 to \$2,284,723, and that in spite of the fact that the manufacturers of Canada who manufacture machinery for mills, are more than employed, and are unable to fill the orders which are pressing upon them; broom corn and pig iron, making the total imports of these raw materials for 1878, \$3,929,163, against \$22,091,211 in 1882, or an increase in imports of raw material of \$2,162,018. Then I take luxuries and goods which are not made in

Canada, and the increased importation of which may be said to be simply evidence of the increased power of consumption of our people, and of their increased prosperity; and I find this—I will give simply the articles and the general result:—flowers and feathers, laces, braids, &c., cassimeres, coatings, doeskins and meltons, carpets, tea, cottons unenumerated, dried fruits, linen, silks, satins and velvets—we manufacture some silks but it is not yet a large industry in this country—and we find that these imports increased from \$10,886,266 in 1878 to \$20,284,686 in 1882, or an increase in these articles of luxury, or articles not made in this country, of \$9,398,420. Then, Sir, in other increases, I find that settlers' effects increased from \$803,506 to \$1,557,246; and coin and bullion, which go into the Trade Returns, from \$803,726 to \$1,503,743; and articles of public use, such as are used by the Government and the Governor General, from \$239,744 to \$597,669, making a total of from \$1,846,976 to \$3,856,658, or an increase altogether, on these items, of \$1,811,688. Now, Sir, let me recapitulate: the increase in raw material was \$12,162,048, in luxuries and articles not produced in this country, \$9,398,420; and in special classes, \$1,811,682; or altogether in these three articles of goods, an increase in the imports of 1882 over 1878, of \$23,372,150, or within \$3,000,000 of the entire increase in our imports of 1882 over those of 1878. I think I may fairly say, therefore, that as to raw material the increase is an evidence of the increased industrial prosperity of the country: as to luxuries, and articles not manufactured in the country, evidence of increased prosperity and of the increased power of purchasing by the people of this country: and as to those other articles, especially such articles as settlers' effects, evidence of the increased number of people coming into Canada and the increased wealth of those people; and when we come to analyze this increase, there is nothing in it which justifies the statement of the hon. gentleman opposite, that the increased importation indicates a decrease in the manufacturing power of the country. Now, Sir, coming to some details with regard to our trade, and to the direct effect of the National Policy upon it, I shall refer to a few articles. Take first my favorite subject of sugar—a sweet subject, and one which I like to dwell upon. I notice that the hon. member for Brant, although the hon. Finance Minister gave him the figures, made no reference to this subject in his reply, but it is worth while giving the figures in relation to that article. The imports from the British and Spanish West Indies in 1874, when we had refineries in Canada—before the unfortunate policy of hon. gentlemen opposite in not meeting the concealed bounty given by the Americans to their sugar refineries, which destroyed the refineries in Canada—the imports from these Islands to Canada were 40,000,000 lbs., while in 1878 our imports had decreased to 7,000,000 lbs. In 1878 our imports from Great Britain were 53,238,162 lbs., or 49 per cent. of our entire imports of sugar. In 1882 our imports had decreased to 3,239,080 lbs. or 3 per cent. of our entire imports. From the United States we imported in 1878, 45,195,334 lbs., or 41 per cent. of our entire imports. In 1882 we imported from the United States 7,695,441 lbs., or 6 per cent. of our imports. From the British West India Islands, in 1878, we imported 4 per cent. of our entire importations, and in 1882 26 per cent. From the Spanish West India Islands, in 1878, we imported 6 per cent., and in 1882, 36 per cent. From Brazil we imported nothing in 1878, the trade from South America having entirely disappeared, while last year 29 per cent. of our entire imports came from Brazil. Under these circumstances, I think we may fairly say that, so far as the effect of this policy on the West India and the South American trade is concerned, it has been eminently successful, and

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that is one way, at any rate, in which it has had an effect on the prosperity and development of the trade in Canada. Then, Sir, let us take the change in the character of the sugar. In 1878 we imported over 95,000,000 lbs. of refined sugar; last year we imported only about 6,000,000 lbs. Of partly refined we imported in 1878, 14,801,108 lbs.; last year we imported 55,383,936 lbs. Of raw sugar we imported in 1878, a little over 1,000,000 lbs.; last year we imported 73,635,927 lbs. Then, Sir, as to the number of sea-going vessels employed in this trade, for that is another way in which the influence of this policy upon the trade of the country is shown. In 1878 the number of vessels engaged from the British West Indies was 238 with a tonnage of 22,137; in 1882 the number had increased to 273 vessels with a tonnage of 37,697. From the Spanish West Indies in 1878, 57 vessels were engaged, with a tonnage of 6,571; in 1882 the number had increased to 137 vessels with a tonnage of 23,470. From Brazil we had three ships in 1878, with a tonnage of 1,518, while last year we had thirty-seven vessels with a tonnage of 17,696. So it will be seen that in these respects there has been a very important development of our shipping interest as a direct result of the National Policy. I am aware that it is said that we have lost very seriously in revenue by the adoption of this policy, and that result used to be predicted by the late hon. Finance Minister (Sir Richard J. Cartwright) when he was a member of the House. Now, we will take the year 1878 as a basis, because the year 1879 was not a fair year. Every one knew that the policy was going to be changed; it had been announced as part of the policy of the Conservative party that they would encourage sugar refining in Canada, and, therefore, there was a large importation of refined sugar just before the adoption of the Tariff. Taking the year 1878, we find that the duties on sugar amounted to \$2,595,074. In 1882 they were \$2,528,384, or a loss to the revenue in consequence of this policy, between the years 1878 and 1882, of \$66,690. How have we been compensated for that loss? We have it in the price of the sugar to the consumer. We used to be told that the effect of the policy would be to increase the price, but we have not heard much of that lately. The figures given by the hon. the Finance Minister to-night show that we have actually saved 67 cts. per 100 lbs., and I will give the figures to show how that is made up. The average price in New York last year, taking certain periods of every month, was \$9.35 per 100 lbs., less the drawback, \$3.15, making the net cost for export \$6.20. The railway charges and freight to Canada have generally been assumed at 30 cts; the old Tariff gave 25 per cent. and 1 ct. per lb., making \$2.55. To this we add 50 cts. as charges and commissions, and that has been arrived at by taking the prices in New York during the time we had no refineries, and taking the prices in Canada for the same year, and the same periods in each month, and we find that the difference between the price which we should apparently pay, adding the duty and these other charges, and the price we actually pay, amounted to 50 cts. per 100 lbs. Adding that, and we find that the average under the old Tariff would have been \$9.55 per 100 lbs., while the actual price during that period was \$8.88, or a saving to the people of this country in this item of 67 cts. per 100 lbs. In 1878, the imports above 13 Dutch standard, amounted to 95,154,570 lbs., so that the saving of 67 cts. per 100 lbs. was an actual saving to the people of this country of \$637,535, while the actual loss to the revenue was only \$66,690. In addition to that, we had the advantage of the employment of labor in the refineries, of a market for coal, of the employment for our shipping, of the employment of coopers, of the consumption of raw material in connection with cooperage, and of the other incidents in connection with that industry. At the present time we have five sugar refineries operating

in Canada, and I am very glad to know that the refineries of Halifax are competing with those of Montreal for the trade of the far West. That is a fact which every one should be pleased to hear, because it proves that Halifax is peculiarly well situated, by its nearness to the coal supply and to the countries which produce the raw sugar, for the prosecution of industries of that kind. Take next the item of tea. I find that with regard to it the same prosperity and progress is going on. Under the discriminating duty in 1873-4, before the Sir Francis Hincks Act was repealed by the Tariff Act of 1874, we imported 15.85 per cent. of our teas from the United States. The direct imports from China and Japan were 50.08 per cent., an increase in the two years under the duty of 20 per cent., that is, from 30.03 per cent. In 1878, the imports from the United States had increased to 55 per cent., and those from China and Japan had decreased to 18 per cent. under the influence of the Tariff of hon. gentlemen opposite. Then, Sir, we have these other results of the discriminating duties imposed in 1879. The imports of green and Japan tea were as follows :—

	1878.		1882.	
	lbs.	per cent.	lbs.	per cent.
Great Britain .....	1,254,154	19	1,734,930	17
United States .....	4,144,872	62	3,465,289	32
China .....	129,480	3	891,787	8
Japan .....	1,101,928	16	4,643,386	43

The imports of black tea were as follows :—

	1878.		1882.	
	lbs.	per cent.	lbs.	per cent.
Great Britain .....	3,426,536	62	4,897,005	78
United States .....	1,666,594	30	433,234	7
China .....	355,062	8	840,384	14
Japan .....	40	.....	71,588	1

I think, Sir, that these statements are sufficient to show that the policy adopted by this Government gave the tea trade, that is, the distributing trade in tea, to the merchants of Canada instead of to those of the United States, and encouraged a direct trade with the countries of production. Then, Sir, I take another article, upon which I think we may fairly say the National Policy has had a direct influence, that is the article of cotton. The following statement of the different classes of cotton imports from Great Britain will show the change which has taken place :—

	1878.		1882.	
	\$		\$	
Bleached and unbleached .....	431,807		483,738	
Printed, painted, colored, jeans, denims and drillings .....	2,009,373		593,823	
Clothing and wearing apparel .....	174,288		453,420	
All other .....	1,752,805		6,119,138	
<b>Total .....</b>	<b>\$4,368,273</b>		<b>\$7,650,119</b>	

In spite of augmented consumption of all classes of goods and the fact that the gross importation of cottons from Great Britain in 1882 exceeded in value that of 1878 by \$3,281,846, or 77 per cent., the importation of ordinary grey and white cottons actually decreased in 1880 and 1881, and last year was only 12 per cent. greater than in 1878; that is, while the whole importation from Great Britain increased 77 per cent., the particular class of goods that we manufacture in Canada increased only 12 per cent. Now, our imports from United States in the same year were as follows :—

	1878.		1882.	
	\$		\$	
Bleached or unbleached .....	539,773		534,810	
Printed, painted or colored, jeans, denims or drillings .....	1,031,173		495,484	
Clothing or wearing apparel .....	191,441		182,324	
All other .....	729,071		774,837	
<b>Total .....</b>	<b>\$2,491,458</b>		<b>\$1,987,455</b>	

The import of cottons from the United States in 1878 was 36 per cent. of the whole import. In 1882 the import from the United States was only 20 per cent. of the whole. The increase in home manufactured goods may be inferred from the fact that the importation of raw cotton increased from 7,243,413 lbs. in 1878 to 18,127,322 lbs. in 1882. If anything more can be offered to show how important has been the development of these great enterprises in Canada, I think it will be found in the evidences, which anyone can find for himself at any one of the places where cotton industries have been established, by contrasting their condition to-day with what it was in 1878. If you go to the Hadon cotton factory, the merchants at Montreal, or to the cotton factories in Cornwall, in Hamilton, or in the Maritime Provinces, you will find everywhere the same evidences of thrift and prosperity, the direct result of the National Policy, and indicating how successful that policy has been in building up this important industry in Canada. In the woollen trade the same happy condition of things exists. The following statements will show the imports in 1878, 1881 and 1882 from the United States and Great Britain respectively :—

	FROM THE UNITED STATES.		
	1878.	1881.	1882.
	\$	\$	\$
Blankets .....	28,998	4,174	7,401
Cloths and Tweeds .....	10,026	15,652	21,947
Flannels .....	68,695	12,360	10,027
Hosiery .....	.....	12,680	19,470
Dress Goods .....	.....	79,083	3,317
Ready-made Clothing .....	128,446	27,651	25,420
All other .....	147,614	54,390	76,562
<b>Total .....</b>	<b>\$583,779</b>	<b>\$205,390</b>	<b>\$164,741</b>

	FROM GREAT BRITAIN.		
	1878.	1881.	1882.
	\$	\$	\$
Blankets .....	172,274	178,027	238,749
Cloths and Tweeds .....	933,367	3,358,616	3,828,238
Flannels .....	261,646	256,548	452,117
Hosiery .....	.....	290,662	458,642
Dress Goods .....	.....	1,480,221	265,662
Ready-made Clothing .....	759,439	829,629	424,302
All other .....	5,130,623	1,064,548	2,595,201
<b>Total .....</b>	<b>\$7,257,369</b>	<b>\$6,958,251</b>	<b>\$8,262,911</b>

That is to say, comparing 1882 with 1878, the value of the import of woollen goods from the United States has decreased 57 per cent., while the value of the imports from Great Britain has increased 14 per cent. Yet this is the policy which we are told has had the effect of injuring our trade with Great Britain and of benefiting our friends on the other side of the line. But, Sir, in spite of greatly improved trade, the imports of woollen goods all over have increased only \$785,907, or about 9 per cent., while the imports of raw wool have gone on steadily increasing. In 1878, we imported 6,230,084 lbs.; in 1880, 7,870,118 lbs.; in 1881, 8,040,287 lbs.; and in 1882, 9,682,757 lbs. And this increase has been entirely in the finer grades, because we imported from Africa in 1878, 306,450 lbs., and in 1882, 1,361,246 lbs.; and from Great Britain in 1878, 265,212 lbs., and in 1882, 2,160,630 lbs.; while the import of Leicester, Cotswold, Lincolnshire, Southdown combing wools, and other like combing wools, such as are grown in Canada, was last year only 36,073 lbs. altogether. So that we have had a largely increased importation of those wools which we do not grow in Canada, while the entire importation of wools that come into competition with Canadian wools was only 36,000 lbs. altogether. Now, I come to another question of importance, which relates to the development of one of the great natural resources of this country; I refer to the coal trade. The hon. Finance Minister, when he introduced his Tariff in 1879, referring to the coal trade made this estimate, which at the time was considered extravagant, but,

in the light of what has since occurred, was an exceedingly modest estimate, said :

"In the estimates of the Government out of 800,000 or 900,000 tons now imported, probably there will still be 350,000 tons of anthracite, and probably 150,000 tons of bituminous still imported, giving to the Nova Scotia coal the balance of 400,000 tons, with, of course, an additional supply, if, as we expect our policy is successful, in consequence of an increased demand for coal to supply the growing manufactures of the country."

Now, what are the facts? The hon. Finance Minister was speaking of the imports of 1878. In that year the quantity of anthracite coal imported was 406,979 tons, and of bituminous, 456,090 tons, a total of 863,061 tons. Taking however, 1878-79, there was in that year a still smaller quantity imported, indicating that our industries were gradually falling away. In 1878-79 the importation of anthracite coal was only 322,528 tons; of bituminous, 355,347 tons, a total of 677,875 tons. In Nova Scotia the total output in 1879, according to the report of the Inspector of Mines, was 788,271 tons, so that the native production and the imports in that year amounted together to 1,466,146 tons; that is to say, that the whole consumption of coal in Canada, for that year, amounted to that quantity. Now, what do we find? We find that the total output of our Nova Scotia coal mines alone in 1882, amounted to 1,365,811 tons, or to within 100,000 tons of the output combined, and importation for 1879. We have, therefore, an increase in the output from Nova Scotia alone, of 576,510 tons. But not only is there that large increase in the output in Nova Scotia, but we find the importation has largely increased. We find that the Nova Scotia miners, with all the development given to their industry, are unable to meet the wants of Canada in consequence of our increased manufacturing industries and our increased prosperity. Last year we imported from the United States: anthracite, 682,933 tons, and bituminous coal, 708,446 tons, making a total of 1,391,373 tons. Now, the effect of the competition of our Nova Scotia coal upon the price of bituminous coal is somewhat remarkable. The average price in 1878, according to the entries in the Customs was \$3.88½, and the average price of bituminous coal was \$3.45½. In 1882 the average price of anthracite coal was \$4.24, entered at the Custom House—not the cost to the people of this country in consequence of any duty or anything of that kind—and of bituminous coal \$3.45½. The difference was this, that the price of anthracite in 1882 over that in 1879 was 35½ cts., and the price of bituminous in 1882, as compared with 1879, showed a decrease of 37½ cts., and that in spite of the fact—which I obtained from the editor of a mining journal in New York, one of the best authorities going—that last year the price of bituminous coal, free on board, was actually higher at New York than the price of anthracite coal. I quote this fact given by the editor of this mining journal, in answer to a letter addressed to him asking for the average cost of bituminous coal at this time as well as in 1879. He was not able to give the particular figures, but stated the fact I have just mentioned. He says :

"The reports of the coal companies for the year 1882 are not yet at hand to give you the cost at mines for an authority. The average price obtained f.o.b. at New York or anthracite has been close to \$4, which is considered a very satisfactory result. The coal companies aim to make the principle profit on the carriage not on the sale of the coal. From what we learn during the year in the bituminous market, the average selling price f.o.b., New York, has been about \$4.15 to \$4.25."

So that while bituminous coal in the United States, free on board, has been higher this last year than anthracite coal, the cost of the same coal in Canada, in consequence of its coming within the area of competition with Nova Scotia coal, has been 37½ cts. per ton less than that of anthracite. There is another fact in regard to this coal trade, which is worth looking at, as showing the consequence of the development of that industry. The average sales of Nova Scotia coal for the ten years up to 1879 inclusive were 699,104 tons, while the average sales in the three years 1880, 1881, 1882 were 1,079,951 tons, showing an increase

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average sale of 340,847 tons. We often hear reference made to the subject of Reciprocity and the loss to this country by the abrogation of that Treaty. It is well known that the American market was open to the coal of Nova Scotia during the period of Reciprocity, and it is worth while to look at what the effect of that was upon the production in that Province. The sales during the eleven years of Reciprocity averaged 389,796 tons, of which average sales the United States took 236,829 tons, leaving for the Dominion 152,967 tons. It is true that the reports of sales to the United States are stated by the Inspector of Mines to be unreliable. They are taken from the report of the Board of Trade of Philadelphia, and are said to be understated, but that does not affect the general output from Nova Scotia. In 1881 the sales were 1,035,014 tons; in 1882, 1,250,179 tons, an increase of 215,165 tons. The home sales in 1881 were 268,628 tons; in 1882, 458,952 tons, an increase of 190,324 tons. In 1881 the coal sent to the Upper Provinces amounted to 268,628 tons; in 1882 it increased to 383,031 tons, or an increased sale to the Upper Provinces of 114,403 tons. So that Quebec and Ontario furnished, last year, as large a market for the coal of Nova Scotia as the entire output during the years we had Reciprocity with the enormous American market open for the encouragement of that enterprise. I think, that under those circumstances we may fairly say that the National Policy has had a most important influence in developing this particular branch of Canadian trade. Then I come to the question of agricultural protection about which we hear so much. The hon. member for Brant took a good deal of amusement from this subject, and I am bound to say the amusement was mutual—we enjoyed it on this side quite as much as he did. It was the old story we had heard before on the platforms all through Ontario during the last election, and I presume the hon. gentlemen in the other Provinces have heard it there as well. We know it is not a dangerous kind of talk, that it does not hurt us very much. But what do we find with regard to the effect of agricultural protection? First, as to the question of price. I think hon. gentlemen will admit that the nearer you can find a market, for what you have to sell to the place of production, the better for the producer. I think everybody will admit that as an invariable proposition. It is quite true that, in relation, for instance, to wheat and the larger exported grains, the price is fixed in Liverpool, but it is also true that that market price in Liverpool is fixed by the extent of the export to Liverpool. If you can succeed in consuming any large proportion of an article in this country—take wheat as an illustration in Canada—instead of sending it to the other side, you decrease to that extent the amount that goes to Liverpool, and you affect the market, at any rate, to the extent of that decrease. So that, although it is quite true to say that the price, as a general proposition, is fixed in Liverpool, the price in Liverpool is really fixed by the amount the wheat-producing countries have to send to Liverpool. Now, we find that, in 1878, we imported 5,635,411 bushels of wheat, while we exported 4,115,708, there being a net import of 1,519,703 against a net import in 1882 of 342,722. It is quite clear that, allowing nothing for the increased power of consumption of the people, which we find in every other department where we can gauge it, we had in Canada, at any rate, a market to the extent of that difference for the wheat grown in the country. In the article of corn we find the net imports into Canada were 3,400,562 bushels, which decreased last year to 1,638,180. Peas, the net import was 9,584, bushels, which decreased in 1882 to 3,638. Oats, an article that farmers are advantaged in having a home market for, in 1878 the net imports were 2,071,513 bushels, while last year they had decreased to 71,111, practically disappearing altogether. Of barley, the net imports in 1878 were 26,204 bushels, decreased in 1882 to 9,491. Rye decreased from 110,228 bushels to 1,447. Flour, barrels, decreased

from 311,706 in 1878 to 163,335 in 1882. Oatmeal, barrels, decreased from 3,005 to 2,783. Now, these were undoubtedly results of the policy which imposes a duty on agricultural imports to this country, and maintaining a Canadian market for our agricultural productions. Converting flour into wheat, we have this as a general result:—Wheat, bushels, 1,923,836; corn, 1,712,382; oats, 2,000,402; barley, 16,713; altogether, 5,653,333 bushels less imported from the United States than were imported in 1878. Then, at the very least, and, I believe, to a very much larger extent, in consequence of the increased power of consumption on the part of the people, we have a home market as a result of the policy that was adopted, to the extent of the figures I have given. During the discussions which have recently taken place, a good deal has been said in regard to malt, and we are told that the Government of Canada have very seriously injured the barley interest of this country. Yet, what do we find with regard to this? It is true the United States Government have recently made some changes, and the fact that they have made these changes shows that this small country, as it used to be called—this country of 5,000,000 competing with a country of 50,000,000—has become sufficiently important to have its influence upon the United States, and to send the trade interested to Washington to get remedial legislation. The action of the Government of the United States was to change their tariff from 20 per cent. to 20 cts. per bushel. The average cost, I believe, is 80 cts. per bushel for malt.

Sir LEONARD TILLEY. It is over 90 at present.

Mr. WHITE. The duty has been increased, therefore, from 16 to 20 per cent., while the duty on barley has been reduced from 15 to 10 cts. Our duty has not in any way been changed. The imports from the United States, in 1878, were 101,940 lbs., which paid 2 cts. per lb. in 1880. The imports, in 1882, were 341,020 lbs., which paid less than one-half a cent per lb.; so that there has been no such change in the policy of this country as to justify that change on the other side. All that has been done on the other side is this: they find that our malt makers were competing in a way to injure their trade, and they did what hon. gentlemen here, who admire them in every other respect, seem not to admire them in this respect of their tariff policy—they went to Washington, and endeavored to get a change. What has been the progress of our exports of malt to the United States? In 1877, we exported 11,577,814 lbs., and they have gone up, in 1882, to 40,055,907 lbs.; and I do not believe, in spite of the changes made by the Government of the United States, that there is going to be any material effect upon our exports of malt. Now, Sir, I propose to deal with the question of our trade relations with England and the United States. The charge made against this policy is that it has been injurious to England. My hon. friend who preceded me, undertook to prove, from the fact that the importations from the United States and from England were more nearly alike this year than they had been last year, that the tendency was in the direction of our having increased imports from the United States, and decreased imports from England. Well, we have, after all, only to do with the Trade Returns we have before us; when the time comes to deal with the Trade Returns of the future, no doubt we will be able to deal with them and show substantially the same results as those which have been shown by this policy since it was adopted. But what was the effect of the policy of hon. gentlemen opposite? The imports from Great Britain in 1873 were of the value of \$68,522,776; in 1878 they had decreased to \$37,431,180, being a decrease of \$31,091,596 during the period hon. gentlemen opposite were in office, without their putting a hand forward to stop this terrible decrease in the imports from the Mother Land. The imports from the

United States, in 1873, were \$47,735,678, and in 1878, in spite of the general depression which obtained in Canada, and the reduction in our aggregate imports, the imports from the United States actually increased to \$48,631,739, or an increase of \$896,061. Since that time what has been the result? The imports from Great Britain, in 1878, were \$37,431,180; in 1882, \$50,597,341, an increase of \$13,166,161. The imports from the United States, in 1878, were \$48,631,739; in 1882, \$48,289,052, or a decrease of \$142,687. So that, while under the policy of hon. gentlemen opposite, trade with England gradually fell off, while that with the United States held its own and actually increased in spite of the general depression and general falling off in trade, under the policy pursued by this Administration our trade with England has steadily increased and that with the United States, according to the last returns, has somewhat decreased, so far as imports are concerned. It is said, however, that the duty upon dutiable goods is higher from Great Britain than from the United States, and it is charged on that account that this policy is inimical to trade with the Mother Country. On the total imports of free and dutiable goods from Great Britain the duty was 20½ per cent. last year. On the whole imports from the United States the duty reached 23¼ per cent.; but if you take simply the dutiable goods, hon. gentlemen opposite appear to have the argument on their side, without examination. I find that the duty on dutiable goods alone from Great Britain, in 1882, was 24¼ per cent., while from the United States it was only 21½ per cent., a difference appearing against Great Britain of very nearly 3 per cent. For purposes of comparison it is absolutely necessary, however, to take from the imports of the United States that class of goods which form no part of our imports from England—I refer to breadstuffs and coal from both countries. We imported a very small quantity of coal from Great Britain last year, so small a quantity that the importation has almost disappeared; but among the breadstuffs imported from the United States I include barley, beans, corn, pease, wheat, cornmeal, oatmeal, wheat flour, and besides these there is anthracite coal, bituminous coal and coke; and I find the value of these articles placed at \$12,219,932, paying \$978,370 duty. Deducting these from the aggregate dutiable imports from the United States, leaves \$20,721,129 of imports corresponding with those from Great Britain, paying \$6,095,544, or an average of 29 per cent. So if we exclude from the importations from the United States the importations of breadstuffs and coal, and exclude from the imports from Great Britain coal, we find that on goods imported from the United States, which may be said to be manufactured goods, the average duty is 29 per cent., as against 24¼ per cent. on those from Great Britain. Under these circumstances we may fairly hold that, so far as trade with England, under the different tariffs is concerned, we need not fear scrutiny. Next I come to the vexed question of the balance of trade. On this subject, as on others, the hon. member for Brant had his amusement. So far as this subject is concerned, the position which we take on this side of the House is this: that the tendency of the policy of this Government must be to bring nearer together imports and exports, and ultimately make our exports exceed our imports. We find that has been the result in the United States by a similar policy and by a similar process of western development. In former years the balance of trade as it is called was against them, in late years it has been enormously in their favor, and the same causes which have produced those results there must produce the same results here. It is true, in the meantime, in a time of prosperity such as we have had, our imports may be larger than our exports, and I have no hesitation in saying if that should continue it would be a matter of grave apprehension as to what the effect might be. Whether the

theory of the balance of trade be absolutely correct or not, I am not going to discuss here, but there is this to be said about it, that the country is most prosperous and most wealthy—leaving out, of course, the accumulated wealth of countries like England, for I am speaking now of the newer countries whose wealth consists in what is produced by themselves—which exports more than it imports, and is able to pay, and more than pay, for its imports from its exports. I have no hesitation in saying that if, I believe, the same process was going to go on for years, namely, larger imports than exports, I think it would be a matter of serious apprehension, and I am glad a newspaper in Montreal, with which I have some remote connection, but for which, unfortunately, I do not now write a great deal, and I did not write that particular article which the hon. gentleman did that journal the honor to quote, although I agree with it and do not repudiate it in any way—I am glad to find a newspaper conservative, not in the party sense alone, but in the interests of the country, did utter words of warning when there was a tendency to over-importation on the part of merchants. I believe the effect of those words of warning, not from that paper alone, for I should be sorry to arrogate to one newspaper so great an influence, was to cause many merchants to countermand orders given to buyers. If we maintain our imports we are doing well, because the country is prosperous, and under ordinary circumstances we would largely increase them. But with respect to the balance of trade, what is our position? In 1878 our total imports were \$93,081,787, our exports were \$79,333,667, leaving a trade balance against us of \$13,758,110. In 1882 our imports were \$112,419,500, our exports were \$102,137,203, leaving a balance of trade against us of \$17,282,297. But, Sir, if you take out of our imports in both years, the imports of raw material—I do not mean to say for a moment, recollect, that this changes the general question, it simply modifies it—which come into this country, and upon which labor is expended in this country, and which go therefore to build up wealth in the country itself, you will find that the position in which we stand to-day, is infinitely better than the position in which we stood in 1878. I find, for instance, that the imports of raw material, of precisely the same classes, which I have already had the honor to submit to the House—in 1878, were \$9,929,153, and deducting this, the balance of trade against us was \$3,828,927. The raw material imported last year was \$2,091,211, which deducted from our imports, leaves a balance in our favor of \$4,308,614, against \$3,828,947 against us in 1878. Now, I think, that we may fairly say, that, taking the argument which the hon. gentleman himself uses, in which he points out the fact of the importation of luxuries which came in, and were consumed, and which added practically nothing to the wealth of the country, and dealing with it, and pointing to the fact that, in this particular case, this large importation was an importation of articles which form the basis of the industries of the country, and which, when they went to the consumer, probably were worth three times what they are here; and comparing this with what would have been the effect if we had not had that Tariff, if we had not had this protection, if we had not had this importation of raw material, and if our importation of raw material had remained as it was before, and gone on with this period of inflation which brought on the better times to which hon. gentlemen opposite refer, we may pertinently ask, what would have been the position of this country to-day? Our imports would certainly have increased, and the importation of that class of consumable goods, which come in, which are consumed at once and disappear and add nothing to the wealth of the country, would have been far greater; and instead of \$17,000,000 the balance against us would probably have been three or four times that amount. Instead of that, by the

Mr. WHITE (Cardwell).

policy which has been adopted, although the balance is against us—and I believe it will not long remain against us—it has more than been met by the fact that our imports in excess of our exports, are more than balanced by the raw material that forms the basis of the industries of this country. Then, Sir, I take the effect of the National Policy on our relations with Manitoba and the North-West. The hon. gentleman was good enough to say, that the people of that country were ground down by this Tariff; that they were suffering terribly from the effects of it; but, does the hon. gentleman know this—or has he troubled himself to enquire into it—that the imports into that country in 1878 paid an average duty of 19 per cent., while the imports into that country last year, paid an average duty of 19½ per cent., so that this enormous tariff, which he tells us is grinding down the people of that country, has added one-half per cent to the duty upon the exports going into that country? The imports into Manitoba and the North-West, in 1878, were \$1,283,414, paying a duty of \$242,698, and last year, \$5,657,506, paying a duty of \$1,106,356; the average duty, as I have said, was only one-half per cent. more than it was in 1878. Now, Sir, if you look at the imports into that country as evidence of its wealth, you will find that in 1878, they were \$1,171,107 for Manitoba, and \$112,307 for the North-West Territories, while in 1882, the imports were \$1,223,856 for Manitoba, and \$433,650 for the North-West Territories. If you look at the character of these imports, you will find this—that in 1878, they imported of refined sugar from the United States to the extent of 828,012 lbs., while last year they only imported, in spite of their greater population, and the larger consuming power of the people, from the United States 39,626 lbs., or in round figures, 40,000 lbs., so that there was an increase of no less than 787,000 lbs. of sugar brought into that country, which was supplied from the refineries of Canada, some of which, I believe, came from such remote refineries as those of Halifax. Then, if you look further, you will find that of carriages they imported, in 1878, \$23,135 worth, and in 1882, only \$11,624; of ready-made clothing, \$57,523 worth, and in 1882, \$31,371; of mowing, reaping, and threshing machines, in 1878, \$10,857 worth, and in 1882, only \$71 worth—this represents, I suppose, one mower. The importation of axes, hoes, rakes, forks and shovels, increased only \$301 since 1878, although the purchase of these articles by the people of the North-West, during the last five years, must have increased almost a hundredfold. Now that has been the result of this policy in building up our trade in the North-West; in giving to us, the older Provinces, the markets of the North-West, and in giving us those markets without imposing any increased cost on the people of the North-West, because it is a well-known fact, established by the fact of the relative duty which I have just cited, and in every other way you may choose to enquire into this question, that the people of the North-West can obtain from Canada these articles as cheaply, with an ordinary and moderate duty added, as they can be obtained for in any other part of the world. Mr. Speaker, I do not know that I ought to detain the House any longer, for I find, that I have already spoken a good deal longer than I expected to; but I may say, in conclusion, this: the hon. gentleman who has preceded me has referred to the fact that we are on the eve of a state of depression. I venture, Sir, to think that there will be no depression in Canada, in view of the fact that the merchants of Canada, to-day, realize the fact that there is a possibility of danger arising from over-importation. It is true that we have had some failures, but if the hon. gentleman will take the trouble to enquire into those failures, he will find this to be the fact; that, in almost every case, they have been the result of the employment of money outside of the legitimate business of those interested, prompted perhaps it may be by the great inflation outside,

and temptations to invest in consequence of the enormous boom in Manitoba and the North-West. He will find, Sir, that at all times, under all policies—and no one has ever pretended that the case would be different—that men will be tempted to take from their business what properly belongs to it, in their hurry to make themselves rich, which is, unfortunately, characteristic of the age in which we live; and that these results will produce, no matter what the general prosperity may be, no matter what the policy will be, failure and disaster in individual cases. But, Mr. Speaker, what we complained of, in relation to the policy of hon. gentlemen opposite, was this: that, at a time when they saw industries being closed; that, at a time when they saw commerce paralyzed; that, at a time when the causes of these results were apparent to every man; that at the time when merchants came from every part of this Dominion and interviewed the Finance Minister of the day, and gave him data upon which he could go if he had been willing to accept their opinion, and if it were not for the unfortunate character he had, of believing that he alone understood commercial matters, and that those engaged in commerce knew nothing about them; that, at the time when this condition of things existed, they took the ground that it was not for the Government or for Parliament to interfere in the slightest degree to remove those evils or mitigate those disasters. What we said at that time was that while the Government were not responsible for all the disasters which had come upon the country, they were responsible for not taking all reasonable methods of removing those evils, so far as their removal was within the power of Legislative action. That was said by Conservative speakers in this House, and on Conservative platforms in the country. The hon. gentleman has stated that the prosperity which this country is enjoying was not in consequence of the National Policy, because bank stocks were lower in 1879 than they were in 1878. Does the hon. gentleman pretend to say that that was a fair statement to make to this House? Does not the hon. gentleman know that in 1879 we had a most disastrous bank failure in the city of Montreal—the failure of the Consolidated Bank—resulting not from any condition of things arising out of the National Policy, but resulting from a condition of things which had been going on for years, as the investigation proved, and which must always prove disastrous to any banking institution which adopted them. He must know that in the presence of that crisis brought about by this failure, bank stocks did go down; but does he pretend to say that the National Policy had anything to do with producing that effect? Policies of this kind are put upon the Statute-book, but the mere enactment of such policies does not immediately produce the beneficial changes expected from them. These are produced by subsequent events; they are produced by the gradual, steady, developing effects which follow the operation of these Tariffs; and we may fairly say, so far as the National Policy is concerned, that the Conservative party has reason to look back upon the last four years with considerable pride. We know that hon. gentlemen opposite were so confident of the feeling of the people of this country that, at the recent elections which took place in the Province of Ontario, they implored the people everywhere not to believe that the National Policy had anything to do with the contest; they warned every man who ventured to speak upon that subject, that he was speaking of a matter which was not in issue in the election; that the Government did not intend to interfere in any respect with the operation of the National Policy. Yet even in that Province of Ontario, which they have always claimed was a Liberal Province, under, not the Gerrymandering Act of hon. gentlemen on this side of the House, but under an arrangement of the constituencies made by their own friends, so strong was the feeling of the people of that Province that the possibility of the existence of

that Government was a menace to the continuance of that policy resulted in the fact that the popular vote and almost the representative vote of the people went with the Conservative party, in spite of the fact that hon. gentlemen warned the people not to be alarmed about the National Policy—that it was safe, at any rate, and that no one was going to interfere with it. Hon. gentlemen opposite have chosen to commence the new Parliament by a new attack on that policy. They have chosen to come here and in the first speech made on that subject they have revived all the old arguments which they ought by this time to be ashamed of, in order, if they can, to create a public impression against that policy. These hon. gentlemen are not wise; they have learned nothing by the lessons of the past. We, on this side, can afford to smile while they denounce the National Policy. Every word they utter against it, every suggestion they make that it is not in the interests of this country, is a warning to the people of Canada that they are not to be trusted; and I venture to say that when the calm, deliberate, clear speech of the hon. Finance Minister delivered to-night, in which he not only explained the financial position of this country, not only vindicated the policy of which he may well be proud of being the author, in this House, but in which he indicated by the changes he has suggested that that policy is the fixed, irrevocable policy of the Conservative party—when that speech goes to the country to-morrow, when the people of Canada from one end to the other read and ponder over it, and when they read the speech of the hon. gentleman who has taken the position of financial exponent for the Opposition, and find in it all the old attacks—find in it all the old well-beaten paths trodden over again in the effort to diminish the influence of the Conservative party, they will be confirmed in the feeling they have already, and which they so strongly manifested in June last, and will declare that these men who can learn nothing by the experience of the past, are not the men who should be entrusted in any way with the administration of the affairs of a great country like this.

Mr. HESSON moved the adjournment of the debate.

Motion agreed to; and (at 1:25 o'clock a.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 2nd April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### ASSETS OF INSOLVENT TRADERS.

Mr. CURRAN introduced Bill (No. 99) to provide for the distribution of the assets of insolvent traders.

Mr. BLAKE. Perhaps the hon. gentleman will give an explanation of the principles of his measure.

Mr. CURRAN. I would much prefer that my hon. friend would wait until the Bill is printed. I may say that the Bill is one which was prepared by the Montreal Board of Trade after great care and deliberation, and that it makes several very important changes in the law, and that it, to some extent, resembles an Insolvent Act. One of its provisions is that the person who shall take charge of an estate of an insolvent shall be a guardian. In all places where the number of inhabitants does not exceed 20,000, the sheriff of the locality shall be the guardian, in other places he shall be appointed by the Board of Trade. In no case, however,

shall the guardian be the liquidator of the estate, but he is to retain possession of the estate for a certain time until the creditors have met and have appointed a liquidator; but the liquidator shall not be the guardian, or anyone connected with him, directly or indirectly. The general principles of the Bill, with regard to the distribution of estates, are pretty much the same as might be expected in a measure of this kind, except that the procedure is somewhat different. The Bill is a long one, and I have not had time to master all its details; but coming, as it does, from a body like the Board of Trade of Montreal, I think it is, at all events, entitled to the consideration of the House.

Mr. BLAKE. Is there any provision for compulsory liquidations, or any provision for discharge?

Mr. CURRAN. There is provision for compulsory insolvency, but no provision for discharge.

Bill read the first time.

#### LES RÉVÉRENDIS PÈRES OBLATS DU NORD-OUEST.

Mr. ROYAL moved the third reading of Bill (No. 19) to incorporate Les Révérends Pères Oblats de Marie Immaculée des Territoires du Nord-Ouest.

Mr. BLAKE. In accordance with the notice which I gave on the action of the House with reference to the Bill for the incorporation of the University of Saskatchewan, I move:

That the said Bill be re-committed to a Committee of the Whole, with instructions that they have power to amend the same, by adding thereto the following words:—"Provided that the said corporation shall within ten years after its acquisition of any real estate, depart with so much of such real estate as is not required for the actual use and occupation or other like purposes of the corporation."

Mr. ROYAL. I do not know whether the hon. gentleman wants to assimilate this Bill to the Bill relating to the University of Saskatchewan; but I really fail to see the proviso. I would be extremely obliged to the hon. gentleman if he would state the object of this proviso, because I believe it is simply covered by the other provision of the Bill.

Mr. BLAKE. I regret the hon. member was not in his place on several previous occasions on which I explained the purpose of this provision. But I may say, for the information of my hon. friend, that the purpose is to avoid the possibility of corporations in the North-West Territories holding in perpetuity in mortmain large quantities of land not required for their own actual use. There is no desire to prevent corporations of this description obtaining endowments of real estate. It is natural and reasonable that in that country, the principal portion of whose wealth is now, and for a long time will be, land, should be free to obtain gifts and donations of land; but it is quite consistent with that freedom that they should be required within a reasonable time to dispose of the land so held. As I have already stated, this question came up in the Province of Ontario about fourteen years ago, and the general rule then laid down, and invariably acted upon, so far as I know, with reference to all corporations seeking endowment in land, was that the extent to which they obtained land should not be limited; but that the period during which they held land, not for their own occupation, should be limited to seven years. Some friends suggested to me that I might, without being unreasonable, propose a more liberal period, and in compliance with their recommendation, though with some hesitation, I did propose ten years instead of seven. The hon. member will observe that both in this Bill and that relating to the University of Saskatchewan, the limitations

Mr. CURRAN.

inserted by the Private Bills Committee were limitations in point of value, and were to the effect that these corporations should not hold more land than would be equivalent to \$50,000 a year at 4 per cent. on the value of the land. But there was no provision for ascertaining the value of the land, and my suggestion was that it would be a very long time before the corporations would come to the conclusion that its present value would produce more than it did when it first came into their possession. The true policy is, that they shall not be limited to the quantity of land, but that it shall not be allowed to stagnate in their hands; but that they shall not hold it for more than ten years, unless it is for their own occupation. I do not wish to assimilate this Bill to the University of Saskatchewan Bill. The principles of the two are different; but the question whether we shall allow the holding of land in mortmain in perpetuity applies to both, and they should be treated alike.

Mr. ROYAL. With due deference to the hon. gentleman, my humble opinion is that this Bill should properly be brought before the Council of the North-West Territory, and not before this House. But as that Council has not had any meetings for over two years, persons seeking incorporation have to come before this House at a great deal of trouble and expense. Now, it is to be expected that before ten years the North-West Territories will be divided into several Provinces, with organized Legislatures; and it will be the duty of persons seeking corporate powers like these to go to those Legislatures. I believe it will be in the power of those Legislatures to adopt any principle with regard to mortmain that they think proper, and it must not be lost sight of that we are legislating here in the place of those Local Parliaments. No doubt it is the tendency of this Parliament to encroach too largely upon matters which belong exclusively to Local Legislatures; and this Act of incorporation of the Saskatchewan University and several other Bills from the North-West make our functions purely local ones. I believe this tendency ought to be discouraged, at least by this House. However, the adoption of my hon. friend's amendment would only leave this corporate body under the necessity of coming again before the Local Legislature, when constituted and organized in the North-West Territory, either to amend this proviso if adopted by this House, or get some other legislation that will enact their requirements. As seen by the preamble, the object of incorporation is defined, and in clauses three and four the corporation binds itself to acquire no property, real and personal, except for its uses and purposes. By clause eleven, the corporation will, at all times, be subject to make, when required, a full return of their property to the Governor in Council. This does away with the proviso to the extent that ought to be desired by hon. members of this House. It makes the proviso useless. However, as in the other case, the proviso of the hon. gentleman has been adopted, it is useless for me to oppose it very strongly. I will content myself with expressing once more my regret that the Council of the North-West Territories has not been clothed with the necessary power to dispose of such cases of legislation. It is most unfair to subject those persons seeking corporate powers to come over 2,000 miles, in some cases, for a deed of incorporation. The expense resulting to them, and the impossibility of our understanding their requirements, make our legislation in such matters very undesirable. As the proviso has already been adopted in another Bill of incorporation, it would be useless for me to oppose it. But I must again express my regret that we have to deal with such legislation.

Motion agreed to; Bill considered in Committee, amended, reported, and read the third time and passed.

## CRÉDIT FONCIER FRANCO-CANADIEN.

The House resumed the further consideration of Mr. Desjardins's proposed motion for the third reading of Bill (No. 22) respecting the Crédit Foncier Franco-Canadien, the motion of Mr. Auger in amendment thereto, and the motion of Mr. Ouimet in amendment to the proposed amendment.

Mr. DESJARDINS. I accept the amendment to the amendment.

House again resolved itself into Committee of the Whole. Bill amended and reported.

Mr. AUGER. As this Bill has been amended twice, I ask that the third reading be postponed till to-morrow, in order that the amendments may be printed, and that the members of the House may see what they are. The amendments are more than the original Bill.

Mr. DESJARDINS. The Bill has not been remodelled at all. The only amendment of any importance is that which has just been adopted, and I see no reason for postponing the third reading unless it is to delay the Bill. I move that the Bill be now read the third time.

Mr. BLAKE. It is very unusual, when a Bill has been amended in Committee, to take the third reading the same day when any hon. member objects. I suppose there are perhaps eight Private Bills still to come on, and there cannot be the slightest danger that the third reading of this Bill can be imperilled. It is the usual course of the House when an hon. member suggests a postponement of the third reading, to allow it to be postponed. I do not say that these are two distinct stages, but they are two steps in the progress of the Bill; and I think that, for the future, we had better agree that they shall succeed one another on the same day, even though there may have been an amendment in Committee.

Mr. BLANCHET. It is not usual to have a Bill reprinted at every one of its different stages, except when it is remodelled. The Rule applies only to readings of Bills. It has been so decided by Speaker Anglin; and during my time it was usual to go into Committee to report the Bill, and read it the third time the same day. The Rules of the House, and with its practice, apply only to one reading a day.

Mr. BLAKE. I distinctly stated that I considered this but two steps—not two stages. I quite agree with the hon. gentleman that it is perfectly within the Rule, and within the practice, when there has been a new amendment made in Committee. But it is not in accordance with the general principle, I think, to take the Bill from the Committee of the Whole, and read it immediately when an hon. member has objected.

Sir HECTOR LANGEVIN. In certain cases it is quite true that the House has ordered a Bill to stand over to the next stage for the third reading after an amendment has been made, but that is not the general practice. Repeatedly Bills, after having gone into Committee of the Whole, and been reported to the House, have been re-committed once or twice, and have even then been read the third time the same day. Of course, I do not suppose there is the slightest danger that this Bill will be delayed more than twenty-four hours by the course that is suggested, and I think the promoter of the Bill would do well to consent to leave the third reading for to-morrow. Some fifty or sixty hon. gentlemen have Private Bills before the House, and they will all be interested in getting this Bill removed from the paper to-morrow, and, as the hon. member for Shefford insists upon it, I would suggest that the third reading be taken to-morrow.

Mr. DAVIES. There are a number of hon. members in this House, who, I may state, will feel it their duty to oppose the third reading, unless some provision is made by which the interest of actual borrowers of the company may not

be prejudiced. I am satisfied that this Bill will alter entirely the relations that exist between the borrowers and this company. It will offer a premium to this company to charge 2 per cent. more, and I think it an unfair and an unjust thing. I think the promoter of the Bill would do well to introduce some clause which would prevent this injustice, otherwise I shall have to vote against the Bill. Common sense teaches us that if we give this company the privilege of charging 8 per cent., when they have three or four hundred thousand dollars out at 6 per cent., they will increase their rate of interest. If the promoter of the Bill can show me some method by which those who have borrowed four, five or six years ago can be protected in the contracts they have made, I shall vote for the Bill; if not, I shall feel it my duty to oppose it.

Sir HECTOR LANGEVIN. I do not see how the hon. gentleman can consistently act as he has just stated, because, after all, the bargains made or contracts entered into between the company and borrowers cannot be interfered with, any more than any other contract with individuals can be interfered with.

Mr. DAVIES. The hon. gentleman misunderstands me. What I wished to say was, that this Bill offered inducements to the company to force the conditions of the contract.

Sir HECTOR LANGEVIN. The case stands thus: the borrower had borrowed money from the company at 6 per cent., and a contract has been entered into between the company and the borrower. So long as the borrower fulfils the conditions of the contract, the company cannot foreclose and go back on the contract. Will the hon. gentleman ask Parliament that, although as regards future loans, it is proposed to give this company only the same privileges that had been granted to other loan companies? We shall take advantage of that fact to this extent—that when borrowers at 6 per cent. shall not fulfil the conditions of their contracts, the company shall not have the right to foreclose, but shall be compelled to continue the loans. Such action would be very unjust. We cannot take the position of interfering between the company and borrowers. Parliament has given the company the right to loan money at a certain rate. It has taken advantage of that right, and borrowers have entered into contract with it. So long as the borrowers fulfil the conditions of the contract, they cannot be broken. But how can the hon. gentleman prevent the company from foreclosing if borrowers do not fulfil the conditions of their contract? Will he declare, by this Bill, that, although the borrowers do not fulfil the conditions, the company cannot foreclose, but shall be obliged to continue the loans without having the advantage of the clauses in the contract now existing? Surely the hon. gentleman cannot take that ground, for it is a ground that is untenable. When it was proposed to place this company on the same footing as all loan companies, it was objected that, if Parliament gave it the right to loan money at 8 per cent., there were other charges made by the company which would increase the rate to 9 or 10 per cent. So soon as this point was brought before the notice of the promoters of the Bill, he agreed that the whole amount to be paid by the borrower in future should not exceed 8 per cent., thereby placing it on precisely the same footing as other companies, and it would be very unfair now to interfere between the present borrowers and the company.

Mr. BRECKEN. A large sum of money has been invested in Prince Edward Island by the company, and, I suppose, the objection raised by my hon. colleague (Mr. Davies) is, that when power is given to this company to increase the rate of interest, it will naturally become very sharp with borrowers who do not pay their interest according to the conditions of the mortgage, because it will be to the interest of the company to foreclose under power of sale. That very likely

will be the effect of it; but I agree with the hon. Minister of Public Works, that it would be novel legislation to place a clause in the Bill to protect men who do not perform the conditions of their contracts. I take it that the borrowers—for I wish to see the borrowers protected as much as does my hon. colleague—will occupy precisely the same position as do borrowers when a change takes place in the money market, and there is a rise in the value of money. We know that it is sometimes difficult to obtain more than 6 per cent. on good investments in real estate, and perhaps twelve months afterwards 7 or 8 per cent. can easily be obtained. Lenders of money are then very sharp, and when borrowers for a term of years do not perform the conditions of their contracts, they foreclose. I agree that if the terms of the contracts, which are usually for ten years, are performed by borrowers, it will not be within the power of the company to make any demands upon them; so I do not understand how the suggestion of my hon. colleague could be carried out, for it would be legislating to protect a borrower who failed to fulfil the terms of his contract.

Mr. DESJARDINS. I think the explanations offered by the hon. Minister of Public Works, and the hon. member for Queen's (Mr. Brecken), are sufficient answers to the remarks of the hon. member for Queen's (Mr. Davies). I think no one can contend that the Bill, as offered, can have any retroactive effect as regards loans already made. To accept the suggestion of the hon. member for Queen's (Mr. Davies), would be to offer a premium to those borrowers who neglect to fulfil the conditions of their contract, and I do not know how the hon. gentleman can really propose an amendment in that direction. It is impossible that this House should accept it unless it seeks to interfere between the company and its borrowers. I see no reason why there should be further delay in passing the Bill, which has been discussed in all its phases, every reasonable amendment offered having been accepted; and I do not think either the public, or the House, would be benefited by a further delay of twenty-four hours. So I must insist on the third reading of the Bill, if I am entitled to it.

Mr. ORTON. I think, perhaps, a plan could be devised by which borrowers should be notified of the new powers obtained by the company, whereby they would be empowered to charge 8 per cent. on new loans. I have no doubt that the effect of giving this enlarged power to the company will be to cause them to try to induce borrowers at 6 per cent. to allow their interest to become overdue, after which the company would say: "We will foreclose the mortgage, but if you borrow money at 8 per cent. we will not proceed against your estate."

Mr. MACKENZIE. The only objection to the Bill is, that there is any limitation, which I think will be useless. Now, I do not see how such a provision as is suggested, could possibly be framed; and, in the next place, I do not think there is any danger of such a thing happening, as my hon. friend from Queen's thinks may happen. We know that all last year the rate of interest earned by companies in the west, at Toronto, did not exceed  $6\frac{1}{2}$  per cent. on the average, simply because money was plentiful. It is somewhat scarcer now, owing to the operation of the National Policy, and prices are dearer; but money can be got without any difficulty at under 8 per cent., even now, I think; and in any case, I am not able myself to support any proposition which would impose any restriction on the dealing in any commodity; and money, in my opinion, is simply a commodity.

Mr. AUGER. I have the honor to move that this Bill be not now read the third time, but that it be read this day six months.

Mr. WHITE (Cardwell). Last year I voted against this Bill, when introduced by my friends of the Credit  
Mr. BRECKEN.

Foncier, on the ground that they had obtained certain special privileges in their charter, on the promise being given to the people of this country that they would loan money at 6 per cent. They have since, however, abandoned those special privileges, and they come to us now as any other loan company would, for the purpose of obtaining power to loan at the same rate as do other companies, at the lowest rate in fact charged by any company. I think it proper to point out the fact, that, as I understand it, this is not an increase from 6 to 8 per cent., but really from 7 to 8.

Mr. BLAKE. No.

Mr. MACKENZIE. Yes.

Mr. WHITE. As I understand it, the power that they had before, was to charge 6 per cent. and 1 per cent. commission.

Mr. BLAKE. When they charge 1 per cent. for administration, it was specially provided by our Act that it should be included in the 6 per cent.

Mr. WHITE. By the Act of last Session?

Mr. BLAKE. No; but by the Dominion Act which is repealed by this Bill.

Mr. WHITE. If this be the case, I do not see any special necessity for putting in the amendment which was proposed the other night.

Mr. BLAKE. Because that would have given them 9 per cent.

Mr. WHITE. Because it would simply be the old Act after all.

Mr. BLAKE. No.

Mr. WHITE. And they would be exactly in the same position, if by our legislation they could not charge a commission.

Mr. BLAKE. But they could charge a commission.

Mr. WHITE. They will simply have their position changed; and are to be able to charge 8 per cent. instead of 6 per cent. with all their conditions exactly in the same way as before. Whether this be the case or not, this fact is to be borne in mind, and I make this statement simply because of my vote last Session—that this company now stood in exactly the same position as does any other company. When particular loans expire which they have given, if money is worth more than 6 per cent. in the country, probably they will seek to foreclose mortgages, and re-loan to the parties, if they were willing to take money from them, at 8 per cent.; but if, on the other hand, money is not worth 8 per cent., they will probably go on like other companies, at less than 8 per cent., and the loans will continue in the same way; but, Mr. Speaker, inasmuch as they come here simply like any other company, having given up their special privileges, and the privilege of charging anything for administration, I think we cannot do otherwise than put them in the same position as are other companies which loan money in the country.

Mr. DAVIES. I find that I was misunderstood by the hon. member for East York, in the explanation which I gave. I do not oppose the Bill because the company seeks to charge 8 per cent., or because this is too high, or too low a rate. I quite agree with him in the principle he has laid down—that no limitation should be put upon the rate charged. The point we make is this: Years ago we passed a Bill allowing them to charge 6 per cent., and say a party has borrowed from them \$1,000 at that rate. At the time he made the contract, he knew very well that if he broke it, they had no inducement to foreclose the mortgage, because they could not re-loan the money at a higher rate than 6 per cent.; but now we come in while contracts are pending, and remove this distinction, allowing the company, if they foreclose, to charge 2 per cent. more, and offering a

plain inducement of 2 per cent. to the company to foreclose every existing mortgage; that is the ground on which I protest.

Motion, 6 months' hoist (Mr. Auger) negatived on the following division:—

## YEAS :

## Messieurs

Allen,	Harley,	Platt,
Armstrong,	Innis,	Ray,
Auger,	Irvine,	Somerville (Brant),
Bain,	Jackson,	Somerville (Bruce),
Burpee (Sunbury),	Keefler,	Springer,
Campbell (Renfrew),	Kirk,	Thompson,
Catudal,	Landerkin,	Vail,
Cook,	McMillan (Huron),	Wheler,
Davies,	McCraney,	White (Hastings),
Farrow,	McIntyre,	Wilson,
Fisher,	McMullen,	Yeo.—35.
Gillmor,	McNeill,	

## NAYS :

## Messieurs

Allison,	Ferguson (Leeds-Gren),	Massue,
Amyot,	Ferguson (Welland),	Méthot,
Baker (Victoria),	Forbes,	Mitchell,
Barnard,	Fortin,	Moffat,
Beaty,	Foster,	Montplaisir,
Béchar, d,	Fréchette,	Mulock,
Bell,	Gagné,	O'Brien,
Benoit,	Geoffrion,	Orton,
Benson,	Gigault,	Paint,
Bergeron,	Girouard (Jac.-Cartier),	Paterson (Brant),
Bergin,	Girouard (Kent),	Patterson (Essex),
Bernier,	Gordon,	Pickard,
Billy,	Grandbois,	Pinsonneault,
Blake,	Guilbault,	Pope,
Blanchet,	Guillet,	Reid,
Blondeau,	Gunn,	Richey,
Bolduc,	Hackett,	Rinfret,
Bossé,	Haggart,	Ross (Lisgar),
Bowell,	Hall,	Ross (Middlesex),
Brecken,	Hawkins,	Royal,
Bryson,	Hay,	Rykert,
Burnham,	Hesson,	Scott,
Burns,	Hickey,	Small,
Cameron (Huron),	Hilliard,	Smyth,
Cameron (Inverness),	Homer,	Sproule,
Cameron (Victoria),	Hurteau,	Sutherland (Oxford),
Campbell (Victoria),	Ives,	Sutherland (Selkirk),
Carling,	Jamieson,	Tassé,
Caron,	Kilvert,	Taylor,
Casey,	Kinney,	Tilley,
Cimon,	Kranz,	Trow,
Cochrane,	Labrosse,	Tupper (Cumberland),
Cockburn,	Landry,	Tupper (Picton),
Colby,	Langevin,	Tyrwhitt,
Costigan,	Laurier,	Valin,
Coughlin,	Le sage,	Vanasse,
Coursol,	Livingstone,	Wallace (Albert),
Curran,	Macdonald (sir John),	Wallace (York),
Cuthbert,	McDonald (Cape Breton),	Watson,
Daly,	Mackenzie,	Weldon,
Daoust,	Mackintosh,	Wells,
Daweon,	Macmillan (Middlesex),	White (Cardwell),
De Beaujeu,	McMillan (Vaudreuil),	White (Renfrew),
Desaulniers,	McCallum,	Wigle,
Desjardins,	McCarthy,	Williams,
Dickinson,	McDougald,	Wood (Brockville),
Dugas,	Melsaac,	Wood (Westmoreland) et
Dundas,	McLelan,	Wright.—145.
Dupont,		

Bill read the third time, and passed.

## KINGSTON AND PEMBROKE RAILWAY.

Mr. GUNN moved that the House resolve itself into Committee on Bill (No. 36) to amend the Act incorporating the Kingston and Pembroke Railway Company, and the Act amending the same.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. GUNN moved to strike out the following words commencing in 19th line, 1st clause: "Said point to be at the

village of Renfrew, or the village of Cobden, or at some point between Renfrew and Cobden."

Mr. HAGGART. Before that amendment is put, I wish to offer on it a few observations. This point was well considered in the Committee, and the reasons for framing the clause as it is were then very fully given. The town and county of Renfrew has given a bonus of \$3,000, and exemption from taxes for twenty years, to the Kingston and Pembroke Railway Company, on condition of its coming to the village of Renfrew; and by this clause, which is proposed in amendment to the Bill as it came from the Committee, the company would be enabled to avoid the village of Renfrew altogether, and leave it, as it were, off the main line. What the people of Renfrew want is, that the conditions which were embodied in the by-law shall be carried out in meaning, if not in letter—that is, that the main line of the road shall go to the village of Renfrew. That is the conditions upon which they gave the bonus and exempted them from taxation for the next twenty years. That clause was embodied in the charter of the company in the Railway Committee, and now the proposition of the promoter of the Bill is, that it be struck out, thus enabling the railroad company to adopt any line they choose. I believe the principle to be a correct one, that the line of any roads to which we grant charters should be defined, and that no company should be enabled to offer inducements to different villages for the purpose of obtaining bonuses from them. The House should insist that the contract which was entered into with the village of Renfrew should be carried out as to the main line, and if they wish to go to Eganville they have the option of doing so.

Mr. KIRKPATRICK. This bonus which was given to the Kingston and Pembroke Railway, was given on condition that the line should be built to the village of Renfrew, before, I think, the 31st of December, 1883, and they were to put up certain station buildings and shops in the village. No bonus was to be paid until these conditions were performed. At that time, the branch to Eganville was not thought of—in fact it was not thought of until three months after the bonus was voted. If the Committee will notice the terms of the amendment which was made in the Railway Committee, they will see that the hon. gentleman is altogether in error, because it refers only to the branch line—not to the main line which may go to Renfrew, or may not. That is a question which does not come into consideration so far as the amendment is concerned. The Railway Committee did not say that this branch line should start from Renfrew, or from Cobden, which is fourteen miles distant from Renfrew; and this shows that the Committee did not think of the question of bonus when they inserted that provision. When the condition was inserted in the Bill, there was no evidence given as to whether it was a convenient starting point or not; and it depends on the reports of the Engineers where the branch line shall start from. It may start from Renfrew, or from Cobden, or from some place between those two points, and why should the House insert a condition which may compel the company to build a branch line there, or four or five miles longer than is necessary? I do not think the people of Renfrew have any legitimate excuse for asking Parliament to start the line at some particular place, as that is a matter which depends on the reports of the Engineers.

Mr. BLAKE. I am unable to agree with the hon. gentleman who has just spoken. The hon. member for South Lanark (Mr. Haggart) proposed the limitation in the Railway Committee. The promoter of the Bill accepted that limitation there, and there was consequently very little discussion in the Committee, simply because there was no conflict there. Had not the promoter of the Bill accepted the suggestion, we would no doubt have had a discussion of the local questions involved, and all the

materials brought before us upon which any particular claims of the village of Renfrew may rest. I agree entirely with the hon. member for Lanark as to the general view that we are too vague altogether in reference to the routes of railways of which we authorize the construction. There is no very close restriction imposed by this amendment, because there are fourteen miles within which the company may start the branch line to Eganville; but if that arrangement is not feasible the Railway Committee is the proper place to settle the question. We cannot here go into the evidence as to whether a particular line is the proper one or not, or as to what contract, if any, was entered into with the village of Renfrew. For two reasons, I think, if any change is to be made, the proper course is to refer the Bill back to the Railway Committee: first, because there was a unanimous agreement as to this particular matter; and, second, because it would be objectionable to leave the route wholly undefined, as it is proposed to be done.

Sir CHARLES TUPPER. I think the suggestion made by the hon. member for West Durham is a good one. It is quite true that the Bill was not amended in the Committee, and it is also true, as the hon. gentleman has stated, that this fact was not the result of any discussion, but of an agreement made between the parties; and if there be any misapprehension the best plan would be to refer the Bill back to the Railway Committee, where the question may be fully considered and dealt with satisfactorily.

Mr. BLAKE. I did not intend to suggest the reference back; but I say, if this Committee is disposed to make the amendment, the reference should be made as a preliminary course.

Sir CHARLES TUPPER. What influenced me in the Committee was the impression I derived, from a very brief interchange of observation, that the terms upon which the subsidy had been obtained from the village of Renfrew were being violated. Consequently, so far as I am concerned, I concurred in the present amendment. It is now stated that this was a misapprehension—that the bonus was voted three months before this question of a branch line came up at all. I think, therefore, the wiser course, would be to refer the Bill back to the Railway Committee.

Mr. HAGGART. The proposition as to the main line was that it should go to the village of Renfrew. They intend to run their line, then, from some point on the main line to Lake Nipissing. I suppose power will be asked for, at some future day, to extend the road from Eganville to Nipissing. Then it will no longer be a branch, but part of the main line, and there will be two or three miles of road running to the town of Renfrew. Will not Renfrew then be on the branch, and Eganville on the main line, no matter what name you may call it?

Mr. WHITE (Renfrew). I think the proposition that this Bill should be referred back to the Railway Committee is a very proper one. Those who were present at the discussion of the Bill before that Committee, will remember that the hon. gentleman in charge of it consented to the insertion of these words in this clause; and I have not yet heard any reason from that hon. gentleman why the words should now be struck out. It is true, as suggested by the hon. member for South Lanark, and by the hon. member for West Durham, that we do grant powers to railway companies which are too extensive in regard to the building of branches from the main line. The hon. the Speaker stated that the company who had put their money into the railway had a right to say what point they would select as their point of divergence; but the hon. gentleman will remember that the Kingston and Pembroke Company were authorized to build a road from Kingston to Pembroke, and that the Ontario Legislature largely subsidized that road. If the

Mr. BLAKE.

Bill be allowed to pass in its present shape, there is no guarantee that the point of divergence on the main line may not be at some point south or east of Renfrew, or that the road will ever reach the point which its original charter intended, but that the line may go to Eganville, and thence to the Georgian Bay. I think the Bill should go back to the Railway Committee, and that the people of the town of Renfrew should have an opportunity of giving such evidence in favor of the point of divergence being at Renfrew, or at some point westward.

Mr. MACKENZIE. I suppose the hon. gentleman will propose, if the company do not carry out their original agreement, that the Government should pay back the bonus.

Mr. WHITE (Renfrew). I have no objection.

Mr. CAMERON (Victoria). I think the proposition that the Bill should go back to the Railway Committee is a proper one. For my part, I should like to see the provisions of this bonus by-law; but this is not the place to enquire into that question. I do not think that we should dictate to a railway company the route they should select, so long as we define the points. We define here Eganville as a point to which a branch shall be built from the main line. We cannot suppose that the company will build any other than the shortest and the most advantageous line, as they are building it with their own money. I do not quite see the force of the observations of the hon. member for South Lanark as to the right of the town of Renfrew to dictate to the company where they shall build their branch. I can understand that the town has the right to see that the condition of their by-laws are fulfilled; but I do not see that it has prescribed anything with reference to this proposed branch. But I think the Railway Committee is the proper place for these suggestions to be considered.

Mr. GUNN moved that the Bill be referred back to the Railway Committee.

Motion agreed to; and Bill reported, and referred back to the Committee on Railways, Canals and Telegraph Lines.

#### THE ACADIA POWDER COMPANY.

Mr. TUPPER moved that the House resolve itself into Committee on Bill (No. 40) to grant certain powers to the Acadia Powder Company.

Motion agreed to; and Bill considered in Committee and reported.

Mr. TUPPER moved the third reading of the Bill.

Mr. BLAKE asked that the third reading be postponed, as the Private Bills Committee had sent this Bill back with the report that it had not dealt with the question of jurisdiction; and the hon. member for Bellechasse, who had taken the most interest in Committee, was not in his seat.

Motion withdrawn.

#### PRESBYTERIAN MINISTERS' WIDOWS' AND ORPHANS' FUND.

Mr. RICHEY moved that the House resolve itself into Committee on Bill (No. 63) to amalgamate the Presbyterian Ministers', Widows' and Orphans' Fund, in connection with the Presbyterian Church of the Lower Provinces, and the Widows' and Orphans' Fund of the Presbyterian Church in the Maritime Provinces, in connection with the Church of Scotland, and to create a corporation to administer such funds.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. RICHEY. In reference to the first clause it has been discovered, since the Bill was reported, that certain words

were omitted from the printed copies, which were in the original draft. I now move to substitute a clause of which I have given notice for that which stands as the first clause. The only alteration is to insert the usual words which were omitted: "For giving succession and the common seal, and power to sue and be sued."

Bill reported.

#### BILL IN COMMITTEE.

The following Bill was considered in Committee, and reported:—

Bill (No. 75) to incorporate the Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada, for Manitoba and the North-West.—(Mr. Ross, Lisgar.)

#### THE DOMINION PHOSPHATE AND MINING COMPANY.

Mr. CAMERON (Victoria) moved that the House resolve itself into Committee on Bill (No. 49) to incorporate the Dominion Phosphate and Mining Company.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On the second clause,

Mr. BLAKE. It seems to me rather strange, that although this company is to commence with a paid-up stock of only \$75,000, it may be allowed to increase to \$1,000,000.

Mr. CAMERON (Victoria). I suppose the company expects to begin business in a small way and extend it. No doubt the development of phosphates in that region is capable of great extension. The sum of \$75,000 may be sufficient to commence with, and if they extend their operations no doubt they would need a much larger capital.

On the third clause,

Mr. BLAKE. It seems to me that the eighth sub-section is an unusual and exceptional provision. I do not see why we should make special provision for the winding up of this particular company, when we have a general law providing for the winding up of all companies.

Mr. CAMERON. The reason is this: Supposing it invests its capital in a phosphate mine, and after four or five years that mine becomes exhausted, and they are not disposed to go on with their operations any further, surely there ought to be some provision to facilitate their winding up without compelling them to go to the expensive process of winding up by special application for an Act of Parliament.

Mr. BLAKE. That would apply to any company engaged in any mining enterprise at all. We ought to consider the principles upon which we arrange for powers to wind up a company, which involve not only the question of a company's internal affairs, and how its assets shall be distributed, but also the question of its liabilities to the public. I am not aware that we have heretofore provided, in any Private Bill, for the winding up of the corporation. I believe we have left it either to the general law, or to such special laws as have been passed from time to time for the winding up of corporations.

Mr. CAMERON. The protection given to the public in the winding up of this company is very ample. It requires to be advertised for three months that the creditors may come in, and requires the consent of two-thirds in value of the stockholders. Surely there is no possibility of wrong being done.

Mr. BLAKE. I do not agree with the hon. gentleman. To say that unless the creditors have a notice in the *Canada Gazette*, or some other paper, for three months, and unless they shall hear of this affair, or happen to see the newspaper, and put in their claim, the whole assets of the company may be taken and divided between the shareholders, is not only wrong for those who happen not to have heard it, but it seems to me to be a most extraordinary and unsafe provision. Those companies are not capable of being dissolved except by some process of law; but in this Bill it is arranged that this company shall be wound up and its assets divided, even although the creditors may not have seen the notice in the newspapers and in the *Official Gazette*.

Mr. CAMERON. There is a clause in the Bill providing that, after notices have been given "thereupon or after such date, upon the said secretary or managing director filing a certificate, verified by his oath or solemn affirmation with the Secretary of State in Canada, representing that the company is not indebted nor under any contracts or obligations future or present, with or towards any person or persons whatsoever." I think that this provision affords ample protection to the public.

Mr. BLAKE. The question is, whether this House is prepared to adopt a proposition to insert in Bills for incorporation of such companies a clause empowering the company upon giving notice in a newspaper and in the *Official Gazette*. If so, let us understand it; and a general law should be passed providing that all companies of this description may be wound up in this way. But it seems to be a very novel, and, so far as I know, an unprecedented application, and it should not be applied to one company unless applied to all. I move that sub-section eight of clause three be struck out.

Mr. CAMERON (Victoria). I was not present on the Private Bills Committee when this Bill passed through. I am not aware whether any official reasons were given for the insertion of this clause beyond those I have stated, but I fail to see any objection to this clause being incorporated in the Bill. I do not know whether the Government have any objection to it or not. The duration of business will, in all probability, be limited.

Mr. IVES. When this Bill was discussed in the Private Bills Committee an objection similar to that raised by the hon. member for West Durham was made to this clause. I am not aware that any special reasons were urged why the clause should be inserted; but it was contended that this provision was similar to a provision in the General Act, and that there was no reason why it should not be inserted, and as a majority of the Committee favored the clause it was adopted.

Mr. BLAKE. If no special reason was represented to the Private Bills Committee I wholly fail to see why this House should pass a special law for the winding up of this particular company.

Mr. HALL. I was not on the Private Bills Committee when this Bill was before it, and there may have been reasons given why special advantage should be extended to this company. Although some of the incorporators are foreigners they are not strangers to the country. They have been largely engaged in developing the mining interests of the Eastern Townships, and they have carried on business very successfully and very satisfactorily. They came to the relief of our mining industries at a time of general depression, and they have restored those interests to successful operation. They now seek to extend their operation in this vicinity by developing the phosphate interests of the Ottawa Valley. This company is different to an ordinary one seeking incorporation; it is not like a company incorporated for manufacturing purposes, the extent of whose operations you can tell in advance. This is in the nature of an ex-

periment, and, with gentlemen of means and standing who have been so successful in the past at the head of the company, there seems to be no impropriety in providing that they shall have the power to wind up the affairs of the company under the regulations laid down in the Bill. After giving notices it is provided that the managing directors shall declare under oath that the company is not indebted, nor under any contracts or obligations. Under these circumstances, and in view of the record of the incorporators in this country, it seems to me exception might be made in their favor, and opportunity given them to wind up the company as provided in the Bill, if it should not be found successful.

Mr. BLAKE. It is utterly impossible to adopt a particular law for one company, because of the special responsibilities of the incorporators, and not extend it to other companies. We assume that all incorporators are honest and responsible persons. There is no provision against transfer of stock, and therefore the company may be wound up by different persons from the original incorporators. I have looked at the Joint Stock Companies' Act of 1869, and I find no such provision as was mentioned by the hon. member for Victoria.

Mr. CAMERON (Victoria). It was the hon. member for Richmond and Wolfe (Mr. Ives) who said he understood that the provision was similar to one contained in the General Act. No reason has been adduced why the House should not provide in a Bill of this kind for the winding up of the company if they see fit, so long as care is taken that the public interest shall not be prejudiced, more particularly as the company is of that character which will, in all probability, cause the company to cease to exist after a few years, which is not the case with some other companies. A banking company, or a manufacturing company, do not contemplate being wound up; but where the company is incorporated and depends for its existence on the extent to which phosphates are discovered, and the market available for the product and other causes of that character, it seems only reasonable that we should give it the power to wind up when its business ceases to be profitable. The fact that it has not been the practice to insert provisions of this kind in such Bills, is not a sufficient reason why we should not insert such a provision now, if it is fair and reasonable. This provision answers that description, and should be inserted. I am informed that this provision for winding up is copied verbatim from a General Act passed by the Ontario Legislature last Session; and that is no doubt the Act to which the hon. member for Richmond and Wolfe referred. Now this company, apparently, would prefer to be wound up voluntarily before it might become insolvent if its business ceased to be profitable; and I think that this would be much more desirable, than for it to go on and carry on business when its business ceased to pay, and then be compelled to come and petition for winding up powers. In clause five, I move to insert after the first line, the words "and general meetings of the company," and strike out "and of its Directors." The company is quite content that its headquarters should be in Canada, and that its general meetings should always be held here; but it does not wish to be so tied down, that the meetings of the directors shall necessarily take place here. I believe that the parties who propose to incorporate this company are all, or mostly all, Americans; the capital is to come from the United States, and they wish to have the power to hold meetings of the directors out of Canada.

Mr. BLAKE. That is a general question. The Private Bills Committee, I think, amended the Bill so as to provide that the meeting of the company, as well as its headquarters, should be located in Canada; and it is for the Committee to decide the general question, as to how far they should be altered.

Mr. HALL.

Mr. CAMERON (Victoria). If all the meetings had to be held in Canada, it would involve four or five gentlemen coming, perhaps, from New York or some other point in the United States, at an expense of \$50 to \$60 each, once a month, or whenever it might be necessary to attend a meeting, with reference to the current business of the company, which could be as well transacted there.

Mr. JAMIESON. I was, I think, the member of the Private Bills Committee who objected to the provision that the head office of the company might be located either in the United States or in Canada. There was also considerable discussion with reference to the provision that the majority of the directors might be resident out of Canada; and it seemed to be the desire of the Committee to allow the majority of the directors to be aliens, while the head office, at all events, should be placed in the Dominion; but I do not see that there can be any reasonable objection to allowing the directors to hold meetings on the part of the company out of Canada. Of course it is the policy of the Government to bring as much capital as possible into the country, and I do not think that any obstacles should be thrown in the way of parties residing out of the Dominion who desire to employ capital in Canada. This should be encouraged, and, in my opinion, the proposition of the hon. member from Victoria is a very proper one.

Mr. CAMERON (Victoria). Probably the sense of the House will be met by striking out the words "and of its directors," so that all the meetings of the shareholders shall be held in Canada, at the head office of the company. I will, consequently, simply move that the words in the second line, "of its directors," be struck out.

Sir JOHN A. MACDONALD. I think that this would meet the objection, as it will permit them to hold their unofficial meetings where it may be most convenient to themselves.

Mr. BLAKE. The meetings of the company occur perhaps once a year, but the meetings of directors, who have extensive powers like these, will conduct the whole business. I only desire to know if this rule of allowing them to be held out of the country is the one which is to be adopted by the Government, or concurred in by the Committee in like cases.

Mr. CAMERON (Victoria). I do not see why, in cases like this, where a capital is foreign, the directors should not be allowed to manage their business in the country in which they reside. The result of being too stringent in this respect would be to drive foreign money out of the country.

Mr. CARON. Though the feeling of the Committee appeared to be that the general meetings should be held in Canada, I did not understand that the same rule was to be applied to monthly or weekly meetings of the directors for the purpose of transacting ordinary business. To apply such a rule would be to impose a great deal of inconvenience and expense upon the directors.

Bill reported, read the third time, and passed.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

### THIRD READINGS.

The following Bills were severally considered in Committee, reported, read the third time and passed:—

Bill (No. 10) to provide for the amalgamation of the Bank of Nova Scotia with the Union Bank of Prince Edward Island.—(Mr. Tupper.)

Bill (No. 67) respecting the Citizens' Insurance Company of Canada, limited.—(Mr. Curran.)

Bill (No. 23) further to reduce the capital stock of the Quebec Life Assurance Company.—(Mr. Bossé.)

Bill (No. 29) to incorporate the Bank of London in Canada.—(Mr. Dawson.)

#### NORTHERN RAILWAY COMPANY OF CANADA.

Mr. WHITE (Cardwell) moved the second reading of Bill (No. 93) respecting the Northern Railway Company of Canada.

Mr. BLAKE asked for explanations.

Mr. WHITE (Cardwell) said he was unable to give any information, as he simply moved on behalf of Mr. Cameron. His object was to bar the Bill brought before the Railway Committee, and he did not bind himself to support or oppose its provisions, not having yet examined the Bill.

Mr. BLAKE. I am sorry that the second reading should be proposed of an amendment of this importance to the public without any explanation of it being given. I do not know whether the attention of Government has been called to this measure, but having regard to the fact that the public interest is very deeply concerned it is only reasonable to expect they should have looked at the provisions of this Bill. I do not feel disposed to let it go to the Railway Committee of without pointing out to the House what seem to me very objectionable provisions. The legislation in reference to the Northern Railway Company's securities is of an old date and has been almost continuous. Before Confederation the bonded debt, which amounted to a very large sum of money, and stood first, was postponed once or twice, until, at the time of Confederation, it stood second or third in rank—the first rank being the first preference bonds amounting to £650,000 sterling and the second rank the second preference bonds amounting to £283,900 sterling. By an Act passed in the first Session of the first Canadian Parliament, third preference bonds were authorized of £50,000 sterling in A's, and £100,000 sterling in B's. One-half the latter were issued to the Government, so that the Government, by the arrangement then made, became the holder of £50,000 in the second preference bonds which are dealt with by this Bill, and £50,000 in the third preference bonds. There was an Act passed in 1871 and an Act passed in 1872, both authorizing the leasing of certain railways, and in each case authorizing a guarantee of the land of these railways and security so arranged for as stood of a higher rank; so that in 1872 the position of the Government was that it held £50,000 of the second preference bonds, and £50,000 of the third class bonds, and a lien of some millions of dollars below that. There was a proposal made in 1872 for a settlement of the Northern Railway debts for £100,000, which was not accepted; and subsequently, in 1875, the hon. member for East York made another proposal that the debt should be settled for £100,000 in cash, and certain arrears of interest, and the Government should retain the two sets of securities for the arrears of interest, I think, making about double the former proposal. That proposal was agreed to. In the same year, 1875, a general Northern Railway Act was passed, consolidating their legislation and providing for their securities in a very ample manner. By that Act power was given to the Northern Railway Company, upon the maturity of any of their bonds of any rank, to issue new bonds to the amount that would be necessary for the redemption of the bonds which were maturing, and to place them in the same rank. Such a power they now have. Now, they are not satisfied, it seems, with that power, and the second preference bonds being about to mature, they are asking that we should pass a law to allow them to issue perpetually terminable bonds of the same rank as the second preference, not merely of the amount that is necessary to redeem the second preferences,

but to such an amount as that the interest charged shall be no greater than the interest charged upon the present set of preferences—in a word, they are expecting, and rightly, no doubt, from the improved condition of the country, the market, and perhaps the improved condition of the railway, that they will be able, if we allow them to issue second preference securities, to issue them at a lower rate of interest than 6 per cent, the result of which will be that they will get a larger amount of capital than is necessary to redeem the expiring bonds. If they were to make an issue at 5 instead of 6 per cent., for the amount of interest which they ask authority to emit, they would procure a capital of £340,680 instead of £282,900, which is the amount of the second preference bonds, making an excess of £56,780, which they would have for other purposes. Now, the practical result of that is as if a farmer mortgaged his farm to somebody for \$5,000 at 10 per cent., and then made you a second mortgage for \$2,500 at 10 per cent. When the first mortgage matures, if he came and said to you: I can borrow money cheaper than at 10 per cent., I can borrow it at 6 per cent., and so I want to borrow \$3,000 at 6 per cent, and put it before your mortgage for \$2,500. You will be all the better off because the interest charged would be only \$4.80 instead of \$5. That is what we practically propose. We propose a Bill to give them the power to increase the capital charged ahead of the third preference bonds A and B, and the preference stock amounting to several hundred thousand dollars which has been issued under the legislation of 1875. Now, not merely are the private investors in the preference bonds A and B, and in the preference stock, interested in this mode of legislation, but the public also, for the public is a holder of £50,000 of these third preference B's. But I object to the proposal which they, having ample power under the 31st sec. of the Act of 1875, to emit bonds of the same rank and standing as the third preference bonds as is necessary to redeem the second preference bonds, that they should now come here and ask this Legislature to allow them to emit as much bonds as will involve an annual charge of £17,380—or whatever the interest is—in order that they may raise enough to redeem the second preference bonds, and also some more money for the general purposes of the road. I say that would be an improper interference with the rights of the private holders of the subsequent securities, and a detrimental interference with the rights of this country. Supposing, ultimately, when the new bonds matured, that they could not raise money to redeem them at the rate of 5 per cent.—which they may expect to emit them at now, they would have to provide for a new issue, with a nominal amount of the proposed present issue, of some £340,000. I see that the hon. gentleman catches the idea. I am only anxious it should be clearly stated now. Well, Sir, the Bill also proposes a clause which, I think, demands very earnest enquiry. I do not thoroughly understand the gist of it; but it seems to me to be dangerous. As I have said, former legislation authorizes the leasing of certain railways and the guaranteeing of an obligation to pay the rents, but these rents were a certain proportion of the gross earnings of the railways. Another clause in the Bill is that the railways should have power to guarantee the debts of the leased railways to an amount represented by the rent. That makes a positive and absolute charge higher up than some of its outstanding securities, not dependent on the traffic of this railway, but positive and absolute, and, therefore, it may be, a larger charge than the increased charge, to the prejudice of the security holders. Then the Bill contains another extraordinary clause, which seems designed to give absolute and unlimited power to this railway company to expropriate such lands as the directors deem necessary for the purposes of the railway, going beyond their own Act and going beyond the Consolidated Railway Act. It could

not be more liberal if you were dealing with the Canadian Pacific Railway—and I need not say more than that. Now, Sir, considering that the president of this company is a member of the Government, and that one of its directors is a brother of another member of the Government, I should have supposed the Government would know something about this Bill, but it seems to me that with all these peculiar advantages they have had for obtaining information as to the character of this legislation, they have not yet acquired from their colleagues any of these details. I would refer them to the hon. Minister of Justice and to the hon. Frank Smith, and I hope that with their assistance they may be able to amend some of the objectionable features of this legislation before it goes much further.

Sir CHARLES TUPPER. I may say that my attention has been specially directed to the point which the leader of the Opposition has just referred to, and that was the power given the company of expropriation which as he has said, was a very unlimited power; and it was proposed, when the Bill went to the Committee, to deal with that subject.

Bill read the second time.

#### DUTY ON LAND PLASTER.

Mr. WHEELER enquired, Whether it is the intention of the Government to reduce or repeal the duty on land plaster imported from the United States for fertilizing purposes, during the present Session?

Sir LEONARD TILLEY. It is not the intention of the Government to change the duty.

#### HIGH COMMISSIONER IN ENGLAND.

Mr. BLAKE enquired, Whether an understanding has been reached that Sir Charles Tupper is to succeed Sir Alexander Galt?

Sir JOHN A. MACDONALD. The only answer I can properly give to that is, that no offer has been made to my hon. friend who sits near me, and, consequently, there has been no acceptance.

#### GEOLOGICAL SURVEY OF VANCOUVER ISLAND.

Mr. GORDON enquired, Is it the intention of the Government to make provision for a more extended geological survey of Vancouver Island, the present year?

Sir JOHN A. MACDONALD. As I understand from the director of the Geological Survey, Prof. Selwyn, it is the intention, as far as possible, to use the chief force on the mainland; but, perhaps, he may be able to send some persons this year to the Island.

#### PIER AT WESTPORT, N.S.

Mr. VAIL enquired, Whether any portion of the \$2,000 provided in the Supplementary Estimates of last year for a public pier at Westport, Digby County, has been expended; if not, when is it intended the work shall be commenced, and whether the Government intend to provide an additional sum for this important work in the Supplementary Estimates of the present year?

Sir HECTOR LANGEVIN. It is true that last Session Parliament voted \$2,000, but its expenditure was allowed to stand, as further enquiry was necessary, and that has not yet been made.

#### INTERCOLONIAL RAILWAY AND QUEBEC CITY.

Mr. LANDRY enquired, Whether it is the intention of the Government to give to the city of Quebec, the capital  
Mr. BLAKE.

of the Province of that name, the advantage of having an office of the Intercolonial Railway?

Sir CHARLES TUPPER. I may say, for the information of the hon. gentleman, that the Intercolonial Railway had an agent already in the capital of the Province of Quebec, near the St. Louis Hotel, and it is not proposed to appoint any other officer at present.

#### FERRY BOATS ON THE ST. LAWRENCE.

Mr. LANDRY enquired, Whether the Government have come to an understanding with the proprietors of the North Shore Railway, in relation to the construction of ferry boats to ply between the eastern terminus of that road and the western terminus of the Intercolonial Railway; and if so, what that understanding is?

Sir CHARLES TUPPER. The Government have not come to any understanding with the proprietors of the North Shore Railway in relation to the construction of ferry boats to ply between the northern terminus of that road and the western terminus of the Intercolonial Railway as yet.

#### PASSENGER ACCOMMODATION AT "THE CROSSING."

Mr. LANDRY enquired, Whether the Government have come to any understanding with the Grand Trunk Railway Company and with the Quebec Central Railway Company for the joint construction, at the locality called "The Crossing," of a station to be used by the three companies; and if so, what the understanding is?

Sir CHARLES TUPPER. No understanding has yet been arrived at.

#### IMPROVEMENTS AT PORT ALBERT HARBOR.

Mr. CAMERON (Huron), in moving for a return of a copy of all reports, plans, and surveys made by the Government Engineers of Port Albert Harbor, in the County of Huron—and a copy of the estimate of the costs of extending the piers at said harbor—and of all correspondence between the Port Albert Pier Company and the Government, respecting said harbor, said: I beg to draw the attention of the hon. Minister of Public Works to this matter. He knows something of it, and that the work is of very considerable importance. This harbor is situated on the east shore of Lake Huron, and a very considerable amount of trade is done at Port Albert. The hon. gentleman some years ago expended, and properly expended, a very considerable sum of money on works there. Last year \$2,200 were expended and some useful and valuable work was done; and so much alive did the hon. gentleman appear to be to the necessity of continuing and completing the work, that he sent an engineer from the Department there during last summer or fall, and had a survey made of the harbor, and an estimate prepared of the additional work required for the purpose of making really useful the works already constructed. I believe the surveyor made the survey, and that such survey and specifications, together with estimates of costs, are now in the Department. I trust the hon. Minister will find it consistent with his position to carry out the suggestions made by the engineer, Mr. Grey, to expend a still larger sum of money there, otherwise I fear very much the works already constructed there would be of little value. I am told that the cost would not be very much to make the work perfect and suitable for the trade. I observe there is nothing in the Estimates for this work, but I hope the hon. gentleman will be able to place some amount therein to complete it.

Mr. FARROW. I am very glad the hon. member for West Huron has moved for these papers, and spoken so favorably with respect to Port Albert Harbor. It is known to this House that since 1872, I have paid all the attention within my power to having something done to the harbor, and my efforts have not been in vain in the past. In 1873, I think I was the means of obtaining a grant from the hon. Minister, who now so ably presides over the Public Works Department, of the sum of \$4,000, which was very thankfully received by myself, and more thankfully received by the people of Port Albert. They feel to this day very grateful to the Minister, and I am glad to know that he is inclined at all times to listen to our representations for help in that quarter. While on my feet, I may state that after we went out of power in 1873, very frequently I went to the then Premier and Minister of Public Works, in this relation; but I could get nothing from him, and I may add that my hon. friend from West Huron, who was in the House at the time, never came to my assistance on those occasions. I will not, however, treat him in the same spirit, but will second his endeavors, and do all I can to aid him in this direction. My hon. friend now represents this particular part of Huron, but formerly I did so, and, I may say, I feel a deep interest in all that pertains to Port Albert Harbor, and I am very glad to state that the hon. Minister of Public Works has given me, in this connection, great encouragement. He has a sum of money unexpended, and he will use it for dredging, &c.; indeed he manifests a very liberal spirit, and I hope he will see his way clear, if not this Session, at all events, during another year, to give us about \$6,000, in order to make a complete job of it. What we want is this—we may as well not be mealy-mouthed about it, and if we ask for a pretty large sum, we may get one-half—

Sir JOHN A. MACDONALD. Then you had better ask for twelve.

Mr. FARROW. Well, I would ask for \$12,000 if I thought I would get \$6,000, but the harbor is not in a satisfactory condition at the present time. It is a natural harbor and it has been of great use to the people in the neighborhood, who are very far from our railway. This small harbor is of great advantage to the people for the shipment of grain, timber, cord-wood, bark, staves and a great many other commodities. What is required is an extension of the pier about 300 feet into the lake. This, with some dredging, will make it a very fine harbor. When this is done we will not trouble the Government in this relation for a great many years, and I have no doubt that our prosperity will continue during the coming year. The hon. Minister of Public Works will see his way clear to granting us \$5,000 or \$6,000, or probably more if we need it.

Sir HECTOR LANGEVIN. I will bring down the papers asked for with great pleasure. I must say, I have always taken a great deal of interest in this work during the last ten or eleven years. True, there was a slight interregnum of five years, during which it appears that this, my pet work was neglected, but, I suppose, that the intention was to enable me to do more for this locality than would otherwise be possible. The surveys and examinations which were lately made, have not yet been examined by me; but, I hope to be able to do this during the present week. And, although I cannot promise the hon. gentleman any vote now, nevertheless, I shall look into the matter, and see whether I will be justified in submitting any proposition to my colleagues before the Supplementary Estimates are brought down.

Motion agreed to.

#### EXTENSION OF THE ST. JEAN PORT JOLI WHARF.

Mr. CASGRAIN (Translation) in moving for a return, to supplement the return to an Order of the House of the 21st

of February, asking for a copy of all correspondence, &c., relative to the construction of an extension of the St. Jean Port Joli Wharf, in the County of L'Islet, in giving the date of the memorandum which is found at the end of these documents, and the time when it was submitted to the hon. Minister of Public Works, by Henry F. Perley, Chief Engineer, said: Mr. Speaker. In making this motion, I wish to give and obtain a few words of explanation concerning the papers produced relative to the St. Jean Port Joli Wharf. I hold in my hand this correspondence; attached to these papers is a document, which is the report of Mr. Perley, engineer, stating that it was when the contract, or when the application for the contract had been submitted to the hon. Minister of Public Works, that it was discovered, as is set forth in the memorandum, that the work was to be given by contract and not by tender. There is no date to this memorandum; it does not appear, moreover, at what time the engineer submitted this memorandum; there is a strange omission in the correspondence exchanged between the Department and certain persons in the county of L'Islet. I have taken a great deal of interest in the construction of the St. Jean Port Joli Wharf, at each Session since 1878. I asked that the works commenced on this wharf should be continued, because these works were not only of local, but of general utility for the navigation of the St. Lawrence River, especially at that point called "La Traverse," and that it afforded means for having a port of refuge or a shelter for vessels in distress, especially towards the end of the season of navigation. We must remember that there were some years ago a large number of vessels in distress on the shore beyond La Traverse—among others, the *Roma*, the *Nola*, &c. This was the reason which called for the construction of this wharf. In 1876 I earnestly interested myself, as did also the municipality in this neighborhood, which was so much in need of the wharf as a local amelioration, in order to induce the then hon. First Minister, the present hon. member for East York, to make an appropriation for this work. I had much difficulty in obtaining it, and it was only by proving to him in a clear and practical manner that it was not only a local benefit, but a necessity in the general interests of commerce and navigation, that he consented to make an appropriation of \$2,000 to assist the construction of the wharf. The municipality itself furnished the sum of \$2,000. It was to this sum and the subsidy of the Government that we owe the construction of the wharf as it exists at present. This wharf was constructed in the best manner as regards the solidity of the work, and in a most exceptionally economical manner, and the result is that the construction of the wharf only cost \$1.25 to \$1.26 per cubic yard, whilst the estimates made in the Department of Public Works, and by other engineers and architects, give a minimum of \$2, and sometimes as high as \$2.50, and even \$3; so that with the subsidy from the Government and the \$2,000 voted by the municipality, we succeeded in making a very useful work for the municipality and for the general commerce. Now, as I just remarked, I at several preceding Sessions made a demand for an additional grant in order to enlarge this wharf, and notwithstanding my importunity, notwithstanding all the zeal I could bring to bear on the subject, I could not succeed in obtaining it. It is true that, personally, I had no claims for favors from the Government. But the county which I represent, and whose interests ought to be considered, should have received this grant. Finally the justice of the demand was recognized, perhaps owing to the incident of the General Elections which took place on the 20th of June last, and the sum of \$4,700 was placed in the Estimates for this extension. This coincidence, the benevolence of the Government finding itself on the eve of the elections, had the effect of awakening a little public opinion on this subsidy, in a most opportune time. I have in my hands the

correspondence of Mr. Charles Marcotte, member of the Provincial Assembly, who laid before the Government the necessity of spending a few hundred dollars for the L'Islet wharf; he asks at the same time, that the works on the St. Jean Port Joli wharf be undertaken as soon as possible. In order that this correspondence may be better understood, perhaps, it would be better for me to read the letter of Mr. Charles Marcotte as it is not long. It is dated on the 19th May, 1882:

"SIR H. LANGEVIN, K.C.B.,  
"Ottawa.

"SIR,—I am instructed by Mr. Taché of the Department of Agriculture, I think, to request you to permit Prosper Plourde, of L'Islet, to make a little improvement to the wharf of L'Islet, the expense not exceeding one hundred dollars. This improvement consists in replacing planks, building ladders, &c. It is necessary that Mr. Prosper Plourde be appointed guardian of the wharf.

"This gentleman is willing to undertake charge of the work without remuneration, in order to permit of free use of the wharf, as ordinarily the wharf is covered with plank and timbers, and it is impossible to drive a conveyance on it."

Here is the most important part of the letter:

"It is necessary that the work on the St. Jean Port Joli Wharf be done by day work, and that Mr. Alphonse Gingras, of St. Jean Port Joli, be the overseer."

This is important, for, as this is dated the 19th May, Mr. Gingras was one of the candidates who had to be induced to withdraw from the contest. I think the hon. Minister of Public Works knows something about it. This Mr. Gingras was appointed, and his mouth was closed.

Mr. LANDRY. With a plank.

Mr. CASGRAIN. Yes, with a plank. A short time afterwards, that is to say, on the 27th May, 1882, a hurried reply was sent to Mr. Charles Marcotte:

"I am instructed to inform you that, pursuant to the request contained in the letter of the 19th May, the Engineer-in-Chief of the Department is authorized to expend the sum of \$100 for repairs on the wharf at L'Islet, and also to commence the works at St. Jean Port Joli. Mr. Prosper Plourde, of L'Islet, and Mr. Alphonse Gingras, of St. Jean Port Joli, will superintend these works in their respective municipalities."

Thus as soon as the demand was made, the answer was sent, and the request acceded to. All this took place before the 20th June. At this same date the Secretary of the Public Works Department writes to Mr. Perley:

"The hon. the Minister authorizes you to cause the works of the St. Jean Port Joli pier proceeded with under the vote of the last Session, and Alphonse Gingras of that place to superintend their execution. Payments in connection with these works cannot be made until after the 1st July, 1882."

After this letter was despatched the election of the 20th June, in the county of L'Islet, took place, and my hon. friend the Minister of Public Works attached an extreme importance to the works. He even came in advance to visit the St. Jean Port Joli wharf, and promised what would be done. Naturally, after the official promise of the Minister, it was expected that the work would be done. But on the 3rd July, Mr. Gingras, who was some time previous appointed, complains that the order to commence work has not arrived. Here is what he says:

"I am impatiently awaiting your orders to commence the works on the St. Jean Port Joli wharf. All the men requisite to perform the work have been engaged, and are only awaiting my instructions to put them to work. I am surprised to see that Mr. G. P. Bender has not yet received the necessary orders to commence the work. A reply instructing me to commence the work is anxiously looked for.

"Yours very devotedly,

"ALPHONSE GINGRAS."

Matters rested there until I demanded an answer, at the commencement of the Session, from the Government through the Minister of Public Works, if it was really the intention of the Government to extend the wharf in question? The first answer which I received was the customary one. "The matter is under consideration." I persevere a little, how-

Mr. CASGRAIN.

ever, when I undertake anything which concerns my county. I approached the subject a second time, and I asked the Government if it was their intention to again appropriate the sum previously voted? This time I learned it was the intention of the Government to avail themselves of the vote in question and go on with the work. I must interpret this formal declaration in the most favorable light, and I interpret it in that light accordingly. Now, in the public interest and in the interest of my county especially, I would like to know after the first promise made to me, what was the date of that memorandum, and at what time it was placed before the hon. Ministers; because, it appears to me there was, if I may so express it, a change of opinion. It was decided at one time, to proceed with the works at once, to build them by day work, to employ a certain superintendent, but, as soon as the elections were over, a different conclusion was come to. Was it deception? Will the country believe it has been deceived? At least many believe they have been duped. It will be well, if the Government can give an explanation which will justify their conduct subsequent to the election. I attach a great deal of importance to this wharf on account of its public utility. I desire to invite the attention of the Government, and especially of the hon. Minister of Public Works, to the construction of these works in proper season. When these works were first commenced, I took care myself to see that they were commenced as soon as possible in the season, in order to avoid the necessity of working in the autumn season when the weather is cold and the days short. We succeeded in finishing the first wharf in good season, and the consequence was that it was built very much cheaper than if it had been built at a time when the workmen would lose a great deal of time. The hon. Minister of Public Works will permit me to observe that if the credit is not again voted, it will be necessary to use the money already voted before the end of the fiscal year, that is, before the 1st of July. Again, if the contracts are not given immediately, if notices are not given in order to attain the object the Government has in view—the speedy completion of the work—the 1st of July will soon pass; we will not then be able to spend the moneys which have not been voted anew, and it will be necessary to await a new vote from the House. At present, whatever may have been the motives which have changed the intentions of the Government, and have induced them to postpone the completion of these works, although the Government may have been disappointed in not being able to carry the election in the county of L'Islet as easily as they expected, it is not because my humble self is here that the county should suffer, and I expect from the Government, notwithstanding they have an opponent in me, that they will render justice to the county of L'Islet. I rely on the French Canadian patriotism of the hon. Minister of Public Works to do justice to my county as to all others.

Mr. LANDRY (Translation). Mr. Speaker: I will only say a few words in answer to the hon. member from L'Islet (Mr. Casgrain). The hon. member represents in this House a county which adjoins my own, and the extraordinary affection he manifests towards his constituents, he extends to a certain extent to mine. Not long ago it occurred to him to make an excursion into my territory, to hunt in my lands, and to hold up for public execration one of my principal supporters—

Mr. CASGRAIN (Translation). Name him.

Mr. LANDRY (Translation). The hon. member for L'Islet would like to know his name; he has already forgotten it, but I will be able to remind him of it in a moment, because I have on the Orders of the Day, a motion to that effect. Three sentiments, it seems to me, animate the soul of the hon. member from L'Islet—a sentiment of grief, a

sentiment of pleasure, and a sentiment of vain curiosity. All these sentiments, Mr. Speaker, are at war with one another, and have produced the speech which this House has just listened to. The hon. member complains that last year we ignored a gentleman who was opposed to him. It appears we did not remove enough of such gentlemen, for if the hon. member occupies a seat in this House, it is owing to the fact that he had two Conservative candidates against him.

Mr. CASGRAIN (Translation). The other candidate was not a Conservative.

Mr. LANDRY (Translation). The hon. member says that I am mistaken, that the third candidate was not a Conservative. Then in that case was not the hon. member responsible for his candidature, and will not the reports current in the county find an echo in the words of the hon. member? The hon. member complains that the works on the St. Jean Port Joli wharf were not undertaken, when the county was unrepresented, or rather when the county was literally overrun with the numerous candidates who solicited its support. But the hon. member again destroys the effect of this complaint when he adds in his peroration that he would like to have the works done in a convenient season, when the days are longest, when nothing is to be feared from cold weather. Thus it is precisely because this time had not come or was past, that the Government was prevented—probably by the report itself of Mr. Perley—and this explains why the Government, in acting as it did, met the views of the hon. member from L'Islet. Consequently, the latter made a mistake in allowing this expression to pierce his oration. The second sentiment which the hon. member gave expression to was one of joy that the works were again to be resumed. He thinks that this is due to his efforts; perhaps he does not know that from all parts of the county, from the leaders whom he opposed, have come demands that the money voted last year should be expended this year, and at such times as the hon. member speaks of, and soon enough to avoid the inconveniences which he particularized a moment ago. The third sentiment which seems to explain the two preceding ones, is that curiosity which is only natural on the part of the hon. member. I do not know whether it is opportune and healthy, and whether it possesses all the advantages of the climate of the county which my hon. friend represents. But this curiosity has entered this House; it is necessary to satisfy it, and it is all about a missing date. If the hon. member had simply asked the Government at what date the letter of Mr. Perley was written, he would have been answered immediately, whilst now with his motion, everything leads us to believe that it is not the date at all that he wants, but something which he could not establish in his own county when he was there. He invokes the patriotism of the Government to undertake these works, and not the patriotism of the Government alone, but the French Canadian patriotism of the Government. Such an expression surprises me, and I can find no argument in reply to the enthusiastic appeal of the hon. member. The still greater reason of public interest which the hon. member seems to invoke is that this light is opposite La Traverse. He has not told us, Mr. Speaker, what traverse: I suspect that his life has been dotted with traverses, and that he experienced many of them in his late election. He wants this wharf to put an end to all his traverses. In this light I think it would be very patriotic on the part of the Government to comply with his appeal, not reiterated will I say, because the voice of the hon. member is seldom heard, when it is a question of working for the interests of his county. This is the first time that we have had the pleasure of hearing him express himself with the patriotic French Canadian accent. In the matter of the public interest, Mr. Speaker, I think that the county of Montmagny offers greater advan-

tages; and if the hon. member looks at the question from this stand-point, I have no doubt that the Government, in causing a profound exploration to be made, will arrive at the conclusion that the basin of Montmagny will better realize the object desired by the hon. member, and I believe that if the Government wishes to commit itself to an excess of French Canadian patriotism—if I may be permitted to use the expression of the hon. member from L'Islet, it will do so in favor of the county of Montmagny.

Sir HECTOR LANGEVIN (Translation). Mr. Speaker: In reply to the hon. member from L'Islet, I may observe that I have no objection to give the date of the memorandum which ends the return which was presented the other day; but as for giving him the date at which it was submitted to the hon. Minister of Public Works, I must ask the hon. member to excuse me from doing so. I cannot give him this information—which is Departmental information for the Minister and his employé. There would not be the least inconvenience to give it to him, but the hon. member ought to understand that I cannot commence to tell him at what day of the week, at what hour of the day, whether it was the evening or the morning, that I have my official duties with the officers of my Department. If the hon. member desires his motion to be adopted, he must abandon that part of it, or I must ask the House to refuse his motion. As to the date of this memorandum, I am able to tell him now that it was the 9th of March of last year.

Mr. CASGRAIN (Translation). If the hon. Minister will pardon me I will venture to tell him that the date cannot be the 9th March last year; it must be the 9th March last.

Sir HECTOR LANGEVIN (Translation). It is the 9th of March ultimo. It is a memorandum which was made by Mr. Perley for me. He advises me as to the condition of the matter. I do not think that the hon. member can gain anything by having this date. What does six or eight months amount to after the date which he speaks of; this can have no significance. As to Mr. Gingras, of whom he speaks, he wishes the country to infer that he sold himself in consideration of employment or in the hope of employment. The hon. member is entirely mistaken. Mr. Gingras is not a man to sell himself. He did not sell himself. Mr. Gingras was not advised by my Department, nor by any official of my Department, that he would be employed. It was the intention to employ him in case the works went on, but as I decided not to undertake the work, he was not employed. As to the condition that the payment of the works, if any were constructed before the 1st of July, could not be made till after that date, if the hon. member will take the trouble to examine at what time the money voted for these works was made payable, he will see that the money was not at my disposal till after the 1st of July, and that, consequently, I could not pay a cent of that money to any one before that time. I could, of course, lawfully commence the construction of the work before the 1st of July. There is nothing to prevent us commencing work at the end of May or the beginning of June, and paying for them after the 1st of July, when the money is at the disposition of the Minister in conformity with the vote of Parliament. The hon. member says he hopes that the Government will not make the county of L'Islet suffer because it did not carry the county. Although the Government has not the advantage of having in this Chamber a member from L'Islet to sustain them, it is perfectly satisfied with the result of the vote, inasmuch as the hon. member only represents a minority of the county. At all events, I congratulate the hon. member for taking so much interest in his county, and for trying to obtain public works for it. But the hon. member had no occasion to give himself so much trouble in the matter of these works at L'Islet, and at St. Jean Port Joli, for the intention of my Department, as I said the other day, was not to let this sub-

sidy be lost, but, on the contrary, to use it as I said the other day. The hon. member need not fear that the first of July will arrive, and that, the works not being completed, the subsidy will be lost. The Department understands exactly what it has to do in the premises, and the money which Parliament gave it for these works will be certainly expended for them. I would ask the hon. gentleman to amend his motion by leaving out the last part of it.

Mr. CASGRAIN. I have no objection to amending the motion as the hon. gentleman suggests. I may say, however, I have gained the object I had in view by ascertaining that the report of Mr. Perley came after the first question I made on the subject—when I asked the Government whether they did not intend to continue the work at this place? This memorandum was put in after all the correspondence; and I suspected before, what I am sure of now, that it was put in as a cover, and for the purpose of giving a plausible reason for the work not having been proceeded with immediately after the election. The date of this memorandum is the 8th of March last—not the 8th of March, 1882—so that I repeat that it was put there to cover all the correspondence, and I say that such a fact is not at all creditable to any Government.

Sir HECTOR LANGEVIN. The hon. gentleman is quite mistaken. The correspondence was ended just before, and that sheet of paper was added for the purpose of making the correspondence intelligible, for without it the information sought by the hon. gentleman would not have been given. Mr. Perley made me this short memorandum to show what occurred, though we had no documents in the Department. The hon. gentleman, instead of finding fault with the Department, should feel thankful for having obtained that information, for the correspondence might have been confined to the other papers and omitted this one, and then the hon. gentleman would have had everything I had in my Department.

Sir JOHN A. MACDONALD. Apologise.

Mr. CASGRAIN. I wish I could, but I cannot.

Motion, as amended, agreed to.

#### LAWS RESPECTING THE SALE OF INTOXICANTS.

Mr. BLAKE, in moving for copies of despatches on the subject of Canadian and Provincial laws as to the imposition of restrictions on the sale of intoxicating drinks, and of reports and Orders in Council in reference to such despatches, said: I observe by the English Parliamentary Reports that some months ago application was made by the Imperial Government to this Government, and perhaps to other Colonial Governments, for information on the subject of Canadian and Provincial laws respecting the imposition of restrictions on the sale of intoxicating drinks; and so long ago as the 29th of November last an Order in Council was passed, transmitting a memorandum from the hon. Minister of Justice giving full information on the subject of the laws in relation to that question. I have made the motion because I think it would be interesting to have that correspondence brought down to us. While I am on my feet, I wish to say that we passed an Order of the House a little while ago, calling for all correspondence between any member of the Government and the licensed victuallers, or any one on their behalf. The return which has been brought down in answer to that Order is incomplete, inasmuch as it is simply a return from the Secretary of State declaring that there does not appear to be—I presume in his office—any correspondence between the Government and the licensed victuallers. It was not supposed that the correspondence would come through the official organ of the Government—the Secretary of State's office—as the Order was for correspondence with any member of the Government. What I alluded to in making the motion was, that a deputation had visited the

Sir HECTOR LANGEVIN.

First Minister, that information had been requested by him of these persons, and that it was announced in the papers that they had forwarded the information to him for the use of Council. A return which speaks only of correspondence with the Government as a whole, and not of correspondence with any member of the Government, is one which does not fully answer the Order of the House. However, having called attention to the fact that the English Parliamentary papers contain these particular documents, I hope that we shall not receive a return from the Secretary of State's Department, that there does not appear to be any correspondence on the subject.

Sir JOHN A. MACDONARD. As regards the first portion of the hon. gentleman's remarks, I would say that there was a circular despatch sent by Her Majesty's Government to all the colonies, for copies of the laws respecting the sale of intoxicating liquors, and a return was made from the Department of Justice embodying a sort of collation of the laws. I understand that that is what the hon. gentleman wants.

Mr. BLAKE. Yes.

Sir JOHN A. MACDONALD. That will be brought down, and I think it is in print, so that there need be no delay. With reference to correspondence with myself, I cannot at this moment state whether I did receive a paper from the licensed victuallers. If there be such a paper I will bring it down at once.

#### INTERCOLONIAL RAILWAY.

Mr. ROSS (Middlesex) moved for a return showing the amount paid for rolling stock purchased for the Intercolonial Railway for each year since the 1st of July, 1878, the nature of such rolling stock, and the place where manufactured; the amount of such rolling stock charged to capital and revenue respectively, and the amount intended for the equipment of the Rivière du Loup section and the Intercolonial Railway proper, respectively.

Sir CHARLES TUPPER. I shall have great pleasure in laying upon the Table of the House, the information asked for by the hon. gentleman, and, I think I shall be able to do so very shortly—at all events, before the Estimates on that subject are considered.

Motion agreed to.

Mr. ROSS (Middlesex) moved for a return showing the nature of the rolling stock purchased for the Intercolonial Railway as contained in the item of \$153,853 84 on page 238, Part II. of the Public Accounts of 1882; the place where such rolling stock was manufactured, and the price paid for the different kinds of rolling stock respectively.

Sir CHARLES TUPPER. My attention was called to this motion, and I have had prepared a paper containing all the information required, which I now lay upon the Table of the House.

Motion agreed to.

#### THE BRITISH VESSEL GENII.

Mr. CASGRAIN moved for copies of all correspondence, Orders in Council, documents and communications between the Secretary of State and the Department of Marine and Fisheries concerning the application of divers sailors in the port of Quebec praying for a release from confinement and to return to sea, &c., at the request of R. Temple, master of the British vessel *Genii*. He said: There has been for many years in the port of Quebec a custom prevailing among shipmasters in want of sailors, especially at the end of the season of navigation, of resorting to the gaol where sailors are sometimes detained for breach of discipline or other trifling offences, and the sailors, on signing the

necessary articles, are released and put on board the ship for which they are engaged. In the month of October last, Captain Temple, of the *Genii*, was on the eve of leaving the port of Quebec, but he had no sailors, so he went to the Quebec gaol and through the medium of a gaoler got four men who were willing to go on board his vessel, and who voluntarily signed the articles. These men were G. Hindman, William Palmer, W. Neill, and G. Kennedy. To make the transaction proper and regular the captain sent a petition to the Government, through the Secretary of State, and also notified, by letter, the Department of Marine and Fisheries of that petition. Singularly enough no answer at all was received by Captain Temple to his communication to the Department of Marine and Fisheries. The acknowledgment of the receipt of the petition was sent to him the day after the petition was sent, the 7th of November. On the 9th of November the *Toronto Mail* got hold of this matter and published an article on it, only three days after the communication took place between the captain and the Government. How the *Mail* got hold of the information I leave to the Department to explain. Doubtless some of the officials must have let out the secrets of the Government, but that, of course, is a very small matter so far as Captain Temple is concerned, though it may be of importance to the Department and the general public. In the meantime another captain, Captain Geddes, master of the *Greyhound*, of York, also wrote asking for those seamen, and he received from the Department this answer, to which I call the attention of the hon. Minister:

"OTTAWA, 8th November, 1882.

"Sir,—I have to acknowledge receipt of your letter of the 3rd inst., addressed to the Minister of Marine, stating that you had sent a petition to the Secretary of State praying for the release from gaol of certain imprisoned seamen to enable you to have a full crew for your vessel, and requesting the Minister of Marine to interest himself in your behalf. In reply, I am to inform you that the Minister does not wish to interfere with the ends of justice and that he has no power to release sailors or other prisoners confined in gaol for criminal acts.

"I am, Sir,

"Your most obedient servant,

"WM. SMITH,

"Deputy Minister of Marine, &c."

Two or three days later, these same men who had been refused to Captain Temple and Captain Geddes were handed over to the master of another vessel owned by Mr. James G. Ross, of Ross & Co., Quebec. In the face of this letter from the Department, I am at a loss to understand how it was the hon. Minister of Marine and Fisheries ordered the release of these men. I remark that these were not mates but ordinary seamen, and that the custom had hitherto prevailed in the port of Quebec of releasing seamen by telegram. I demand the correspondence to satisfy Captain Temple who owns a British vessel, and who complains of the discrimination shown in favor of Mr. J. G. Ross, a Canadian ship-owner. I think the letter of the hon. Minister of Marine and Fisheries goes too far. It is well known that he has not the right to release from gaol, but he may exercise on behalf of the seamen the discretion of making a recommendation to the Governor in Council, when a petition is laid before His Excellency, and not impede the granting of such a petition. Captain Temple complained that the shipping paid for the maintenance of the police in the port of Quebec, and it was not right that the Department should act against their interests. Under these circumstances I think that the correspondence will not only satisfy Captain Temple, but will serve hereafter either as a precedent or as a guide, so that ship-masters may know what help to expect from the Marine Department in obtaining sailors, especially at the close of the season.

Mr. McLELAN. I would ask the hon. gentleman to include the Department of Justice in his motion. When a criminal has been convicted and is in gaol he comes under the control of that Department, and application for release

must be made to it. The application referred to was sent by the Department of Marine and Fisheries to the Department of Justice. From the correspondence you will find that Captain Temple communicated with the Department by telegram, and on that telegram the sailors were released by order of the Department of Justice. Not being so alert as others, Captain Temple lost the men. All the Department did was to order their release, not to hand them over to any one, and the men were obtained by another captain who was also on the look-out for them and was quicker than Captain Temple.

Mr. CASGRAIN. I have no objection to the Department of Justice being included. My object is to ascertain how it was that somebody was able to intervene, because the delay was very short. The captain of the *Jane Eyre* says he never received any communication whatever from the Department of Marine and Fisheries, and that the articles were actually signed. I have a certificate given by the shipping master of Quebec that these men were engaged on a Saturday evening and put on board at once. The captain, of course, could have at once engaged his men, but he pretends that it was a piece of favoritism exercised to the advantage of James Ross, proprietor of the other vessel. That is what will appear hereafter.

Motion agreed to.

#### EXPENSES TO ENGLAND.

Mr. SOMERVILLE (Brant) moved for a return showing the expenses in detail, with dates, incurred by the several members of the Government, and any other person or persons in the service of the Government, sent to England or elsewhere on behalf of the Government, from 16th December, 1880 to the present date.

Mr. CAMERON (West Huron). There is no use allowing this motion to pass unless the Government pay some attention to it. In the early part of the Session of 1881, I moved a similar resolution, and the return was brought down in 1882. Early in the Session of 1882, I moved a similar resolution, and the return is not yet before the House. My hon. friend may expect to get this return in about two years from now, unless the Government pay more attention to it than they did to my resolutions. The return is very short, and there is no reason why we should not have it within a week or ten days.

Mr. BLAKE. My hon. friend seems to assume that the return will not be very voluminous.

Motion agreed to.

#### CHARGES PREFERRED AGAINST HUBERT HÉBERT.

Mr. LANDRY (Translation) in moving for copies of all charges brought against Hubert Hébert, employed as chief station master at Montmagny, relative to an accusation of fraudulent practices sustained by declaration of P. B. Casgrain, Esq., member for L'Islet, said: Mr. Speaker. The hon. member for L'Islet (Mr. Casgrain) whom I do not find in his place, asked me just now to mention whom he accused in this House of having committed fraudulent practices. I hope that the motion which I have just put in your hands will give him this information. A few days ago a motion was made by the hon. member for L'Islet. This hon. gentleman who makes a speciality of raising points of order, ought, I think, to study Parliamentary Rules and not put in his motions, facts which might be challenged. He asserted that Mr. Hubert Hébert had been found guilty of fraudulent practices, and he called the attention of the Government to this fact. This matter therefore is open for discussion and challengeable to such an extent. The judgment which I have in my hand does not declare Mr.

Hubert Hébert guilty of fraudulent practices; and even if this judgment found him guilty of fraudulent practices, I do not think it is of such a nature that the Government can interfere. The matter in question was a Local Election. In the Election Act of the Province of Quebec, which governs the elections in the Province of Quebec, there are clauses which define what fraudulent practices shall be, and there is in that Act fraudulent practices specified as such which are not in the Federal Act. Thus, according to clause 254 of the Election Act of Quebec, it is stated:

"Every candidate or his agent employed in any on the subject, or on the occasion of any election, with an elector entitled to vote, will be also, as well as such elector, deemed to have committed an act of corruption and punishable in consequence."

Thus what the Provincial Act declares to be a fraudulent practice is not one in any sense according to the Federal law. It thus appears that a candidate or his agent may be found guilty of fraudulent practices according to the laws of the Local Legislature, and not be guilty according to the Federal law. But come to the facts. Mr. Hébert, who is the person under consideration, was reported against by the Judges of one court. This is the judgment, or at least the report, made by three Judges on the 5th of January, 1883. This report is addressed to the Speaker of the Quebec Legislative Assembly, the hon. Mr. Taillon. It is signed by the three Judges who pronounced the judgment:

"We have the honor to transmit to you the judgment of the Supreme Court, sitting in revision at Quebec, in the case of the contested election of the Electoral District of Montmagny, which judgment declares the petitioner, Nazaire Bernatchez, elected in the place and stead of the defendant, Louis Napoleon Fortin, and we make to you at the same time \* \* \* 2. That fraudulent practices appear to have been committed in the said election by the following persons:—Hubert Hébert, Xavier Letourneau, &c. \* \* \* But that none of them received notice of the accusation, in conformity with section 270 of the Electoral Act of Quebec."

This, Mr. Speaker, is the only document which exists, and it is in virtue of this document that they wish to dismiss this employé. This is what the Federal Act says, clause 104:

"104. Every other person than the candidate found guilty of fraudulent practices in any proceedings in which, after notice of accusation and who has had occasion to be heard, cannot, during the eight years following the date of his conviction either be elected to sit in the House of Commons, nor vote at any election of a member for the House of Commons, nor fill any office in the gift of the Crown or Government of Canada."

In either of these cases where fraudulent practices may be in contravention with the Local Act or even with the Federal Act, it cannot be said that this officer has not a right to retain his position, for Mr. Hébert does not hold his place in virtue of an appointment from the Crown or Government of Canada. But as a matter of fact it is clearly established that he has not been found guilty. He has been prosecuted, the case is pending, and the judgment has not been rendered. I think that the hon. member from L'Islet, whom I am very sorry to say is absent from his seat was wrong in raising this question, and to invoke on the head of this man, who is not declared guilty, the thunderbolts of the Government.

Mr. LAURIER (Translation). In the absence of my hon. friend the member from L'Islet, I will endeavor to relate the facts which I think have not been correctly stated by the hon. member from Montmagny (Mr. Landry). The member from L'Islet brought no accusation against Mr. Hébert. He made no motion in the House, and my hon. friend knows perfectly well that all that the hon. member from L'Islet did, was to ask the Government, in terms which the Government allows, to enquire if the Government had been informed that Mr. Hébert had been reported by the Election Judges for fraudulent practices at the last election. Those are the exact words of the motion made by the member from L'Islet. In this motion the member from L'Islet asserts nothing either as to the guilt or innocence of Mr. Hébert. He contented himself in simply

Mr. LANDRY.

asking the Government if it had been informed that one of its agents had been reported by the Judges as guilty of corrupt practices. I am not prepared to say, myself, and the member from L'Islet did not say, that Mr. Hébert was either guilty or not guilty. I am not here to defend Mr. Hébert either. My hon. friend has nothing to do with offending him. He says he is innocent, and I have only to hope that he is innocent. But, at all events, there is a strong presumption of guilt against him, when three Judges report that he has been found guilty of fraudulent practices. I ought to say also in justice to the member from L'Islet that he has not in any manner invoked the thunderbolts of the Government on the head of Mr. Hébert; but with a good deal of reason, as I believe, he invited the attention of the Government to the fact that one of its officers had been reported by the Judges of Election guilty of fraudulent practices. Certainly, if these facts are true, the attention of the Government ought to be drawn to this matter. But I will go further. What entirely justifies the motion which he has made is, that the Government had anticipated this motion, and that the Minister of Railways has declared that he took cognizance of this judgment, and that he had referred the matter to the Minister of Justice. Under these circumstances I think that my hon. friend had no right to bring against the hon. member from L'Islet the accusation contained in this motion and, I think, in justice to him, he ought to reestablish the facts.

Mr. LANDRY. I regret not to have been understood by the hon. member from Quebec East (Mr. Laurier), and I regret that he has not taken the trouble to read the question made by the hon. member from L'Islet. He would have found that the hon. member from L'Islet affirms a fact. Here is what he says:

"The Government has been informed that one, named Hubert Hébert, employed as agent and station master at Montmagny, has been recently reported by the Judges of Election as having been found guilty of corrupt practices in the last election, and in such case has the Government taken or does it intend to take any action in the matter?"

Now, what does the judgment say? That fraudulent practices appear to have been committed. Not that they have been committed, but that they appear to have been committed, and the judgment adds that the notice of accusation was not given to any of the accused in conformity with section 270. That is to say that not one of these persons was afforded an opportunity of defending himself; and it is on those facts that the hon. member from L'Islet declares, *ex cathedra*, if I may so express myself, that Mr. Hubert Hébert was reported by the Judges of Election as having been found guilty of fraudulent practices. The simple exposition of these facts, rendered public by the documents which I have just cited, establishes conclusively that I was not wrong in accusing the hon. member from L'Islet, but that he was very wrong in accusing Mr. Hubert Hébert of having committed fraudulent practices when nothing of the kind appears, neither in the report of the Judges nor in the judgment itself, to establish the truth of these charges. With these observations I think I have perfectly reestablished the facts, and that the House will award me a verdict in the debate which has just taken place.

Motion agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Copies of all documents and correspondence relating to the seizure of tobacco from the brig *Adeline*, and the enquiry held the 17th to 21st May, at the request of Messrs. Lemesurier & Fils respecting the said seizure.—(Mr. Valin.)

Copies of all petitions and correspondence relative to the rights of settlers or squatters on the Railway Reserve, Vancouver Island.—(Mr. Gordon.)

Copies of all correspondence relating to the building of a breakwater on the west side of Liverpool Bay, between any person or persons whomsoever; also all petitions, all surveys and reports by Government engineers, with an estimated cost of the same, from 1870 to 1882.—(Mr. Forbes.)

Return showing all sums paid to defray expenses of the late elections to this House, in the different electoral districts throughout the Dominion; showing the returning officers and deputy returning officers to whom the same were paid, and distinguishing the different services for which the same were allowed.—(Mr. McCraney.)

Copies of all documents (complaints, reports of enquiries, &c.), relating to a seizure of tobacco quite recently made on the premises of Mr. N. Bernatchez, and other merchants of Montmagny, under the law which permits a seizure of contraband tobacco wheresoever found.—(Mr. Landry.)

#### SALE OF INTOXICATING LIQUORS.

Mr. GIGAULT moved that the petition of His Grace the Archbishop of Quebec and others, read and received on the 28th March inst., be referred to the Committee appointed to enquire into the best means of regulating the sale of Intoxicating Liquors.

Motion agreed to.

#### CONSOLIDATED RAILWAY ACT.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Mr. MULOCK. Before the House adjourns, I should like to enquire from the hon. Minister of Railways, when he proposes to introduce his Bill respecting the Consolidated Railway Act.

Sir CHARLES TUPPER. I may say in reply to the hon. gentleman, that I would have done so before, but several points have cropped up, as the hon. gentleman knows, in the Railway Committee, and I deferred the introduction of the measure until a little later, in order to embrace anything which, according to the general impression, ought to be embraced in that Bill. That is the only reason for having deferred its introduction.

Mr. MULOCK. I presume nothing will happen to prevent such legislation taking place this Session.

Sir CHARLES TUPPER. No; the Bill will be introduced.

Motion agreed to; and (at 10:35 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

TUESDAY, 3rd April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### THE SUPREME COURT.

Mr. LANDRY introduced Bill (No. 100) to limit the jurisdiction of the Supreme Court in appeal.

Some hon. MEMBERS. Explain.

Mr. LANDRY (Translation). The only explanation I can give is in the very title of the Bill. If the hon. members will please wait until the second reading of the Bill takes place, they will have an opportunity of voting upon the principle.

Mr. BLAKE. No; the Bill says to restrain the jurisdiction of the Supreme Court, but does not explain how far it is to be restrained. It is, therefore, perfectly indefinite.

Mr. LANDRY (Translation). It only refers to the Civil Law.

Mr. BLAKE. Which civil law, that of Quebec, or that of the other Provinces?

Mr. LANDRY (Translation). To them all.

Bill read the first time.

#### THIRD READING.

The following Bill was read the third time, and passed:—

Bill (No. 46) further to amend an Act intituled: An Act relating to Banks and Banking, and the several Acts amending the same.—(Sir Leonard Tilley.)

#### WAYS AND MEANS—THE BUDGET.

The House resumed the adjourned debate on the proposed motion of Sir Leonard Tilley: That the House go into Committee to consider of the Ways and Means for raising a Supply to be granted to Her Majesty.

Mr. ROSS (Middlesex). In continuing this adjourned debate, I desire to notice that the tone of the Ministerial benches on the question of the Tariff has considerably altered since last year. The hon. Minister of Finance himself struck a lower key, and the hon. member for Cardwell, who followed him, indulged in a series of explanations which satisfied me that hon. gentlemen opposite do not feel as comfortable in regard to the Tariff as they did some years ago. The hon. member for Cardwell, whom I am sorry not to see in his place, besides being apologetic, was somewhat sympathetic as well. He could not refrain, in the first place, from boasting of the victory in June last, nor could he fail in reminding us of some of the unfortunate defeats which occurred on that occasion. As Mark Antony came to bury Caesar, not to praise him, so the faces absent from the Opposition benches gladdened his heart exceedingly. I am not going to follow this line, and to call the attention of the House to the defeats which at former Elections overtook hon. members holding the views of hon. gentlemen opposite, such as the defeat the hon. First Minister met in 1878, that which overtook the late Sir George Cartier in 1872, and the necessity Sir Francis Hincks was under to seek a constituency in Vancouver's Island a few years ago. The hon. member for Cardwell, after having satisfied himself that his party achieved a great victory in June last, turned his attention to the speech delivered by the hon. member for South Brant, and was kind enough to censure him for having referred to the fact that the policy of the Conservative party, while in power, from 1868 to 1873, was a policy that involved increased expenditure and inflicted serious burdens upon the country. The hon. member for South Brant, on this occasion, appeared to me to merely notice the fact that history repeats itself. He referred to the increased expenditure from 1867 to 1873; then to the fact that from 1873 to 1878 the increase was very slight; and finally, coming down to the second Conservative period, from 1878 to 1882, he found that the old extravagant policy of the Conservatives, which had added \$10,000,000 to our expenditure in the first period, had begun again, and was doing its work by adding, in the short period of five years, \$4,000,000 more to our expenditure. This is but history repeating itself, and is an historical fact which will always be found repeated in connection with Conservative Administration. It is a serious matter that the expenditure of this country should increase so rapidly. We are not so large a nation that we can afford to increase the burden of expenditure at the rate at which we are now adding to it. We are not so prolific in wealth or inexhaustible in resources that this increase can go on with impunity. This extraordinary expenditure means something more, it implies a heavy burden on the country while it is comparatively prosperous; it means that, should a reversal take place and prosperity in the least degree

slacken, and our exchequer is not so buoyant in the next five years as it has been in the past, we have incurred an expenditure which it will be difficult to reduce, and that when the revenue shrinks the expenditure will remain the same, to our serious embarrassment. Let us see of what character the expenditure is. Is it a small matter that from 1878 to 1882 our expenditure should have increased from \$23,500,000 to \$27,500,000? Or is it a small matter that we should incur obligations of which no Finance Minister can very well relieve himself? Let us look at this expenditure somewhat in detail. The hon. member for Cardwell felt justified in defending the increased expenditure from 1868 to 1873. He said that we then, in 1868, had four Provinces, and the enlarged demands, owing to the enlargement of the country, necessitated increased expenditure. He was apologetic for that expenditure—

Mr. WHITE (Cardwell). Not at all.

Mr. ROSS. When he came to the economy practised by the late Administration from 1873 to 1878, he was disposed to censure that economy. Extravagance in the first period pleased him, but he could do nothing except blame the economy practised during the following period. When he came down to 1878, and saw the expenditure of his hon. friend in the first period repeated, he again had recourse to apologies and explanations. But can the hon. gentleman justify the enormous expenditure in the ordinary and controllable departments of this country? Can he justify the fact that while, in 1878, the controllable expenditure was only \$6,542,510, and that, in 1882, it had swelled to \$8,293,161? Can he justify an increase, if we include all the items included in 1878, of \$2,262,473 in five years? If we examine the details we will find that the expenditure was not incurred in a direction absolutely necessary for the interests of this country. Let him look, for instance, on the expenditure on Civil Government. In 1878, it was \$823,369; in 1882, \$946,031—an increase of \$122,000 in five years in that Department alone. And the amount this year is \$1,109,100. That is a Department in which, if the Government were disposed to be economical, they might have exercised great economy; and it will be noticed that in the expenditure for Civil Government the expenditure was not incurred for objects necessary for the prosperity of the country. For instance, in the matters of salaries alone the increased expenditure for five years amounted to \$106,579. Nor is the increased expenditure confined to 1880 alone. We still have the facts before us, although the hon. Finance Minister tells us that we expended \$50,000 less last year than in 1881, that the interest account of this country increased very largely the last five years. We have the fact that the charges for collecting the revenue have increased very largely, and also that in the ordinary and controllable expenditure the increase is \$2,250,000. With these facts before us, it is time the Government should be warned. It is time they should apply the pruning knife, with much greater vigor, to the extravagance which characterizes their policy. Will hon. gentlemen opposite justify the large increase in immigration expenditure? What does this increased expenditure indicate? It indicates simply that the policy of the Government in regard to the settlement of the North-West has been comparatively a failure. It indicates that, notwithstanding they have free lands to give to immigrants, they are obliged to incur a heavy expenditure in order to settle these immigrants. Where can you find, in the policy of the United States, that they incurred such an enormous expenditure for Immigration in the settlement of their prairies? Nowhere. But here you have the fact that the Government now ask \$500,000 to settle immigrants on their prairies said to be fertile. The Government feel that by their policy in the North-West they have handicapped the settler, and must provide additional facilities and offer additional inducements to secure settlement.

Mr. Ross (Middlesex).

I need not enter into the various details of the increased expenditure; it has already been done by the hon. member for South Brant (Mr. Paterson). We have an alarming increase in Superannuation, an increase, according to the present estimate, of about \$88,000. We have an increase of \$161,000 in Militia; and we have an increase, according to the Estimates now before us, of nearly \$500,000 in Public Works. In referring to the increase in the Public Works, the hon. member for Cardwell (Mr. White) said that, under the old Administration, the late Minister of Finance was very economical in spending public moneys for public improvements. True, it may be said; and perhaps the hon. gentleman was right when he said so, that the necessities of the revenue required considerable economy in that Department, as well as in any other Department; but the hon. Minister of Finance, in proposing this large estimate, justified the expenditure on public works, on the ground that at least, he said, those hon. members in whose constituencies public institutions were erected, would not complain. Sir, that is one of the grounds on which we do complain. The hon. Minister of Public Works in the late Administration, erected public buildings on some principle. In towns of certain population, with certain demands upon the Government for public conveniences, public improvements were made, custom houses and post offices were built. Under the present Administration, there seems to be no principle. Send a representative from a constituency to this House, and the probabilities are, that if that hon. member is only importunate enough, and brings sufficient pressure to bear upon the Government, his constituencies will be favored with a custom house or a post office, or some other public improvement. We object to expenditure on public works in this manner, on the ground that the Government have no right to spend the public moneys of this country in order to strengthen themselves in the various constituencies, and to give to their friends, when they go back for election, an additional plea on which to ask for the confidence of the electors. Is it true, are we safe in assuming, shall I dare to infer, from the remarks of the late Minister of Public Works, from the remarks of the present Minister of Public Works in his late tour through Ontario a year or two ago, that that is the policy of the Government, and that this increased expenditure of \$500,000, over and above the expenditure of the late Administration, is so much money to be spent in the various constituencies of Ontario in order that the hon. gentlemen opposite, who know right well that before this Parliament expires they may have to do things that will much interfere with their popularity—that they may then have a ground for appealing to the public by pleading the liberality of the present Administration? Then we come to the expenditure upon Indians, an expenditure which the hon. Minister of Finance sought to justify on the ground that unless we were liberal with the Indians there would be bloodshed in the North-West. He said: "Would any of you refuse to feed and clothe those Indians and to provide for them liberally rather than that they should be treated as they are treated in the United States?" No one proposes to deal with the Indians on any other than a liberal and humane ground. But does that liberality, does that humanity, justify an increase of \$500,000? He knows the Indians are not very numerous. How is it that hon. gentlemen opposite cannot feed, clothe and provide for these Indians as well as was done under the late Administration? Is it possible, Sir, that there is some mismanagement? Is it possible that the hon. First Minister does not properly look after this Department? If any proof was needed to show that there is at least strong suspicion that this Department is grossly mismanaged, we have that proof in the fact that under the late Administration all the Indians in the North-West were fed, clothed, and provided for, for the sum of \$421,503, whereas last year it required the sum of \$1,183,414 to pay for this very same service.

Now, we come to another Department on which the hon. member for Cardwell bestowed a great deal of attention. After apologizing for the increased expenditure in some of the Departments referred to, he planted himself on the administration and collection of revenue, and he took the ground that because, under the late Administration, the expenditure sometimes increased while the revenue decreased, there must be some extravagance, and that, under the present Administration, because the expenditure did not increase as rapidly as the revenue there must consequently be economy. Is that a logical position to take? Let us enquire into some of the expenditures incurred by the late Administration in the collection of revenue. I find that the expenditure for the collection of revenue increased, under the late Administration, to the extent of \$564,682. Now, for what was that expenditure incurred? Why that increase? Prince Edward Island had just come into Confederation—that necessitated our taking charge of the post offices in that Island. The post offices in New Brunswick and Nova Scotia that had been way offices were changed to general post offices, and a large expense had to be incurred. The total increase in the entire collection of the revenue under the late Administration, which was \$564,682, was made up by the increase of \$337,668 in the Post Office Department, and \$96,484 in the Weights and Measures Department. We are told by the hon. gentlemen opposite that the increased expenditure in the Post Office Department was incurred in order to provide increased postal facilities for the people of this country. Is that statement correct? Let us see. I find the entire expenditure in that Department, from 1878 to 1882, increased to \$348,991; that in all that entire increase only the sum of \$83,482 was incurred for increased mail service, and that the balance, \$265,507, was incurred in increasing the salaries of the postmasters and other expenditure in connection with that Department; that is to say, for every dollar expended in giving the people increased postal accommodation during the last five years, more than \$3 were incurred in increasing the salaries of postmasters and post office officials, and providing for their comfort. Is that an increase which hon. gentlemen can justify? For the Province of Ontario the increase, since 1878, is \$214,569, and of that increase only \$39,434 went for increased mail service. In the Province of Quebec the increase was \$58,397, and only \$7,087 went to increase the mail service of the country. Take the Province of Manitoba, where it is said an enormous expenditure has been incurred. The increase in providing additional mail facilities for that Province was \$31,980, whereas the whole increase in the postal expenditure of the Province of Manitoba amounted to \$62,902. That is, for every dollar expended in Manitoba to provide additional facilities for that Province we have \$2 spent in other directions, \$22,457 alone being spent in increasing the post office salaries in that Province. So we have this fact that, notwithstanding the necessities of the mail service and the large increase in the expenditure for the Post Office Department, that increase was not necessitated in order to provide an increase of postal facilities for the people of this country. Besides the increases in the collection of revenue and in the expenditure, we find, on close investigation, that hon. gentlemen opposite have a peculiar way of covering up their increased expenditure. For instance, we have \$500,000 charged to Capital Account in the Dominion Lands surveys, which formerly was charged to Revenue Account and to the Consolidated Fund. We have large sums paid for rolling stock on the Intercolonial Railway charged to Capital Account which formerly was charged to Revenue Account, so that it is only by the strictest scrutiny, and with considerable difficulty, that we can accurately ascertain the annual increase in the expenditure of the country from year to year. Take these two items as samples. For instance, if you look at the

expenditure last year for Dominion surveys in Manitoba you will find \$1,500 paid to Sir Alexander Galt for travelling expenses, incurred by him on a trip to that Province. What had the trip of Sir Alexander Galt to the Province of Manitoba, about a year ago, to do with Dominion land surveys. I hear, I do not know whether I am rightly informed or not, that Sir Alexander's trip was to improve his financial condition; at all events, he invested largely in the coal mines in the Souris district, and his son resigned a position under the Government to act as manager of the Souris Coal Mining Company, in which Sir Alexander Galt is a large shareholder; and, so far as I can see, from the Public Accounts, Sir Alexander Galt drew this amount of \$1,500 for travelling expenses to Manitoba while this little item of business, no doubt, among others, was being transacted. Then, we have the hon. Minister of Railways going on a trip to British Columbia. The country is charged with \$1,600 in connection with that trip. The country is also charged in connection with the hon. gentleman's trip to England the same year the sum of \$500; but on looking for that item hon. members are almost amused to find it entered under Capital Account, Pacific Railway section, British Columbia. Then if you look at the expenditures under the head of Capital Account, Eagle River section, Pacific Railway, there appears \$800 charged on account of Pullman car expenses incurred by His Excellency on his trip to Manitoba, and \$1,950.73 for the repairing of the car "Keowaydin," charged to the same account. Is that the honest way to place before the people the actual expenditure, the ordinary expenditure, of this country? What had the repairs to the Pullman car "Keowaydin" to do with the construction of the Eagle River section of the Pacific Railway? And yet those items, and similar items, can be found in the Public Accounts. I find \$1,522.73 charged to Capital Account, Lachine Canal, and \$1,850 charged to Capital Account, Welland Canal; and when we examine what the charges are, we find they were sums of money paid to *La Minerve* for publishing the report of the Chief Engineer of Canals. Instead of the amount being charged under ordinary expenditure, where it could be easily discovered and closely criticised, it is hidden away under Capital Account. And what is strangest of all, in endeavoring to arrive at a correct result as to what the expenditure of the country is, in endeavoring to expose this enormous expenditure, and while pointing to the Public Accounts and showing that the expenditure has increased to the extent which the Public Accounts disclose, we will be told, we are told over and over again by the hon. Minister of Finance, that the expenditure per head is 13 cts. less now than it was in 1878.

Sir LEONARD TILLEY. The average from 1874 to 1878.

Mr. ROSS. And that if you add the deficits under the Mackenzie Administration to the ordinary expenditure, and deduct the surplus under the present Administration from the ordinary receipts, you will find, he says, that the expenditure is 13 cts. per head less than under the old Administration. Is that a fair way to ascertain the true expenditure? Is it not a fact that the money which the hon. gentleman calls surplus, was collected in the same way and from the same constituency as the money which covers ordinary expenditure; and that the tax-payer is taxed day by day for this surplus the same as he is taxed for the ordinary expenditure of the country. If that be true, on what ground can the hon. gentleman exclude the surplus from the ordinary collection? But let us examine this matter a little more closely. If you take up the report of the hon. Minister of Customs, who has made an assessment of the amount *per capita* paid by the people of this country, we will see how the expenditure, and how the Tariff bears upon

the tax-payer. According to this report, the people paid, in 1878, \$3.46 per head; in 1879, \$3.50. This was the first year of the new Tariff, and a slight increase, of course, took place. In 1880, the people paid \$3.83 per head; the next year, \$4.25; and the next year, \$5.02, so that the report of the hon. Minister of Customs reveals the extent of the burdens imposed on the taxpayers, and goes to show that, under this Tariff, the payment made by the people of the country has increased at least \$1.50 per head since the Tariff was imposed. If you will notice in the same report how the burdens are distributed over the various Provinces, the force of the argument will become still clearer. For instance, in 1873 the amount of Customs duties received from Ontario amounted to \$3.06 per head; in 1882 it had increased to \$3.82. In 1879, the people of Quebec paid \$3.97 per head; in 1882, \$6.74. In 1879, the people of Nova Scotia paid \$3.05 per head; in 1882, \$3.99. The people of New Brunswick paid \$3.67 per head in 1879, now they pay \$4.54. The people of Manitoba, who are receiving the special attention of the hon. Minister of Finance just now, paid, in 1879, \$9.14; in 1882, \$16. The people of British Columbia paid \$10.32 per head in 1879; last year, \$13.73. Here we have the fact established beyond dispute that there has been an enormous increase in the expenditure, and that the expenditure presses, and must press heavily upon the people. When you add from \$1 to \$5 per head to the burdens imposed on the people, hon. gentlemen opposite, in their self-complacency, will say they do not feel it. That is impossible. It is no answer for the hon. Minister of Finance to say that, if you add the deficits and deduct the surpluses it will appear that the people pay 13 cts. per head less, than they paid between 1874 and 1878. As further evidence that our position in this respect is one which requires serious consideration, let us turn to the expenditure of the United States, and make a few comparisons. We find that, under the head of ordinary expenditure, what is called civil and miscellaneous, the people of the United States are taxed at the rate of \$1.10 per head, that is to carry on the ordinary government of that great Republic. The people of Canada, taking the same departments of expenditure, are taxed to the extent of \$2.03 per head; or, in other words, they are called upon to pay almost \$2 for every \$1 exacted from the people of the United States. If you take the expenditure for all purposes, the rate in the United States is \$5.19, and in Canada \$6.20. Besides, the expenditure in Canada has increased at a much more rapid ratio than the expenditure in the United States. From 1881 to 1882 there was an actual reduction of \$25,177,962 in the expenditure of the United States, whereas in the same period there was an increase of \$1,500,000 in the expenditure of the Dominion of Canada. This fact itself should be a sufficient warning to us that if we are going to hold our own and compete with the American Republic in all respects, we must not heap upon the people of this country intolerable burdens, weighing them down and crippling their resources. I do not, Sir, propose to follow the hon. member for Cardwell, or the hon. Minister of Finance, any further in the matter of expenditure. I think the fact already stated, that, in the last five years, the expenditure has increased over \$4,000,000, is in itself so convincing a proof that hon. gentlemen opposite have not managed the affairs of this country economically, that further details are unnecessary. Nor need I add the additional fact that the ordinary controllable expenditure, which is quite within their reach, quite within their direct control, has increased \$2,250,000; nor need I say a word more to establish beyond contradiction the extravagant tendencies of the present party in power. The hon. member for Cardwell having disposed of this extravagance, and after having apologized for this extravagance to his own satisfaction, expressed sympathy for the hon. member for South Brant, because, I suppose, the hon. gentleman assumed that the

**Mr. Ross (Middlesex).**

hon. member for South Brant now occupied the position of an advocate for a Revenue Tariff, after having, as the hon. member for Cardwell said, advocated a Protective Tariff years ago. Sir, the hon. member for Cardwell might have spared his sympathy in this particular instance. The hon. gentleman himself is to-day in a very anomalous position, compared with his position of a few years ago. Who in the House does not know that the hon. gentleman was a strong advocate of Free Trade, not more than ten years ago? In the *Montreal Gazette*, when Sir Richard Cartwright was about to bring down the Tariff of 1874, the hon. gentleman used these words:

“Let our wise men run the Dominion Ship as nearly as possible on the Free Trade plan, and we shall have no fear for her safety.”

These were the views of the hon. gentleman in 1873; and no more radical Free Trade views could be propounded by any hon. gentleman. Nor were these his views as expressed in the public press alone, but in the Dominion Board of Trade, where his views were formulated in that resolution.

Mr. WHITE (Cardwell). I beg the hon. gentleman's pardon; but may I ask where he gets that quotation, the first one, which he has just given.

Mr. ROSS. From *Hansard*.

Mr. WHITE. I was not in Parliament in 1874, and could not be so reported in *Hansard*.

Mr. ROSS. What I was trying to say—I do not know whether the hon. gentleman correctly understood me or not—was, that not only did the hon. gentleman state these views in the *Montreal Gazette*, in 1873, but before the Dominion Board of Trade in 1874; and I think that is what I did say.

Mr. WHITE. I understood the hon. gentleman to say I had said, they should still steer the Ship of State on Free Trade principles; and I wanted to know where he got that quotation.

Mr. ROSS. It is taken from the *Montreal Gazette* of 1873; and the quotation which I am going to read just now is from the report of the Dominion Board of Trade of 1874, and we will see whether the two correspond. We would not expect that the hon. gentleman, between 1873 and 1874, would modify his views very much. I find that his resolution of 1874 expresses very strong Free Trade sentiments, and it is very natural to suppose that the previous year—and the hon. gentleman can see the force of the argument—the *Montreal Gazette* would have contained the very same views. Here is the resolution of the hon. gentleman in 1874:

“That without forming any opinion, some of the details of the present Customs' Tariff, and the anomalies which are inevitable in all Tariffs, this Board is of opinion that no change should be made in it unless the exigencies of the public service demand large revenues, and that in such case any increase to be made should be in accordance with the principle of the present Customs' Tariff.”

That was a Revenue Tariff:

“Which while not interfering with the commerce of the Dominion affords incidental protection to its manufactures.”

Precisely what we said then, and still say now:

“That this Board is of the opinion, that permanence in the fiscal policy of the country is most important alike to its commerce and to its manufactures, and that no changes should be made in the Tariff no demanded by the absolute exigencies of the revenue.”

Will the hon. gentleman note that last clause:

“No changes should be made in the Tariff not demanded by the absolute exigencies of the revenue.”

Does the hon. gentleman pretend to say that the changes made in the Tariff regarding agricultural implements,

sleighs, and carriages, and ploughs, are demanded by "the exigencies of the revenue?" The hon. gentleman will not say so, nor any hon. gentleman who sits on that side of the House. Let us now—having put the hon. gentleman right regarding his position, and reciprocated his sympathy for the hon. member for South Brant—proceed to notice some of the apologies which we have heard so pathetically made by hon. gentlemen on that side of the House, in this present debate. In the first place, the hon. Minister of Finance, and the hon. member for Cardwell, both apologized for an adverse balance of trade. I remember, Sir, that when, in 1880, the hon. Minister of Finance, posed as a great financier, because, having placed his hand on the commerce of Canada, he had increased our exports and reduced our imports, establishing an equilibrium, and this was one of the strong points in this Tariff, the hon. member for Cardwell thought that this was a great achievement, and all the members on the back benches cheered this achievement of the hon. Minister of Finance as one of the most wonderful feats of financial skill ever performed in this House, or anywhere else. Well, Sir, things are very different from what they were in 1880; and the hon. gentleman who had, by one wave of his hand, kept the exports of foreign countries from Canada, and by another wave of his hand sent the produce of Canada across the seas, is to-day apologising for and explaining away an adverse balance of trade of \$17,000,000. And in his investigation allow me to congratulate him on having discovered what political economists believe to be the true solution of this financial problem, namely: there is and may be an adverse balance of trade, and yet a country may be progressing, because freight and charges, and other items too numerous to mention, may enter into the account, and make up the balance, though it does not appear in the Trade and Navigation Returns. Let me notice further, that the explanation of the hon. Minister of Finance did not satisfy the hon. member for Cardwell. This temple into which all their friends are invited to enter and worship—this shrine for all their devotees—was to be desecrated the hard facts contained in the Trade and Navigation Returns against this fetish being. The hon. member for Cardwell gave another explanation. His explanation was, that the imports last year were greater on account of including raw materials, which were absorbed in the manufactures of this country; and although this did not appear in the Trade and Navigation Returns, yet, after all, the balance of trade might not be so bad a thing. What was such a bad thing when we were in power, and what was then driving the country to ruin and proving so disastrous, was now a different matter; and the hon. gentlemen are to-day face to face with the fact, that they are just as powerless to regulate the balance of trade, as to do anything which political economists know right well cannot be done by the legislation of this, or of any other Parliament. The hon. gentleman apologized, in the second place, for an increase of imports into this country. I remember very well when the hon. Minister of Finance posed again, and exhorted the House as to the great loss which was inflicted on Canada because of our vast imports. Let me quote his words, for it is important that we should understand accurately the lines of difference and agreement. On pages five and six of his Budget Speech for that year the hon. gentleman said:

"Regarding the matter as I do, I think it is to be regretted that the volume of imports has not been materially reduced. They have been decreasing to a certain extent, but are still very large, showing, in my judgment, that they ought to be still further diminished. It appears to me that we should turn our attention to the best means of reducing our imports from all parts of the world."

The hon. gentleman turned his attention to this great feat of financial enterprise; he was going to reduce the imports

from all parts of the world, as he considered it a great disaster to this country that they had gone on increasing. How far did he succeed in his attempt? In 1879, when he began this great feat, the whole imports of Canada amounted to \$30,341,000, while, in 1882, when he had had three years practice in endeavoring to reduce the imports, they had risen to \$112,648,000. Like Canute of old, who stood by the seaside while the tide was coming in, and thought that he could control the approaching waters, this hon. gentleman stood in the face of the large import trade which he believed was bringing disaster into the country, and he said: "I will prohibit these imports; I will stop them coming in." But in spite of his remonstrances, in spite of all his efforts to accomplish this great feat, we find that, as the tide ignored the royal mandate in olden times, so the import trade advanced, until now the hon. gentleman will be overwhelmed with the vast increase which I have pointed out. But not only was he unable to reduce the general volume of imports into the country, but to reduce the imports from any particular country. For instance, we find that the imports from the United States, in 1880, were \$29,000,000, while, in 1882, they were \$48,000,000. The imports from France rose from \$1,100,000 to over \$2,000,000; from Germany, they increased from \$500,000 to about \$1,500,000, and so on with regard to Spain and Portugal, and some other countries which I need not mention. These figures show that the hon. gentleman failed in accomplishing the feat which he endeavored to accomplish; and I do not wonder that the hon. member for Cardwell (Mr. White) apologized for endeavoring to sustain the weak position taken by the hon. Finance Minister. But let us examine the matter a little further. Not only was the hon. gentleman unable to control the imports; but, as was quite natural, he was equally unable to control the exports, for it follows, as a law of political economy, that as the exports of a country increase so do the imports, and that explains why the hon. gentleman was powerless to prevent the increase in imports. By the good crops with which our farmers had been favored with, by the development of the agricultural, mineral, and, to some extent, the timber resources of the country, our exports had increased very largely, and, as a natural consequence, our imports had also increased. Let us notice some of the figures: The total exports from the Dominion of Canada for the three years, from 1876 to 1878, were \$236,169,000. The exports for the last three years amounted to \$288,339,000, so that we have here a solution of the problem which the hon. gentleman proposed to solve in another way; the average increase of \$50,000,000 in the three years explains why such a large increase took place in our imports. But the hon. gentleman was particularly anxious to reduce the imports from the United States, and increase those from Great Britain. This is what he said in 1880:

"I ventured, when submitting that policy, to remark that the resolutions were not aimed specially at any particular country; still as British subjects, owing allegiance as we do to the great Empire of which we form a part, it was designed in the preparation of our Tariff that if we favoured one country more than another, it would be Great Britain. I recollect, and the House will recollect, the objections that were made by hon. gentlemen opposite, and the effort that was made to prove that the Tariff then submitted would operate more injuriously and affect more especially the manufacturers of Great Britain than those of the United States. Some gentlemen, out of Parliament, and through the press, have made various statements upon this matter, but here on the floor of Parliament, where we can bring up facts on both sides, we can arrive at a just and accurate conclusion on the subject; and while we could only speculate last Session with reference to these effects, time has shown, and the evidence lies upon the Table of this House, that instead of operating to the disadvantage of British manufacturers, as compared with those of the United States, it has borne less heavily and affected them less than the manufacturers of the neighboring Republic. These facts go to show that, while the object, design, and intention of the Government was not to legislate directly against any particular country, but in favor of Canadian interests, the effect of the Tariff has been to diminish less the importations from Great Britain than from the United States."

Those were his statements in 1880, and that was one of the grounds upon which his Tariff was submitted, and upon which he attempted to justify it to this House and to the country. Now, how did this Tariff operate which he had promised would reduce the imports from the United States and increase the imports from Great Britain? The imports from Great Britain, in 1880, were \$34,461,000; in 1882, they were \$50,597,000, or an increase of 47 per cent. The imports from the United States, in 1880, were \$29,346,000, and, in 1882, they had risen to \$48,289,000, or an increase of 64½ per cent. This is the result which was produced by a Tariff which the hon. gentleman promised would reduce the imports from the United States and press less heavily upon Great Britain than other countries. I do not wonder that the hon. gentleman had to apologize in making his explanations, or that he had to call in the assistance of the hon. member for Cardwell, for we have in these figures the evidence of a gigantic failure; instead of the Tariff operating as he said it would operate, it has had the very opposite effect, and the imports from the United States are increasing more rapidly than those from Great Britain. The same result is found if we examine the export pages. In 1878, we exported \$45,911,000 to Great Britain; in 1881, \$45,274,000, or a decrease of \$637,000 in the four years. We exported to the United States, in 1878, \$25,244,000, and, in 1881, \$47,940,000, so that, in the one case, we have a decrease of \$637,000, and, in the other, an increase of \$22,695,000. I will not trouble the House with the yearly average under the old Tariff, but I may say that the exports to Great Britain rose from \$42,000,000, in the last three years of the Mackenzie Administration, to \$48,000,000 during the years 1880-81-82, an increase of 13 per cent. The exports to the United States in the years 1876-77-78 were \$27,651,000; in 1880-81-82 they were \$39,385,000—an increase of 62½ per cent. Another statement which the hon. gentleman made was, that the Tariff would discriminate against goods imported from the United States, and in favor of those from Great Britain. Here are his words:

“Goods imported from the United States will pay a larger share of the duties than goods from Great Britain.”

And, again, he says:

“Out of the increase to the revenue of \$2,100,000, he expected articles imported from the United States would pay \$1,027,000, and articles imported from Great Britain would pay \$500,000, and the balance would be imposed on articles from other countries.”

What is the substance of that statement of the hon. gentleman? It is simply this: that in introducing his new Tariff, he proposed that for every \$1 he levied on goods imported from Great Britain, he would levy \$2 on goods imported from the United States. That was his proposition; how has it turned out? The entire increase in the revenue, since 1879, amounts to \$5,902,450; and of that increase Great Britain has contributed \$4,500,000, and the United States \$1,500,000. That is to say, for every \$1 of increased revenue which the hon. gentleman has got by his Tariff from goods imported from the United States, he has taken \$3 from goods imported from Great Britain. That is the way in which the hon. gentleman's Tariff discriminates against the United States—a Tariff which we were told and believed was not imposed with hostile intentions against Great Britain, and yet which we predicted would discriminate against British goods, as we now find it does, in the proportion of three to one. No wonder that the hon. member for Cardwell was obliged to apologize for the failure in the Tariff. We were told, again, that the Tariff was going to increase the commerce of the country; that it was going to extend our shipping; that we were going to have a Commercial Treaty with France; that our ships were going to be admitted on better terms into France; that in many respects, our commerce was going to be benefited by the

Mr. Ross (Middlesex).

Tariff. Well, Sir, what do we find? We find the same failure that we have found in other respects, and I will give the hon. gentleman a few figures to show the extent of that failure. In 1878, we built 339 vessels, whereas in 1882 we built 288; there you have a considerable decline. The tonnage, in 1878, amounted to 100,573 tons; in 1882, it amounted to only 60,113 tons. In the five years, from 1873 to 1878, there was an increase of 686 in the number of vessels registered in Canada, and an increase of 259,297 tons on the registration; from the period from 1878 to 1882 there was a decrease in the registration of 157 vessels and 72,238 tons. Under the old Administration there was an increase of 10 per cent. in vessels and 27 per cent. in tonnage, while, during the last five years, under the new Administration, there was a decrease of 2 per cent. in vessels and 5½ per cent. in tonnage. Now, let us see how the Tariff has affected our shipping with respect to values. In 1878, we sold ninety-three vessels, valued at \$1,218,145; last year we sold forty-three vessels, valued at \$403,311. So that, both in the amount of shipping built, and in the amount of shipping sold, as well as in the tonnage of the vessels owned by the people of Canada, there has been an extraordinary decrease. But hon. gentlemen opposite may say that wooden ships built in Canada are being replaced more than formerly by iron vessels. Well, we find that Norway, which uses wooden shipping, almost entirely, has increased her tonnage enormously during the last few years; and if hon. gentlemen wish to extend this paternal policy of theirs to our shipping as they profess to wish to do to other industries, why do they not offer a bounty for every ton of shipping built, and prohibit the importation of goods to Canada in any but Canadian ships. It would be part of the old policy of keeping Canada for the Canadians and avoiding all business negotiations or commercial intercourse with other nations. It would be carrying out the same policy which the hon. gentleman proposes, when he offers a bounty of \$1.50 on every ton of iron smelted in Canada. But there was another matter for which the hon. gentleman had to apologise. We were told, in 1878, that if hon. gentlemen opposite came into power, they would preserve the home market for the Canadian farmer, so that not only would he get better prices for the goods he had to sell, but he would have the monopoly of that home market. Well, hon. gentlemen have now to explain how it is that this has not been done, and every explanation proves conclusively that, in this respect also, the Tariff has been a failure. In 1878, we imported 5,120 horned cattle, and, in 1882, we imported 7,112, a very large increase. Of horses, we imported 1,587 in 1878, and 2,492 last year. And this is not the only proof that our farmers do not possess a monopoly of the home market; but we have the additional proof that we have now to seek a foreign market for a larger amount of our production than we had in 1878. We found a foreign market, in 1878, for \$14,000,000 worth of animals and their produce; last year, we found a foreign market for \$20,454,000 worth. In 1878, we found a foreign market for \$19,623,000 worth of agricultural products; last year, we found a foreign market for \$31,038,000 worth. If I went into details on this point, I would show that the home market has not been, as the hon. gentleman said it would be, sufficient to consume the produce of our Canadian farmers. We were told that after this Tariff was put into operation, the Canadian farmer, instead of sending his produce to Liverpool, would find a market for it at home. That prediction has not been realized. The produce has to go to Liverpool as it always had, and this Tariff does not give the Canadian farmers control of the Canadian market any more than before. Not only did the hon. gentleman promise them a monopoly of the home market, but also better prices for what they had to sell. We had the admission from the hon. member for Cardwell the other night that the Liverpool

market controls the wheat market of Canada. I am glad he made that admission. It was our contention for years, but the admission came slowly from hon. gentlemen opposite. It was only when they found that they were face to face with the fact that prices had declined, that they were obliged to admit that the Liverpool market controls the Canadian market as it does every market of the world. I have here a table showing the average price obtained for grain for five years, from 1873 to 1878, and from that time to the present, and what do we find. We find that for the five years, from 1873 to 1878, the average price of wheat was \$1.25 a bushel. The average for last year, according to the report of the Bureau of Industries and Statistics of Ontario, was \$1.14. The average for No. 1 spring wheat for the same period was \$1.15. For last year, it was \$1.17. The average price of barley was 72½ cts., and for last year, 71 cts. The average price of oats was 41 cts., against 43 cts.; and of peas, 76 cts., against 72 cts. The wool crop of 1878 was sold for 28½ cts.; last year it was sold for 23¼ cts. So that these hon. gentlemen are powerless, as we said they would be, to regulate the prices in our Canadian market, and give us their promised advance. I remember the hon. Minister of Railways, in his speech delivered at London, told the farmers that under the Tariff they proposed to introduce, the farmers, instead of sending their grain and produce to Liverpool, would find a home consumption and a home market for it. He said any one could see that a home market was the best. The farmers, however, send their products where they always did, and are obliged to accept the prices fixed in the markets of the world; and our hon. Finance Minister is powerless to regulate their prices. I do not wonder these gentlemen have to apologise. What do we find in the report of the Bureau of Statistics and Industries recently issued? We find that, if the farmers of Ontario alone received for the last half of last year the average price of the first half, they would have realized \$14,000,000 more for their crop than they did. Shall we hold the hon. Finance Minister responsible for that great loss? Why did he not, by the power his friends asserted he possessed, and which, I think, the hon. gentleman himself claimed, at least by implication, see that the prices which ruled in the first half of last year, when the farmers had but little to sell, rule in the last half of that year when they had all their crops to dispose of? I think the farmers of Ontario will hold the hon. gentleman responsible for this vast decline in prices, for the promises which he made some time ago. But, besides being unable to keep the home market for our farmers, he has been equally powerless to keep the home market for our manufacturers. We imported this past year to the extent of \$20,000,000 more than in 1878, of agricultural implements, furniture, cottons, woollens, &c. Were not our Canadian manufacturers told by the hon. First Minister: Place us in power, and we will see you are so fixed that you can produce these articles to replace imported goods in our market. The hon. gentleman came into power, and to-day the hon. member for Cardwell makes a list of the vast importations to the United States, to show that the position of the United States being similar to ours, it was quite reasonable this vast increase in imports should take place in Canada as well. That is the apology for the position which hon. gentlemen opposite took in regard to this Tariff. We held that no Revenue Tariff could, or should, prevent the importation of foreign goods. Hon. gentlemen opposite offered to the public, by the mode by which they presented this subject, to give to our Canadian manufacturers full control of our market, and, in this respect, their policy has been a failure. There is one respect, however, in which their policy has been a success, and that is in reducing the export of manufactured goods. How is it that while we exported, in 1878, \$4,000,000 worth of manu-

factured goods, we now export only \$3,000,000 worth? Perhaps the hon. member for Cardwell will explain that. In one particular line, this decline is most remarkable—the article of sewing machines. In 1878, we exported 27,769 sewing machines, valued at \$215,809; last year we exported 22,563, valued at \$159,643. How is it that the Tariff, which was going to contribute so largely to the success of sewing machine manufacture, has produced this result. Not only has it diminished the exports, but it has also decreased the imports. As Josh Billings says, it is a poor rule or a poor mule that does not work both ways, and this one works both ways. The imports, in 1878, of sewing machines, was 2,133, valued at \$37,983; in 1881, they were 20,076, valued at \$307,177. There you have this double-acting and high-pressure Tariff increasing the imports of sewing machines very largely—and it has done so apparently all along the line—and reducing the exports. Are these the promises made to the people in 1878? In the figures placed before us, in the facts displayed on every page of the Trade and Navigation Returns, we have the falsification of those promises. It is our duty to hold them to their promises. The people will hold them to their promises; and when the people know, as know they will, in due time, that this Tariff has failed, that it has falsified the promises which its authors alleged it would fulfil, we will come back to a true system, to a true fiscal policy, such as the interests of this country require. The hon. member for Cardwell proceeded to deal with the sugar question, as one on which he is, to a certain extent, an authority. In dealing with that, he charged the hon. member for North Brant with not making any reference to the matter, although, as he said, the figures had been placed in his hands. I wish to inform the hon. member for Cardwell that the statements of hon. gentlemen opposite were not received by the hon. member for Brant, until after he had finished his speech, and was unable to refer to the matter. I propose to make a few remarks upon it, accepting the statements made by hon. gentlemen opposite themselves. Let us see to what conclusion they lead. According to their own figures, the average price of sugar in New York last year was \$9.35. From that we deduct the drawback of \$3.20, and 1 per cent. of that, leaving a net cost in New York of \$6.18. The hon. gentleman deducted only \$3.15 but should have deducted \$3.17. If we add to the \$6.18 the duties that would have been paid under the old Tariff, we will find that the cost to the consumer in New York would be \$8.72½. The average cost last year, according to the figures, in Montreal, was \$8.88 per 100 lbs., leaving a difference in favor of the New York refiner of 15½ cts.; or, if I put it in another form, you have a difference in favor of the man who purchases his sugar in New York of 15½ cts. per 100 lbs. In order to make out a case for themselves, the hon. member for Cardwell added two or three items which should not enter into the calculations at all; first, the item of 30 cts. per 100 lbs. for freight. Everybody knows that New York is as easy and as near a distributing point for a large portion of Canada as Montreal, and that Ontario, and Manitoba, and the Maritime Provinces can get their sugar from New York just as cheaply, as far as freight is concerned, as they can from Montreal. So we may fairly strike out this item of 30 cts. Then the hon. gentleman has a further item of 50 cts. for commissions. We know there are no commissions paid when you purchase your sugar from the New York refiner any more than when you purchase it from Montreal.

Mr. WHITE. The hon. gentleman is mistaken. There is no question about commissions. The additional 50 cts. is arrived at in this way: When we had no refinery in Canada we took the price in Canada of the New York sugar — we had a graduated Tariff, and we took the average price in Canada for the same year, and we find there is a difference of 50 cts., which went to the profit of the merchant in this country.

Mr. ROSS. We have the same commission merchants now that we had then. I am now quoting the authority of a gentleman who deals largely in sugar, and he pays no more commission now than he did before; therefore, I say, that the commission does not enter into the calculation at all, and the hon. gentleman only put it there in order to make a case for himself, as he had no case without it. Let us see how the figures stand—let us see how this works out. We imported last year 133,788,114 lbs of sugar. Reduce this to granulated, that is, throw off one-eighth, and we find it makes 117,073,350 lbs. Now, there is a loss to the consumer, for if he pays 15½ cts. per 100 lbs. more for that sugar when bought of the Montreal refiner than he would if bought from a New York refiner, you will easily see that the loss to the people of Canada will be \$181,463; so that, in order to maintain the sugar industry of which the hon. gentleman is such a champion, the people of Canada paid nearly \$200,000 more in an enhanced price for their sugar. But that is not all. This quantity, at the old Tariff, would yield a revenue of \$2,979,515; the annual revenue realized, however, was \$2,272,896. There was a loss to the revenue, under the present Tariff, of \$706,619, which, added to the loss of the consumer, makes the loss to the people of Canada of \$888,082. There we have the true inwardness of the sugar industry, and we have it from the hon. gentleman's own figures, by striking out of his calculations the items which no man acquainted with the sugar business, and anxious to make a fair statement of the matter, would include. So that we have not only these hon. gentlemen and their facts exposed—the weakness of their arguments exposed—but we have, to a certain extent, evidence of the amount of money which the people of Canada pay for this large industry which is being fostered under this Tariff. No wonder, then, the hon. gentleman had to apologize for this also. But we have further apologies—and I am only going to refer to one or two more. They were somewhat weakly put. We have hon. gentlemen opposite apologizing now because no Reciprocity Treaty was established between Canada and the United States, or between Canada and other countries. I think it is not so very long since hon. gentlemen opposite said that they were going to do something in the way of treaties. I read in the speech of His Excellency delivered at the close of last Session, something about treaties, where His Excellency is made to say:

“During the recess my hon. Ministers will continue their efforts to secure favorable commercial arrangements between France and Spain. In these endeavors the High Commissioner will receive some hearty support from Her Majesty's Government and the Imperial diplomacy as has already been given to him.

“Such support must greatly strengthen Canada in any negotiations entered into for the improvement of her trade with foreign countries.”

Well, Canada greatly needs to be strengthened in her negotiations with some foreign countries. Evidently there does not seem to be much anxiety on the part of hon. gentlemen opposite to enter into any such negotiations. We were told, in 1878, that this Tariff was going to bring about a Reciprocity Treaty at an early date; we were going to force the United States into better terms; and, I think, the hon. Minister of Railways, in a tour to Prince Edward Island, spoke strongly of the necessity of Reciprocity, and he held out to the people of Prince Edward Island a hope that if there was a change of Government there would possibly be a change of relationship between Canada and the United States in this particular. We were also told in the West, and elsewhere, that the only way to get a Reciprocity Treaty would be to have a change of Tariff. Well, have we had a Reciprocity Treaty from the change of Tariff? Does the hon. gentleman now wish to have such a Treaty at all? Have they not changed their tone? Does not the hon. member for Cardwell himself speak very differently on this question to what he spoke and wrote some years ago?

Mr. WHITE. No.

Mr. Ross (Middlesex.)

Mr. ROSS. Well, if he does not, the Conservative press of Ontario, and notably the *Toronto Mail*, the organ of hon. gentlemen opposite, hold a very different tone now to what it did some years ago on this question. So that we have here again another failure, and a failure of very great moment too, to the people of Canada, a failure which hon. gentlemen opposite are bound to apologize for, and which they cannot, I think, very conveniently explain. Then hon. gentlemen opposite told us, as late as last year, that this Tariff was going to add so much to the capital and to the business of this country. I have here the closing words of His Excellency's Address, giving one of the reasons why Parliament was dissolved earlier than it should have been. He is made to say:

“I heartily congratulate you upon the rapid and successful development of our manufacturing, agricultural and other industries

“I am, however, advised that their progress would have been still greater were it not that capitalists hesitate to embark their means in undertakings which would be injured, if not destroyed, by a change in the trade and fiscal policy adopted by you in 1879. In order, therefore, to give the people, without further delay, an opportunity of expressing their deliberate opinion on this policy, and, at the same time, to bring into operation the measure for the readjustment of the representation in the House of Commons, it is my intention to cause this Parliament to be dissolved at an early day.”

Parliament was dissolved at an early day, in order that this capital might come into the country; and the hon. First Minister, speaking on this question in the city of Toronto, said:

“I tell you—and this is not a matter of supposition, but of certainty and knowledge on my part—that there are millions of dollars waiting to be invested in Canada, millions in England, and large sums in the United States, waiting to come to Canada, waiting to be invested in every kind of industry, in mines and in manufactures.”

I think the money is waiting there still, in England and in the United States. Why, does it look very much as if these millions were ready for investment, when the hon. Minister of Finance is offering \$1.50 a ton bounty on coal, and on every ton of pig iron? Those millions are still waiting, and now the hon. gentleman is going to give it an additional incentive. Probably it will come; but, in this respect, I fear the failures which are so notorious in every instance I referred to, and for which we had such long and strong apologies, will be nearly as notorious, and the millions of capital, I fear, will not come. True, if the predictions of the hon. Minister of Finance are realized, these millions of capital may come in. It will come in any way, for it came into the country before we had the Tariff. Industries were built up and money was invested, and we fail to see now any greater investments taking place, at least during last year, than during previous years, because of this Tariff. But then the hon. gentleman, who has boasted so much of what the Tariff would do, very strangely changes the Tariff all the while. I remember, it was in 1879, on the 14th of March, that the hon. Minister of Finance first brought down the Tariff, and it was received with enthusiastic cheers by hon. gentlemen opposite. In 1880, a great many changes, eighty in number, were made, and they were received with enthusiastic cheers. Next year fifty-five changes were made, and they were as heartily applauded. Last year 109 changes were made, and they were received with equal, if not a little more, enthusiasm. Now, eighty-seven distinct and radical changes are proposed, and I observed hon. gentlemen opposite cheered as if they had had a new revelation. What is the Tariff going to be like if the hon. gentleman intends to pursue this course?

Sir JOHN A. MACDONALD. It is Excelsior!

Mr. ROSS. It is onward and downward, in many cases, however. Articles are being placed on the Free List which hon. gentlemen opposite applauded when high duties were placed upon them; and duties have been increased on articles which the hon. Minister thought were taxed at a proper maximum before, when they were 5 or 10

per cent. less. Besides, why place anything on the Free List if the position which hon. gentlemen opposite take is the correct one? They have said, over and over again, that the producer pays the duty. If so, there is no advantage in placing goods on the Free List. Let those who send free goods pay duty upon them, as it was said should be done when those hon. gentlemen sat on this side of the House; so it is utterly absurd, according to the language of hon. gentlemen opposite, that there should be a Free List at all. But if hon. members will notice the articles placed on the Free List, the absurdity appears much greater. We have duties on the necessaries of life, on breadstuffs, coal, light, glass, woollens and cottons. The hon. Minister of Finance might have relaxed these duties a little, surely, and have placed some of the articles on the Free List. But instead of doing so, what has he done? He has given us a beggarly Free List comprising articles not necessaries, but luxuries—sapphires, rubies and diamonds! Fancy the hon. gentleman visiting his own Province, to which he is so much devoted, and meeting the consumers of cornmeal in New Brunswick and Nova Scotia, who, out of the total imports of 133,505 barrels, take 120,039 barrels, or nearly all the cornmeal imported into Canada. They tell him: "We pay duty on our cornmeal, Sir Leonard, and it is not right, it is a necessary of life, and our burdens are greater than we can bear. Money is scarce, and we should be very much obliged if you would relax the duty on cornmeal, Sir Leonard." I fancy our complacent hon. Minister of Finance saying to them: "Well, gentlemen, I must have revenue; but I will give you a little relief, and therefore place diamonds, agates, and rubies on the Free List as I want to make you as comfortable as I possibly can." Suppose the hon. gentleman went to Manitoba—and if he goes to Manitoba he will find that half the blankets imported into the Dominion are used by the people there and pay a duty of 46 per cent.—and fancy the hon. gentleman, on being remonstrated with by some stalwart Manitoban—and I wish them more power still—respecting this high duty, and after listening to their remarks, telling them, in his kindly and affectionate way, that he is a member of a paternal Government, that the people of Manitoba must not complain, that a high duty is placed on blankets, for it is to keep out the foreign article, but they must remember that sausage skins are free. Nevertheless, the hon. gentleman retains a duty of 1 ct. per lb. on the sausage meat. In the same way, we may suppose the hon. gentleman coming up to Ontario, where the greatest portion of the imported coal is consumed, and telling the people: You complain a little at the Tariff as making coal high in price, and no doubt it has been dear during this severe winter. I cannot, however, reduce the duty which gives me \$500,000, but to show that I did not deprive you of all consideration, I have placed sawdust on the Free List. The hon. gentleman then goes to the people of British Columbia and Quebec, who consume a considerable portion of the flour imported, 165,430 barrels out of the total import of 172,517 barrels, and when they make complaint about the wrong of imposing a duty upon this prime necessary of life, my kind friend, one of the members of the paternal concern, will say: I must keep the revenue from the flour duty, but I have reduced the duty on tobacco, so smoke a little more, and I have made scrap iron free. That is one of the mistakes into which the hon. gentleman is falling. Instead of reducing the Tariff in the direction where reductions would be a convenience and comfort to the people, he has reduced it on matters of no value to the people, and coal, cottons, flour and cornmeal, and other necessaries of life are taxed as heavily as they ever were, and some of the necessaries of life even more heavily. Bed comforters or quilts, shoe laces, lamp wicks, vinegar and other articles which enter into the daily consumption of the people, are charged higher duties. This is one of my objections to the

present Tariff. It is an attempt by a system of patchwork to regulate the commerce of this country, instead of being based upon some well-defined and recognized principle. As I have shown, the Tariff of the hon. Minister has failed over and over again to produce the results that were predicted from it; and yet the hon. gentleman, instead of coming down with a Tariff based on some well-defined principle, which we can grasp and understand, goes on with his system of patchwork until the last days of the Tariff will be worse than the first. It is not enough to have high duties; but the Finance Minister is now entering upon a system of bounties, a system which was abandoned in England long ago, and which belongs to the Middle Ages, and is not known among the advanced political economists of the present day. What reason is there for paying a bounty of \$1.50 per ton on every ton of iron made in Canada? What necessity is there for giving a bounty to the iron smelter any more than to the lumberman? We know it is desirable to develop our mining interests, but the Government of a country is not a financial concern, as the hon. gentleman would make it, but it has to give equal rights and justice to all members of the community; and if it is right for the hon. gentleman to give a bounty of \$1.50 for every ton of pig iron made in Canada, why, on the same principle, should he not give a bounty to our farmers for every head of cattle they export, and to our manufacturers for every dollar's worth of goods they produce? Let us not single out one interest, or class, in the community and bestow on it special favors, and neglect and despise all other classes. Is that an honest, a reasonable way in which to bestow his smiles? If this system of bounties begins, where is it to end? If that concession is to be made to the iron men, how long will it be before similar concessions are made to others? May we not expect next year another list of alterations and another class of beneficiaries to receive the favorable consideration of hon. gentlemen opposite. Then the hon. gentleman, when he told us what changes he proposed to make—and he has changed and modified the Tariff as he has done in former years—tells us that this Tariff is going to be perpetual. He says the fiat has gone forth. The fiat—whose fiat has gone forth? The fiat of the hon. Minister of Finance has gone forth that this Tariff must be perpetual. The hon. gentleman had better spare his fiats in matters of this kind. Does he not know that public opinion is very uncertain, and that, although to-day proud of his apparent success and confident in the position which he occupies in this House, he may insist that this Tariff shall be perpetual, yet when the people of this country come to know all the effect of this Tariff upon the trade of this country, and rightly apprehend it, as they will do when this Tariff is tested, as it must be, by a commercial crisis in not many years to come, then we will see whether the fiat, which, the hon. gentleman says, has gone forth, will still be a fiat which the people of this country will entertain. What is the Tariff which he pretends should be perpetual? It is full of exactions and injustices; it is a system of patchwork, and is full of variations and changes. If the hon. member for Cardwell was right, when he said that the Tariff should be permanent, what can the member for Cardwell say about a Tariff that seems to have no element of permanency in it at all? If it is right that the fiscal changes should but seldom be made, what shall we say about a Tariff like this, which is changed with every Session of Parliament, with every meeting of this House? Shall this Tariff be perpetual, then, when we know right well that there is a system of taxation which is based upon a principle that is righteous and fair in the taxes which it imposes on the masses, not on one man at the expense of another? Sir, I think the hon. gentleman may yet live—and I hope he may see the day—to see the people of this country realize the fact that this

Tariff is not a Tariff in the interests of the consuming masses, and not such a Tariff as should remain perpetually, as the hon. gentleman says it will, on the Statute-book of the Dominion of Canada.

Mr. RYKERT. Mr. Speaker: It is impossible to ascertain upon whom, on the other side of the House, the responsibility rests for criticising this important Tariff and the Budget Speech. One would suppose, from the length of time during which the hon. member for South Brant was engaged in preparing for the criticism of the Budget Speech, that he had been selected by the Opposition as their exponent of financial affairs on that side of the House; but, Sir, I am somewhat in doubt, after having heard the remarks of the member for West Middlesex, whether this is the case. It is quite evident, Sir, that these two gentlemen have not had a rehearsal of their speeches; for it is quite true, that in the preparation of their speeches, there is very little harmony apparent; because, Sir, if you take the speech of the hon. member for South Brant, as the one who is the exponent of the views of the Opposition, and then the speech of the hon. member for West Middlesex, you will find the latter entirely in opposition to the former. I was somewhat amused, Sir, at the course pursued by the hon. gentleman who has just sat down. He has attempted throughout his speech to find fault with and criticise the speech of the hon. member for Cardwell. He has favored the speech of the hon. Minister of Finance with very little attention, but seems to have devoted himself almost entirely to the speech of the hon. member for Cardwell. Now, Sir, this House is no doubt delighted at the extraordinary change which has taken place during this Session in the mode of criticizing the speech of the hon. Minister of Finance; and we can all congratulate the hon. member for South Brant on the tone and manner of the debate. But, Sir, there is this most extraordinary circumstance, about the speech of the hon. gentleman; while posing as a critic, he could not avoid falling back into the position which he has so long occupied as a stump orator. Well, Sir, finding it impossible to seriously criticise the Budget Speech, which was so ably delivered by the hon. Minister of Finance, as he could find no fault whatever with it, we perceived that he had hardly launched out on his criticism of the same, before he seemed, as a matter of course, to be drawn into the delivery of a very large amount of that species of thunder, which, I may say, he is so accustomed to wield on the stump throughout this Province. The hon. gentleman during that criticism has endeavored to point out two facts: first, that there has been a very extraordinary increase in the expenditure of the country, and, second, that the country is rapidly going to the dogs. The hon. gentleman is quite aware, however, of the fact that his leader has declared that the country is prosperous, and that in every direction we see the benefits of the policy of the present Government. This is what he said:—

“There has been—and no man more heartily rejoices in it than the humble individual who now addresses you—a period of three or four years in which there has been prosperity. We have had excellent crops, good prices, a revival of the lumber trade, and very good development in other ways. The hon. member for Pictou gratified us by the information that the fisheries had been very productive and the prices high, and so in almost every direction has been shown the evidence of a period of prosperity.”

That hon. gentleman, the leader of the Opposition, in looking at the older Provinces, discovers prosperity in every direction, and looking at the Provinces down by the sea he sees also a considerable increase of prosperity and their rapid development; and when he looks to Manitoba there, too, he discovers the most wonderful, rapid and gigantic strides are being made in the Province, which he and his party so much belittled a few years ago—that it is teeming in wealth, and that in the future it will play a conspicuous part in the destinies of Confederation.

Mr. Ross (Middlesex).

And the hon. gentleman has to recognize the fact that all his prophecies with reference to the Pacific Railway are entirely exploded, and that all his prophecies with regard to a heavy increase of taxation by means of the Tariff of the present Government are also exploded. But, Sir, the hon. gentleman tells us, that he will not recognize the voice of the people. The hon. gentleman tells us it is true that the policy of the Government was laid before the people of this country upon the 20th of June last; that he then pressed his views before the people; that the Opposition then expressed their views in every direction throughout the Dominion; and that he has to recognize the fact, that the verdict of the people was against him; but then he says, Sir, in a boasting manner: I do not pretend to recognize the voice of the people—I do not pretend to recognise the verdict of the people; we have come here as a banded Opposition, and will, on the floor of Parliament, advocate the same principles which we advocated before the last election. Sir, one would suppose that the hon. gentleman, sitting, as he does on that side of the House, and that the hon. gentlemen who sit alongside of him, were willing to recognize that which we all do recognize on this side of the House—that the people are the masters of the situation. But the hon. gentleman defies them. The hon. gentleman says: We will still advocate the principles which we advocated before the people, and which met their entire condemnation. The hon. gentleman, as I said before, ought, in preparing his speech, or the essay which he read to the House, have compared it with that of the hon. member for West Middlesex, because at the very outset we find that the latter hon. gentleman not only challenges a statement made by the hon. member for South Brant, but also shows that it is very absurd. Let me, Sir, before I go into the general subject of expenditure, point out one or two inconsistencies in the speech of the hon. member for West Middlesex, and then I will dismiss him from the consideration of this question until somewhat later on. The hon. member for West Middlesex, in attempting to criticise the Budget Speech, and the expenditure of the Government for the last five years, pointed to several items which he considers the most unjustifiable expenditure. He selects, unfortunately for himself, two items which the hon. member for Brant (Mr. Paterson) justifies as being in the public interest. The hon. member for West Middlesex, in his endeavor to make the people believe that this Government has been extravagant, pointed to the expenditure on behalf of the Indians, and I was surprised to hear the observations of the hon. gentleman on that subject. No hon. member of this House, for the last five years, has ventured to stand up and declare that the expenditure on behalf of the Indians is not a wise and proper expenditure, and when the votes were asked by the hon. Minister of the Interior for the Indian appropriation, not one of the hon. gentleman's colleagues ventured to say that that expenditure was unjust or was excessive. To-day the hon. member for West Middlesex says that the expenditure in that behalf is the result of gross mismanagement in the Department of the Interior. Here is what the hon. member for South Brant said the other day as reported, and no doubt correctly, in *Hansard*:

“Indian grants involved an expenditure of \$489,327 in 1879; we are now asked to vote \$375,919. Here I must say that the remarks of the hon. the Finance Minister in regard to that point, carried a good deal of weight. If this money is required to be expended on the Indians, fault cannot fairly be found with the Government in adopting the plan of conciliating the Indians instead of an opposite policy.”

The hon. member for West Middlesex then takes up another item, to which I shall have occasion to refer again, when I compare the expenditures of the present with the late Government—I refer to the Post Office expenditure—and he affirms that that expenditure is an evidence of the reckless extravagance of the present Administration. Sir,

we have heard the hon. gentleman himself in times past when he sat on this side of the House defending the Government he supported, when charges were made against them of extravagance in that branch of Civil Government; we found him then justifying in the strongest possible terms the increased expenditure of the Government in that direction. He has forgotten his speeches on former occasions, and I will take the liberty of dragging to the light of day some of this interesting literature. In the discussion on the Tariff which took place 16th March, 1877, I find that a person named Mr. Ross, whom I assume to be the hon. member for West Middlesex, was called upon to justify the reckless extravagance of the Mackenzie Administration, and in the course of a speech of an hour or two's duration, he took up the question of the Post Office expenditure in the following language:—

"He admitted that this was a large deficit, one that could only be justified on the ground that every individual, not only in the House, but in the country, was interested in the utmost postal accommodation that the public could afford. He asked hon. gentlemen opposite if they were prepared to declare that a reduction should be made in the number of Post Offices, or that the number of miles necessary to be traversed in the postal service should be diminished in order to reduce the expenditure. He was confident that hon. gentlemen opposite would not commit themselves to such a policy, knowing the eager demand on the part of all classes in the community for that accommodation."

That was the view of the hon. gentleman at that time, and now, when by the rapid development of the country, by the extension of the postal system to the North-West Territory, and in every direction throughout this great Dominion there has been a necessity for a great expenditure in the reorganization of this branch of the service, he points to the increase in the expenditure as an evidence of extravagance. If the hon. gentleman had been desirous of placing the whole case fairly before the country, and of playing the part of an honest politician, he would have stated that though, on the one hand, we have had a large expenditure, yet, on the other hand, the revenue from the Post Office Service has largely increased under the Administration of my hon. friend. But I will bring a witness into court against the hon. gentleman. The hon. member for South Brant was fairer than the hon. member for West Middlesex. His criticism of the hon. Finance Minister was made in a very fair manner, and in that respect a very great and an agreeable change was noticeable as compared with the criticism of the former Finance representative of the Opposition. The hon. member for South Brant, the other day, in his criticism of the Budget Speech, used the following language:—

"With reference to the Post Office Department, we find that we are asked to vote \$153,887 more than was the case last year. This item I shall not criticise very closely, because I think that the hon. Finance Minister gave some reason—and a good reason, I will even go the length of saying—for this increase in this Department. We must expect it, as we are opening up a new country as we are doing in the immense North-West, and while providing necessary postal facilities, we must make up our minds to the fact that we must have an increased expenditure in this relation; and we can rejoice—if the hon. gentleman is able next year, as he was to-day—to say that the increase in the revenue from this source was greater during the coming year than was the case during the past year."

Does the hon. Finance Minister want any stronger justification of the expenditure of the Government, so far as that branch is concerned? The hon. member for West Middlesex ignores entirely the speech of the hon. member for South Brant; there is a lack of harmony in their views which we should hardly have expected from the hon. gentlemen. The hon. member for West Middlesex has also discovered that there has been some cooking of the Public Accounts. The hon. gentleman is so well versed in that branch of Government, he is such a thorough cook, and his party are such thorough cooks, that he seems to expect that hon. members on this side of the House should also be found stowing away items under unlikely headings, so that they may not be discovered. The hon. gentleman knows

right well, from the records of his own party in the past, how to hide away all kinds of doubtful items. I need only remind him of how his friends in the Ontario Legislature managed to stow away the corkscrew expenditures and the champagne guzzles.

Mr. ROSS. How about the Colonization Roads charges?

Mr. RYKERT. I am glad of that reminder. I have been waiting for a long time for the opportunity which the hon. gentleman has been kind enough to give me, and I am glad to be able to avail myself of it to justify my friends on this side of the House. I had occasion to follow hon. gentlemen opposite in no less than seventeen counties in Ontario during the last campaign, and I always found them making use of these charges against my hon. friend the Postmaster General of this Government when he was a colleague of the late Sandfield Macdonald; and the organ of the party had the audacity to declare that the Government of Sandfield Macdonald had hidden away, under the name of dusters, items which were chargeable to Colonization Roads. I tell the hon. gentleman that the first time that word was discovered—the first time its meaning was applied in that sense, was when I discovered that the hon. Archibald McKellar had hidden away the charges for his champagne guzzle at Belleville under that head, and he will recollect also that I discovered that the hon. Archibald McKellar had hidden away the charges for his canoe couch damask under a mysterious heading. Yet the *Globe* of a few days ago had the audacity to declare that the hon. Mr. Carling had been guilty of hiding away certain items under the head of dusters. I would like to ask my hon. friend whether he considers the particular charge to which the *Globe* refers a justifiable one or not. These hon. gentlemen have paraded the assertion through the country that that charge was an extravagant one. Let me ask, who attended that colonization roads expedition? It was a matter in the interests of the general public, and on the floor of the Ontario Legislature, the Premier of that day asked the members of the House if they would like to visit the northern portion of the Province, about which there had been so much ignorance displayed in the discussions on the floor of the House. The proposition was accepted by both sides of the House, and the expedition was organized in August, and I find that no less than twenty-two of these noble patriots accompanied the expedition. Let me give you some of the names of these gentlemen: hon. Archibald McKellar, M.P.P. (now Sheriff of Wentworth); hon. Alex. Mackenzie, M.P. (ex-Premier of the Dominion); Mose Springer, M.P.P. (now Sheriff of Waterloo); Donald Sinclair, M.P.P. (now Registrar of Bruce); Peter Gow, M.P.P. (now Sheriff of Wellington); John Stevenson, M.P.P.; A. P. Cockburn, M.P.P.; R. McKim, M.P.P.; H. D. Smith, M.P.P.; J. S. Smith, M.P.P.; hon. John McMurrich, M.P.P.; H. Finlayson, M.P.P.; John Eyre, M.P.P.; James Trow, M.P.P. (now Grit whip, House of Commons); A. Oliver, M.P.P.; H. Crosby, M.P.P.; S. S. Clark, M.P.P.; J. Craig, M.P.P. Let me now call into the witness-box a gentleman who is now a member of this House, who accompanied that expedition, and who can testify whether or not the money was rightly expended. While there was a feast of reason and a flow of soul at that expedition, we find that the hon. member for East York (Mr. Mackenzie), then a member of the Ontario Legislature, and our friend Mr. Archibald McKellar, were desirous of placing on record their views regarding the policy of the Government that organized that expedition. The people throughout the country were told that expedition was a private expedition, organized in the interest of Mr. Carling, and that he and a few of his select friends were there. The fact is that no less than forty members of Parliament went on that expedition, and among them twenty-two members of the Opposition, many of whom to-day are enjoying the luxuries of office as sheriffs or

registrars, or something of that kind, at the hands of the Ontario Government. These gentlemen, after returning from the voyage, after seeing the sights of that country, and enjoying themselves amazingly, and no doubt being somewhat elevated, desired to place their views on record at a meeting which they held on board the steamer *Chicora*, and that noble Reformer, the hon. Archibald McKellar, was put up to reply to the speech on behalf of the Local Legislature, and he is thus reported in the press :

"Mr. McKellar, in his usual fluent and capital style, among other things said he thought the expenditure in regard to the trip was a wise one, and congratulated the hon. John Carling on the great success which had attended it."

It has been stated that they had a piper upon that expedition.

Sir JOHN A. MACDONALD. Who paid the piper ?

Mr. RYKERT. No person paid him; and I have no doubt the reason may be inferred from looking at the men who were there. However, as a matter of courtesy, the health of the guests was proposed, and was responded to by the hon. Alexander Mackenzie, who is reported to have said :

"He said he quite concurred with the former speaker (Mr. McKellar) as to the success of the trip, and the wisdom of the expenditure in regard to it."

At this meeting the following resolutions were unanimously passed :—

"That we tender to the Government of Ontario, especially to hon. John Carling and the hon. Stephen Richards, our thanks for having organized this trip which has combined so much information with great pleasure.

"That we respectfully urge on the Government of Ontario, as one of the results of that which we have seen, the improvement of the navigation of the Kaministiquia—the throwing open of the land on the north shore of Lake Superior—and the exercise of a liberal policy in the mineral districts in which we can look forward with the utmost confidence to the rapid settlement and development of the extensive and important region we have visited."

Let that do for the expedition which is cited as an offset to the celebrated corkscrew expedition so eloquently portrayed by the hon. member for Glengarry. But these hon gentlemen say: "Didn't we pay back the money spent on the corkscrew expedition?" Yes, they did; but a year after it was found out; just as Mr. Archibald McKellar paid back the public money which he had expended in getting furniture, after it was discovered. I am glad the hon gentleman has given me the chance of casting back the slanders which he has raised; I did not hope so soon to have the opportunity of doing so. Now, Sir, I dismiss my hon. friend from West Middlesex for the present. When these hon. gentlemen have been called upon throughout the country to justify the extravagance of the Mowat Government, the answer they gave was: "Look at John A. Macdonald down in Ottawa; has he not increased the expenditure of the Dominion in the short space of seven years from 1867 to 1873, by no less than \$10,000,000;" and I was surprised to-day to hear my hon. friend repeat that charge, because it has been repeatedly disposed of on the floor of this Parliament. Has not the late hon. Finance Minister publicly declared over his own signature that all that expenditure was incurred for works of public utility? We recollect well that, in going to the Old Country to raise a loan, he showed the financial agents there the bright side of the shield. If he told the truth then, hon. gentlemen now have no right to stand up here and condemn that expenditure; and if he told what was untrue, the more discredit to him. However, I can show that every item of that increased expenditure of \$10,000,000 was just and proper, independent of the testimony of Sir Richard Cartwright, and I challenge hon. gentlemen to point to a single item which is unworthy of approval. They cannot point to a single item. But hon. gentlemen seek to justify their own extravagance by asking us to look at the

Mr. RYKERT.

extravagance of this Government. What did the hon. ex-Finance Minister, Sir Richard Cartwright, say? He said:

"The revenue has shown a continuous surplus during each year since Confederation, although it has in the interval been charged with much heavy expenditure of an exceptional character, such as outlay connected with the several Fenian attacks on the country, the acquisition and organization of new territories, and providing an adequate defensive force for the Dominion, &c. The whole of this debt has been incurred for legitimate objects of public utility, for railways, canals, &c."

And yet, Sir, the hon. gentleman opposite, a supporter—may I say a slavish supporter of the late Government—who never raised his voice against a single action of that Government, in the face of the declaration of his leaders of that day, tries to palm off on the people that trash and nonsense—if I am not using an unparliamentary expression—about that expenditure not being justified. Not only do we find that advertisements in England, signed by the late hon. Finance Minister, justified that expenditure, but we find running through all his financial statements made during the five years he was in power, a justification of that expenditure, and more particularly on page 2 of the financial statement of 1875. There he sought to justify the expenditure incurred from 1872 to 1874, and why? Because at that time it was a disputed question whether they were responsible for the expenditure over 1872-73 or 1873-74. The late hon. Finance Minister has placed on record the fact that the increased expenditure of 1873-74, over that of 1872-73 of \$4,250,000, was an expenditure which could be justified and could not be at all avoided. The hon. gentleman pointed out and summarized the different items of that expenditure. He pointed out the fact that the interest on the debt had increased \$500,000; that the admission of Prince Edward Island into the Union cost \$600,000; that the assumption of the Provincial debts, the grant to New Brunswick in lieu of the export duty on lumber, amounted to \$850,000. Let me ask hon. gentlemen, who are criticising that expenditure—especially those from the Province of Ontario—whether any fault was then found with that legislation, by which the whole debt of Ontario was wiped out and she was thereby saved an annual expenditure of \$296,000?—an expenditure which, had it not been assumed by the Dominion, would have sent Ontario on the high road to direct taxation. Had it not been for that wise act, where, to-day, would be the surplus of Oliver Mowat? Did these hon. gentlemen object to that? Not one of them. You cannot find in the records of Parliament any resolution, moved by any person, much less an Ontario member, opposing that item, by means of which the debt of the Dominion was swelled by more than \$10,000,000, and a corresponding portion of Ontario's debt wiped out.

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. RYKERT. When the House took Recess I was endeavoring to show that the statement of the hon. member for South Brant, in reference to the increased expenditure of the Dominion between 1867 and 1873, was not justified by facts; but that, on the contrary, his own leader when upon the Treasury benches had placed on record the fact that all the expenditure during those six or seven years was of a justifiable character. The items of this expenditure which I was enumerating were: Increase of debt, interest thereon, \$500,000; the admission of Prince Edward Island to the Union, \$600,000; the assumption of the debt of the Province and the grant to New Brunswick in lieu of the export duty on timber, \$850,000; additional expenditure for maintenance of railways, \$900,000; increased indemnity to Members, \$400,000; Elections, \$200,000; North-West Police, \$200,000; Indians, \$100,000; Post Office, \$300,000, and Miscellaneous Charges, \$200,000, making a total of \$4,250,000, which the then hon. Minister of Finance publicly declared was an

expenditure of a justifiable character. I would like to ask the hon. gentleman and his lieutenant, who has spoken tonight, whether or not any hon. member of the Reform party in this Legislature or elsewhere, put on record the fact that they were opposed to any one of those items. I can tell the hon. gentleman that had he been desirous of telling the people the truth, the whole truth, and nothing but the truth, he could have told them that he and his party were parties to the expenditure of upwards of \$100,000, a portion of the \$400,000, in which they themselves participated personally. In that increased expenditure we find an amount of \$400,000 for increased indemnity to hon. members, and increased salaries to Ministers of the Crown. I have yet to learn that an hon. member of the Opposition refused to accept the increase of \$400 indemnity for services, or that any hon. Minister of that party refused his increased indemnity. Had, therefore, that hon. gentleman and his friends shown the people the facts as they were, the people would have known that \$400,000 of this expenditure was a sum in which these hon. gentlemen themselves had personally participated. As I remarked before Recess, they cannot point to a single resolution on the records of Parliament showing that they objected to one item of this \$4,250,000, nor can they show that a single item of the balance of \$10,000,000 has ever been objected to by them. I have shown satisfactorily, at any rate, to hon. members of the Opposition, who, no doubt, will be satisfied with the statement of their leaders, that \$4,250,000 of this item was justifiable expenditure. The other items are the increased expenditure in 1873-74 over 1867-68, for the following items:—

Public Works .....	\$1,471,344
Public Works chargeable to revenue.....	869,899
Post Office.....	45,664
Excise.....	92,765
Customs.....	90,262
Militia.....	235,648
Interest on debt and subsidies.....	747,086
Civil Government, increase to.....	156,433
Immigration.....	226,972
Superannuation.....	53,026
Ocean and River Service.....	519,074
<b>Total .....</b>	<b>\$5,207,489</b>

Or a total of \$5,207,489 increased expenditure over the first year after Confederation. Now, these hon. gentlemen know that during the first year of Confederation, the expenditure on Public Works was only \$126,169, and that this was increased to \$1,597,603, and all the items I have read increased in the same proportion, making an aggregate increase of \$5,207,489. Now, Sir, if these hon. gentlemen can point to one single item to which they can reasonably object, or that they did object to on the floor of Parliament, then I say there may be some justification for their recklessly and boldly asserting the extravagance of the present Government when in power on a former occasion. Now, Sir, we know that a large number of these items were necessitated by pledges made at the time of Confederation. We know that the country was pledged to the Intercolonial Railway, to construct canals; and we have the recorded speeches of my hon. friend from East York, who declared in Parliament, when that question was under discussion, that the country must, as a matter of necessity, be involved in a large amount of expenditure in building canals and the Intercolonial Railway. So hon. gentlemen will see that, in addition to what Sir Richard Cartwright himself declared in Parliament, leading members of the Reform party declared also that these items were of a justifiable character. Now, the hon. gentleman says that the increase of expenditure by \$10,000,000 is unjustifiable. He then goes on to say that the Mackenzie Government, between 1873-74 and 1878-79, only increased their expenditure by \$1,139,065. Now, Sir, if it were improper, and the Government had acted extravagantly in increasing the expenditure to \$23,000,000, why is it that these hon. gentlemen, when they

had control of the expenditure, and sustained by an enormous majority, went on recklessly increasing the expenditure by \$1,139,065? They should have been on their guard. Had they desired to keep faith with the people, to keep their pledges made to the electors, to act honestly and consistently, when they declared that \$23,000,000 was too high an expenditure, they should have reduced rather than have increased that amount. But they did not do it, because party exigencies stood in the way, and they were compelled to go on and rapidly increase that expenditure. But, says the hon. gentleman, the debt has increased from \$75,000,000 to \$108,000,000. He knows the cause of that increase as well as I can tell him. He knows that the subsidies to the Provinces largely increased the debt, and the purchase of the North-West Territory cost us \$1,460,000, and these went to swell up the expenditure and increase the debt. Now, let us see what these gentlemen did immediately afterwards. They could do just as they pleased, and had no person to restrain them in their riotous expenditure. They increased the Public Debt from \$108,324,964 to \$142,990,187, making an average increase during five years of \$6,933,044; and during that time they only expended on Capital Account \$33,982,565. Now contrast their course during the five years with that of the Conservative Administration which succeeded them. They increased the debt from \$142,990,157, in three years, to \$153,661,651, an average increase of \$3,557,157 as against \$6,933,044 by the Reform party. During that time the hon. gentlemen now on the Treasury benches expended \$23,768,541 on Capital Account. But what did they do besides? They did what these hon. gentlemen pretended they could do, and what the record shows they could not possibly have done—they decreased the Public Debt last year by \$1,734,130. During the last year they expended, on Capital Account, \$7,351,052. That is a record that any Government might be proud of, and which enables them to boast that they have not added one dollar to the taxation of the people. The hon. member for West Middlesex dwelt upon the ordinary expenditure of the Government; but we have a test by which we can judge of what that ordinary expenditure should be. We have it on record, in a speech made by Sir Richard Cartwright when Finance Minister, as to what he considered should be the minimum amount of the ordinary expenditure. I shall allude to that again presently. Now, let us examine this ordinary expenditure. Take the last year of this Government, the ordinary expenditure was \$8,293,161. That, compared with the second year of the Reform party in 1875-76, which was \$8,569,774, would leave a balance in favor of the present Government of \$276,613. But let me point to something further. During the last year the expenditure on Indian account, which the hon. member for South Brant justifies, and justified a few years ago, was in excess of that of 1875-76 by \$907,089; to which must be added the taking of the Census, costing \$242,480 in excess of the same charge in 1875-76, making a total difference between the two years of \$1,426,082 in favor of the Conservative party. Now, we will take the year which they call the starvation year of the Reform party, when they felt that the handwriting was upon the wall, when they felt that their extravagance and riotous living were becoming known to the people and who would pass upon them a condemnatory judgment on the first occasion. They cut down every kind of expenditure so that there was no efficiency in the public service, because they knew right well that if the people found out what they had been doing they would be sent about their business. In that year \$6,542,510 was the amount expended. Now, if you add to that the difference in the Census, \$251,624; the difference in the expenditure on account of Indians, \$761,911; on Public Works, \$424,846; Militia—which they starved during that year, as every person knows—\$154,675, we have a total of \$1,593,056 of exceptional items which were expended the last year, and

which should be added to their last year, and that would show a difference in their favor of only \$157,595. That is the starvation year. Now, if we take the last year, 1878-79, of \$6,941,577, and add to that the \$252,671 for Census, \$694,087 for Indians, \$409,577 for Public Works, making a total of \$1,356,335, you have a difference in favor of the Conservative Government of \$4,751. Now, the hon. gentleman boasts that the late Government decreased the expenditure by \$1,382,499—that is during the starvation time—and how did they do it? They struck out \$106,348 for Immigration, \$200,000 for Militia, \$812,408 for Public Works, \$191,390 for Dominion Lands, \$209,169 for Dominion Police Force, Manitoba, \$144,916 for Militia Stores, \$69,330 for Collection of Revenue, and \$39,470 for Census; or a total of \$1,773,004, which they admit was a justifiable expenditure. Any hon. member who looks at this record will see that the Government now occupying the Treasury benches have no fear of a comparison, so far as the controllable expenditure is concerned. Let us examine a little further. We find that the ordinary expenditure of the late Government for the first three years that it was in power was \$23,273,542, and that for the first three years of the Conservatives, it was \$22,550,576, or a difference in their favor of \$722,966. If you also consider the immense amount which was expended by this Government in excess of that expended by the late Government, on account of the Indians, the House will see there is a difference in favor of the Conservative Government of \$1,470,597. Let us see how these expenditures have been going on and what have been the results attained. The hon. member for West Middlesex said something about extravagance in the Customs Department. Let us make a comparison, and see how the two Governments compare as regards those Departments. In 1878-79, the cost of the Customs Department was \$719,711, while the revenue was \$12,900,659; in 1881-82, the cost was \$723,913, the revenue being \$21,581,570. The House will thus see that by expending \$4,000 additional the Government were able to collect almost \$9,000,000 more than their predecessors. Take Excise, and you find the same proportions exist. In 1878-79 it cost \$211,064; revenue, \$5,390,763. In 1881-82 it cost \$280,573; revenue, \$5,894,850. We come now to another item which will show a very favorable comparison for the present Government. I am quite aware that hon. gentlemen opposite do not like comparisons to be made, but they are necessary in order to place the facts in their proper light before the people. We will, therefore, take the Post Office expenditure, and the hon. member for West Middlesex seems to have some feeling against that Department. In 1873-74 there was expended \$1,387,270; 1878-79, \$1,784,423, being an increase of \$407,153. The receipts in 1873-74 were \$1,139,973; in 1878-79, \$1,172,418, being an increase of \$32,445. Contrast this with the record of the Conservative party. The expenditure in 1878-79 was \$1,784,423; in 1881-82, \$1,980,567, being an increase of only \$196,144. The receipts in 1878-79 were \$1,172,418; in 1881-82, \$1,587,888, being an increase of \$415,470, or over twelve times as much during three years as their predecessors had obtained during five years, while the expenditure for the same period was \$211,009 less. I will now take the Public Works Department, and I think the comparison will be strongly in favor of the Conservative party. The expenditure in 1873-74 was \$2,389,679; in 1878-79, \$2,680,979, being an increase of \$281,300. The revenue in 1873-74 was \$1,509,915; in 1878-79, \$1,863,149, being an increase of \$353,234. Under the Conservative Government the expenditure in 1878-79 was \$2,680,979; in 1881-82, \$2,893,512, being an increase of \$212,533. The revenue was, in 1878 79, \$1,863,149; in 1881-82, \$2,711,134, being an increase of \$848,985. So that by an increased expenditure of \$212,623, the Government had been able to obtain an increased revenue of upwards of \$800,000. I have thus shown that the comparison is strongly in favor of the Conservative

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party. As regards the ordinary controllable expenditure, the hon. Minister of Finance of the late Government, Sir Richard Cartwright, laid down the rule that the expenditure for Civil Government must be at least \$7,000,000. At page 19 of his Budget Speech, in 1878, Sir Richard Cartwright says:

"It will be quite obvious that the balance of about \$7,000,000 which remains at our disposal, is not only a very small field to exercise any great economy, but is barely sufficient for the purpose we expect to discharge therewith."

Again, on page 15 of his Budget Speech in 1874, the hon. gentleman says:

"We will require for subsidies to Indians and for contingent expenses in North-West Territories—I am putting these things at the minimum—no less than \$500,000."

Sir Richard Cartwright goes on and gives an estimate of the amount required for the different Departments. The following table will show this estimate and the expenditures for 1881 and 1882, under the present Government.

	Sir R. Cartwright's Estimate.	1881.	1882.
	\$	\$	\$
Legislation.....	600,000	611,375	581,695
Administration of Justice and Penitentiaries.....	900,000	904,948	875,311
Civil Government.....	900,000	915,958	946,031
Marine, Ocean and River Service, Lighthouses and Fisheries.....	900,000	985,906	953,319
Militia.....	1,050,000	667,000	772,811
Public Works.....	1,500,000	1,138,765	1,423,440
Immigration.....	500,000	250,812	253,061
Miscellaneous.....	150,000	109,929	116,713
Indians.....	6,500,000	5,504,593	5,922,381
	500,000	805,097	1,183,414
	7,000,000	6,389,690	7,105,795

The hon. member for South Brant (Mr. Paterson) was very strong on the question of contingencies. I do not wonder at this, for it is a familiar subject with hon. gentlemen opposite. I have already pointed to one of the items of contingencies in the Ontario Legislature. The hon. member for South Brant has charged the Government with having entered \$800, being expenditure in connection with the Governor-General's trip, under an improper head, namely, to Canadian Pacific Railway, Eagle River section. When hon. gentlemen opposite talk about contingencies, it is desirable to make a comparison between the contingencies of the present Government and those of their predecessor. Of course, the hon. member got off a little joke about the hon. Minister of War; but I can tell him that the difference between this Government and the late Government is this: that the present Government enter all charges under proper heads, but the late Government, during its five years of administration, entered amounts under contingencies, personal expenses and petty disbursements. And what do we find? During the five years they were in power; they spent \$874,727 for contingencies, or an average of \$174,945; while during three years of the present Government, including an estimated expenditure, for 1882-83, of \$153,950, the total expenditure under this head was \$640,260, or an average of \$160,065, compared with the \$174,945 of their predecessors. So whichever way you look at every item you take up in the Public Accounts and make a comparison, you find that the balance is on the side of the Conservative Government. I challenge an investigation of this by the hon. gentleman (Mr. Charlton) who, no doubt, will follow me, and who I understand is another candidate on

probation for the financial position of the other side of the House. Now, Sir, after having heard the speech of the hon. member for South Brant, and his criticism on the expenditure of the Government, I think that the House will come to the conclusion, that, as far as the expenditure during the last three years is concerned, he has not made out a case, that the verdict must be against him; and that he has not properly and fairly laid before the House the figures as they really are, and compared them as he should have done. Now, Sir, we come to the Estimates of the hon. Minister of Finance. It must be satisfactory to the House and country—and it is a peculiar satisfaction to the members of this side of the House—to know that the hon. Minister of Finance could have laid before the House an exposition of our financial affairs in the manner he did an exhibit which the House and country must feel proud of, when they come to analyze it, see what it is, and look at the investigation and criticisms made by hon. gentlemen opposite. How does it stand? Why, Sir, the hon. member for South Brant has only complained of four items in the total expenditure proposed for 1883-84. It is true, Sir, that the hon. member for West Middlesex charged the Government with recklessness in the proposed expenditure on several other items. I have already shown that his superior in office on the other side, the gentleman who leads the Financial Department there, has declared that these are justifiable. Now, what are the items to which the hon. gentleman takes exception? That the item for Immigration is increased by \$358,263. Well, Sir, during the past year we can point in this relation with some results. We find that, in 1875, we obtained 19,243 settlers at \$14 a head; in 1876, 14,490, at \$19 a head; in 1877, 13,323, at \$12 a head; in 1878, 15,872, at \$9.63 a head. Now, Sir, there appears a remarkable change in the figures. In 1879, when the Conservative Government was in power, we secured 13,770 settlers, at \$5.74 a head; in 1880, 27,554, at \$6.50 a head; and, in 1881, 22,587, at only \$6.32 a head, and in 1882, 112,000 at \$3.20 per head. Sir, that comparison, I think, is one which this House may feel proud of; and I think that, after the criticism made by my hon. friend, this House will see that he was unfortunate in the selection of this item. Why, Sir, says the hon. gentleman, what is the use of our expending money on immigration? I recollect well, Sir, that these hon. gentlemen, some years ago, declared that every immigrant who came to this country was worth \$1,000 in gold; but they forget that now. Immigrants are now not worth much; and they do not care anything at all about immigration. They say that this House has encouraged the Canadian Pacific Railway Company, and is doing what that Company ought to do. But I ask the House and country whether the expenditure of money in bringing immigrants to the North-West is not adding to the revenues of the Dominion. But a few years ago the hon. leader of the Opposition, and every one who then spoke on that side of the House, declared that the land in the North-West was not worth having, and that it was not worth \$1 an acre; but, to-day, it is worth from \$3 50 to \$4 an acre according to their own statements. What brought this about? Why, the encouragement of immigration and the building of the Canadian Pacific Railway; and it is absurd to say we can expect the Railway Company, in the short space of one year, to bring immigrants to that country, while the road is not yet built; but the time will come when they will no doubt turn their efforts in that direction. The House and country will without question be satisfied with the expenditure of this amount of money by the Government, supplemented by the Canadian Pacific Railway Company, as money expended in the right direction. Now, Sir, it is rather refreshing to hear these gentlemen talking about the expenditure of the last few years, and also about the proposed expenditure during the next year. I would like to know, Sir, if they can point to any item that they chal-

lenged, during the last five years, of any consequence. I will tell them what they did. I have the record here of the motions made by these hon. gentlemen against the proposed expenditure of the Government. Had they been desirous of challenging these items and the expenditure, they had an opportunity for doing so on the floor of this House; but the records of Parliament and the *Hansard* will show that year after year the hon. Minister of Finance brought down the Estimates for public works and buildings, and that not a single exception was taken, not a single item was objected to, except on the ground that it was too small. Every year hon. gentlemen rose on the other side and asked the Government to expend more money; and if that expenditure was excessive, why did they not seize the opportunity then to challenge these votes on the floor of this House, and, in concurrence, to move amendments? Did they do so? Let us see what they did do. The hon. member for West Middlesex took exception upon March 6, 1881, to the item of \$300,000 for Dominion Lands, and his resolution went on to show that it was wrong that any portion of this amount should be paid for publishing the speeches of Sir Charles Tupper, Messrs. Plumb and White (Cardwell), and others. Now, that was all the objection which they made during that Session to the expenditure of money, with one other exception: Mr. Mills, then member for Bothwell, moved to reduce the expenditure for the Department of the Interior by \$7,000. We then find that, in 1880, on the 20th of April, Sir Richard Cartwright moved to reduce the item of Civil Government by \$70,000, and, on the day following, we find the hon. leader of the Opposition moved to strike out \$500 paid to Mr. Miall. On May 4, 1880, the same hon. gentleman complained about \$14,000 paid to Sir Alexander Galt, but did not specifically challenge the item, and he did not say how much it was in excess of what it ought to be; but, on the contrary, only made a general charge against it. And I say it does not lie in the mouths of these hon. gentlemen now to stand up in this House and find fault with expenditure which took place years ago, and which, when they had opportunity on the floor of this House to challenge, the records of Parliament show they did not move resolutions condemning it. We take up the Public Accounts, and those hon. gentlemen make a great parade of bringing down vouchers. They last Session challenged about \$800 spent in publishing speeches; and how far they will go this year in that direction we cannot yet tell. They have ordered the particulars of a large number of accounts, but I imagine that when they investigate them, we will hear nothing more of the matter. In having thus dealt with the figures concerning the affairs of this Administration, as discussed by the hon. member for South Brant, I think I can pass them over; and I think that this House will be satisfied that, in investigating the items to which I have directed attention, the criticisms of the hon. member for West Middlesex was neither fair nor just. Sir, I do not desire to enter fully into the question of the National Policy, simply because it is a threadbare subject. I think that the discussion of this matter by the hon. Finance Minister, and his able exposition of the condition of affairs, and the criticism of the hon. member for Cardwell (Mr. White) upon the speech of the hon. member for South Brant (Mr. Paterson), are sufficient to satisfy the House that the National Policy is a policy in the right direction. The hon. member for South Brant has declared that while the country is prospering, it is likely to go to the dogs by reason of certain failures which are taking place in some parts of the Dominion. The hon. gentleman is playing a *role* which is familiar to himself and his party. When the country is prosperous they are continually predicting disasters. They are never satisfied—they never feel at home unless they are prophecying that the country is going to the dogs. Another favorite *role* with them is to

compare this country disadvantageously with the United States. They seem to desire to belittle their own country and elevate the United States at the expense of Canada. The hon member for South Brant said in his speech a few days ago :

"This country will, as I have said, pass through a period of stringency and trade depression as well as of prosperity, and I venture to prophecy that in two years from now, the hon. Minister, if he still retains his position as hon. Minister of Finance, will find that he will be compelled to offer apologies; he will explain how this factory and that factory was closed; how wages in this department were lowered, and how it occurs that the exports have declined. I believe this, and I am confirmed in my views by writers in commercial journals, equally well informed with the hon. Finance Minister. And then we, on this side of the House, will have the satisfaction of knowing that though we may have had to wait a few years, till a period of trial came round, yet it was bound to come at last."

What a satisfaction and glorification it is for a Canadian—a man who boasts that he is a native of this country—to be able to prophecy that the country will go to the dogs in two years. Is that not true patriotism with a vengeance? That has been their policy from beginning to end—one day the hon. member for Norfolk and the hon. member for South Brant are preaching Protection, and the next day they develop into out-and-out Free traders. These hon. gentlemen, a few years ago, were the great protectionist exponents of this Dominion. They educated the people on that point, and so keen was the hon. member for South Brant in favor of Protection, that—I will not say for personal reasons, although he did point out the fact that he himself had been benefited by the taxation of certain articles—he admitted that he could not have been elected if he had not expressed himself in favor of Protection. He used the following language on the floor of this House, as reported in *Hansard* of 1876:—

"At my last election, when my opponents told them that they need not expect any Protection from the Reform Government, I had to assure them that whenever this subject came up in the House I would raise my voice in their behalf, and I think it is hardly possible that the duty on wheat will give increased prices."

He has repeatedly declared that that policy would be a wise one which would prevent this country being a slaughter market for foreign goods. I wish to point out to the House how correctly one hon gentleman's prophecy as regards the effect of the National Policy on one portion of the Dominion has been fulfilled. The hon. member for South Brant in speaking on the motion for a Committee on depression of trade, used this language:

"Protection does not mean Ontario interests at the sacrifice of the interests of the Maritime Provinces. It is to stimulate the manufactures of the Dominion, irrespective of Provinces; but, if any part of Canada could now successfully compete in our markets, I think it is Nova Scotia or New Brunswick, from the fact that they have coal and iron lying side by side. They would be able to manufacture cheaply, and compete with Ontario. What is to prevent Halifax, under a Protective Tariff, having its manufactures?"

I wish now to point out the result of the operation of that policy so far as these Provinces are concerned. That result has been to create an inter-provincial trade as will be shown by the following figures:—In 1878 the Maritime Provinces imported \$17,948,699, and, in 1882, \$15,707,211, or a decrease amounting to \$2,241,488. In 1878, these Provinces imported from the United States \$7,818,203; in 1882, \$5,151,036, or a decrease of \$2,667,167. I suppose these Provinces consume as much now as formerly, but these figures show that instead of consuming American goods they are importing from the other Provinces of the Dominion. In 1878, there was imported into Nova Scotia, \$605,633 worth of flour from the United States, and, in 1882, only \$42,059. There was imported into New Brunswick, in 1878, \$336,722 worth; and, in 1882, \$46,503 worth. Prince Edward Island imported \$50,536 worth in 1878, and only \$4,202 worth in 1882. Take next, Sir, the item of oatmeal, of which, I believe, those gentlemen are particularly fond.

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Nova Scotia imported \$4,386 worth in 1878, and only \$372 worth in 1882; New Brunswick, \$1,514 worth in 1878, and only \$7 worth in 1882; while Prince Edward Island, which had imported \$456 worth in 1878, imported none last year. So that it will be seen that the effect of the National Policy has been to stimulate the industries of the Dominion, and thereby to encourage trade between the different Provinces. The hon. member for South Brant has ridiculed the idea that the farmers have been benefited by the National Policy. Let me give him some figures which will prove the contrary. In 1878, there were imported for home consumption goods which the farmer produces amounting to \$14,135,651. In 1882, there were imported only \$3,143,171 worth, a difference in favor of the farmers of Canada of \$10,992,480. I think it will not be denied that these figures are very significant, and that they speak volumes in favor of the National Policy. Let me refer, however, to another industry, and that is the cotton trade. I find that, in 1878—as pointed out by the hon. Finance Minister, and referred to by the hon. member for Cardwell (Mr. White), but a good story may be twice told—there were imported of manufactured cottons, \$10,182,134 worth, and of raw cottons, 2,444,210 lbs. In 1873, there were imported \$10,076,214 worth, and of raw cottons, 2,752,042 lbs. It goes on increasing on one side and decreasing on the other until at last, in 1882, we find that the manufacture of cotton imported into Canada amounted to \$1,674,000, against \$10,000,000 in 1872, and that the importation of raw cotton amounted to 19,000,000 lbs., against 2,000,000 lbs. in 1872. These are facts which speak volumes. Now, Sir, let me point out another significant fact, of which I have some knowledge myself. We have been told repeatedly that this policy has not benefited the manufacturers. I can point to my own city, where I find that in two years three of our large manufacturers increased the number of men employed by them as follows:—The Welland Vale Works, from 45 men to 155; the knife factory, from 55 men to 143; and the saw factory, from 30 men to 60. These figures speak for themselves; and the hon. Minister of Railways and Canals is appealed to daily by persons who wish to get water power along the Welland Canal for manufacturing purposes. Now, I wish to say a few words in reply to my hon. friend from South Brant (Mr. Paterson). He says that we have no right to charge him with being unpatriotic. Well, I take his speech, in which he says he desires to see the country go to the dogs in two years, and upon that I have a right to charge him with being unpatriotic. I suppose it is unpatriotic to cry the country down and injure its credit abroad. He says the effect of the National Policy has been to create disaster in the country, and that we have failures by the score. He is a wholesale man, and I would like to ask him if failures have not been impending over these men for years. They have endeavored to do too much business, and the result is that some of them have failed; but I do not know where the scores or dozens are. Now, the hon. member for West Middlesex has ventured to prophecy a little in this House. He made a prophecy a few years ago, when the hon gentlemen on this side of the House were sitting in the cold shades of Opposition. On that occasion he said:

"He ventured to say if they remained in Opposition for a quarter of a century, as it was probable they would, they would have so practised and studied the principles of economy as to be a guarantee of the careful management of the country for all time to come."

We are now able to appreciate the value of that prophecy. The hon. gentleman prophesied a little to-night. He said that the day for success was passed, and he prophesied that the people would see in a short time the full effects of the National Policy, and would turn the Government out of power. Well, let me draw the hon. gentleman's attention to a little speech which he made at the last Session of

Parliament. He was very fond of prophecies then. Speaking on the Budget of that year, he said:

"The hon. gentleman may say that, in calling attention to this increased expenditure, we are diverting attention from the National Policy; but I tell hon. gentlemen opposite that we are not afraid to meet them, either on the National Policy or any other issue for which they hold themselves responsible. Whether it be the National Policy, the increased expenditure, or the redistribution of seats, we have no hesitation in saying, here or elsewhere, that when the day of reckoning comes, the number of men from the other side of the House who will return here to give an account of the battle will be small indeed. Defeat is written on the faces of these hon. gentlemen. Why all these attempts to bolster up a failing cause? Why the resort to all these expedients so well known to hon. gentlemen opposite, in order to strengthen their candidates in the various constituencies, were it not for the fact that hon. gentlemen know right well that the country will repudiate them and their policy they have advocated for the last five years."

Well, Sir, the country has had the benefit of the experience of hon. gentlemen opposite, and what has been the result? We saw them assume the Treasury benches in 1873, with the Treasury full to overflowing; we saw surpluses turning into deficits during their Administration; we saw them leaving office and leaving increased deficits behind them; and after four years of criticism of hon. gentlemen at present in power, they went to the country last June. And what is the result? There is the result—they sit in the cold shades of Opposition, where I have no doubt they will remain for a good many years to come. Now, Sir, I do not propose to occupy the time of the House much longer. The country has passed its judgment upon the National Policy. If that judgment amounts to anything, if that verdict be a correct verdict—and I venture to say that the verdict of the people must be a correct verdict—hon. gentlemen should stand up here and do all they can to aid the Government in carrying out the policy which is acceptable to the people. I, as a supporter of the Government, having heard the policy of the Government propounded by the hon. Finance Minister, knowing that that policy is acceptable to the people, and knowing that the practical effect of that policy has been to develop the great North-West Territories and to build the Canadian Pacific Railway, and to cement the bonds which bind this great Confederation together—I feel myself in duty bound to give my support to the policy of the Government, believing it to be in the best interests of the people.

Mr. RINFRET (Translation). When the hon. Minister of Finance made his financial exposé the other day, he was cheered by his supporters in this House as a messenger with good news. I must confess that, whilst I do not agree with his political opinions, he spoke very eloquently of the prosperity which we enjoy in Canada, of the prosperity which he assumed he spread with a benevolent hand all over the country, and also of the gratitude of the people, as manifested in the popular verdict of the 20th June, 1882. The hon. members on the right joined in the chorus, and repeated on all sides that the protection accorded by our Tariff was one of the causes of this prosperity; they added that another cause was the policy adopted by the Government in the construction of the Canadian Pacific Railway. Notwithstanding his customary modesty, the hon. Finance Minister could not avoid saying and repeating in his speech that he had proved his wisdom and foresight, and that his colleagues had that comprehensiveness of mind which distinguishes statesmen. It appears that in politics it is somewhat permissible to compliment one's self when we are certain to have well deserved praise, and that it will be also accorded by others. However it may be, I regret I cannot join in concert with the praises which the hon. Ministers and their friends indulge in the matter of their policy. I rejoice, in common with them, and every man who loves his country ought to rejoice, at the prosperity which Canada enjoys. But I have no hesitation in saying that the Government has not the slightest reason to attri-

bute to itself the merit of this prosperity, and that it has been proved on several occasions that it is due, and must be attributed to, entirely different causes than those alleged by those who occupy the Treasury benches. I think I will be able to establish, Mr. Speaker, that the policy of the present Government on the Tariff and in the matter of the construction of the Canadian Pacific Railway has not only not rendered the country prosperous, but has even been less advantageous to the country than that policy propounded during the last three Sessions by the hon. member for West Durham. It is a fact, which is admitted by all those who know history, that there are years of abundance and years of distress in the best governed countries, depending in a special manner on good or bad harvests, over which Governments have no control whatever. In the commercial world there are years of depression, or crises, succeeding years of prosperity. There is a somewhat direct relation between years of scarcity and years of crises, as there is between years of abundance and years of commercial prosperity. But this movement of expansion and depression, which in certain years may attain extreme limits, is no more controllable than the rising and subsiding of the sea. The most experienced nations in the world in commercial matters—England and the United States—who are antipodes on the question of Tariffs, have passed through a crisis, and enjoy to-day great commercial prosperity. But it never occurred to the statesmen of either of these great countries to attribute either the prosperity or depression which succeeded one another in their respective countries, as well as in Canada, to their Tariff. Here, Mr. Speaker, the public has been greatly humbugged with these questions of crisis and Tariff. But I have too much confidence in the wisdom of those who govern us to suppose that they are really convinced that by any legislation they can at their will give us abundance or scarcity, and change, by a turn of the hand, the most severe crisis into commercial prosperity. It is easy, after five years of experience, to calculate what has been the general result of the National Policy in the matter of the prosperity of the country. According to the last Report of the hon. Minister of Customs we see that the Tariff has had very little influence on our imports, which are increasing at a rate which alarms our business men. Our exports are also greater during the last few years. But this increase does not exist except for the products of the forest and for our agricultural products on which the Tariff exercises no influence whatever. It is also as clear as possible for any impartial mind that the real resources of the country, our agriculture, our timber, and navigation, have not received any development by the present policy of the Government, and that the only effect of the Tariff has been to benefit the manufacturers of the country. I have already had occasion to prove in this Chamber that this discriminating protection to the manufacturers is at the expense of the rest of the population. So that the Government, by its Tariff, has only succeeded in changing the distribution of the fortunes of the public. If it has, by certain privileges accorded to them, been able to enrich one class by impoverishing another class of the people, I defy any to prove that it has, by a single cent, contributed to the general wealth of the country. A country really rich, Mr. Speaker, is not one which contains a great number of millionaires and powerful corporations, in contrast to the poverty which lies side by side with them, but is where the public wealth is more equally divided; it is where a country possessing a certain number of rich and poor according to the immutable laws of God, the rich are comparatively less rich and the poor less poor. A well governed country is not one which legalizes monopolies, despising the rights of the people, as was formerly practiced under the reign of Queen Elizabeth of England, and as is practiced to a certain extent in Canada; it is where the rights of each and

every one is respected, and where favoritism is excluded. I am one of those who believe that the first duty imposed on a Government is to hold in their hands the scales of justice evenly, so that neither one side nor the other may be over-balanced by favoritism. Favoritism and corruption are the breakers of those who govern, and all legislation is dangerous the moment you open the door to either of these political plagues. I will not deny that the position of those who govern is often difficult and thorny. To retain power they endeavor to conciliate the influence of powerful corporations, and of associations or influential classes, and for this purpose they are led into temptation to make one side of the balance go down. The Tariff is a terrible weapon in the hands of a Government who might wish to avail themselves of the assistance of manufacturing companies or other powerful corporations in times of election. We can easily understand that these gentlemen cannot do otherwise than recognize the privileges given to them, and cannot do otherwise than lend a strong helping hand to the Government which has showed itself so generous in their behalf. It is a striking fact that the policy of the Government favors the rich and powerful corporations at the expense of the poor and unimportant classes. I do not accuse the Government of acting thus corruptly. But I cannot help realizing this fact as a great injustice which must strike the eye, and which has certainly the effect, if not the object to conciliate powerful influences for the Government so useful in times of election. There is not a member of this honorable House who can maintain here that the present Tariff distributes equally the burdens and the wealth in the different classes of society. What have we, as a matter of fact, observed in the last four or five years? We have seen spring into existence as if by enchantment under the present Tariff colossal fortunes. Manufacturers of all kinds have become millionaires, whilst the workingmen and the farmers are flying from Canada by thousands as an ungrateful country. These are the elements of this state of affairs which are called, perhaps on one side, the unnatural rapid enrichment of certain large corporations and some manufacturing companies which accumulate millions on millions, and on the other side there is an alarming emigration of the working and agricultural population. It is painful to admit, but it is the truth. Although the taxes paid by the agricultural classes are much greater since than before the passage of the Tariff, the cereals and other products of the farm, with the exception of wheat, are sold cheaper than they were in preceding years. This clearly proves that the Tariff has been unfavorable to the farmers. I will take the liberty of reading to the House a list taken from the *Monetary Times* containing the average price for the products of the farm on the Montreal market in the months of June and November of each year from 1874 to 1878 inclusive, and from 1879 to 1882:

	From 1874 to 1878.	From 1879 to 1882.
Average price of		
Red Winter Wheat. ....	\$1.12½	\$1.26
Oats .....	40½	37
Barley. ....	75	78
Peas.....	91½	88
Butter.....	20½	18
Cheese.....	11½	11
Pork.....	6.75	6.00
Beef.....	5 00	4 80
Wool.....	30	22½

We see by this comparison that the agricultural products, except wheat, sold higher from 1874 to 1878 than from that epoch to 1882. It is a fact, however, which no one can deny, that money is more abundant to day than it was several years ago among the farmers, and that property for the last three or four years is depreciated. This abundance of money may be attributed to several causes: First, to the good harvests, which have produced large revenues since 1879, although the average price has not been so high

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for farm products; second, to the improved state of the lumber market; third, to the enormous amount of American money which is circulating in the country and which comes from our emigrated countrymen. This is what the French Canadian farmers who are in debt do. They go to the United States with their families to work in the factories, and there at the sacrifice of their health and sometimes of their lives they gain large salaries which serve to pay their debts or discharge their mortgages. This last is the principal source whence comes the surplus money now in circulation among the Canadian farmers. It has been many times proved that the policy of the hon. gentlemen on the right could not have benefited the lumber interest, but on the contrary is injurious to it. It is useless to say that it cannot influence our harvests. So that if it in any manner has contributed to render money more abundant in the country, it has been increasing the emigration of our countrymen to the United States. But I say without fear of being mistaken, that it is not the manufacturers of Canada who enrich our fellow countrymen. It is not they who directly or indirectly contribute a single cent to the general prosperity of the country. They do not give their workmen sufficient wages for that. It is not that I wish to reproach them, they are business men and they have but one anxiety—to increase their profits. But I say that the law which gives a protection of from 30 to 40 per cent. to certain manufacturers, which permits them to double their capital within two or three years, is an atrocious law and unworthy of any civilized country, whilst it at the same time realizes its inability to increase a single cent the wages of the workmen employed in their manufactories. Thus we have the following strange result: Certain manufacturers can sell their goods 30 to 40 per cent. dearer than American manufacturers and at the same time pay 20 to 25 per cent. less for the wages of the workmen. The salaries of those who work in Canada as in all other countries in the world is regulated by the supply and demand. The work is proportionately dear as the demand is greater and *vice versa*, no indirect legislation can increase or lower the price of labor. But it is not the same with regard to the revenue of the capitalists. Capital can to a great extent be protected by special legislation. In order to do that all that is necessary is to prevent foreign competition against industries in which their capital is invested under a Protective Tariff. Nor does it follow that since we cannot protect labor, we ought not to protect capital. I will not go so far as to contend for that. Everyone is agreed that it is good policy to favor, to a certain extent, the investment of capital in certain industries. The only difference which exists between the Liberal party and the Conservative party is as to the degree of protection which should be accorded. In 1878 there was a General Tariff of 17½ per cent. on cottons and woollen goods. If we add to that the cost of transport, insurance, &c., we have a duty of about 25 per cent. on the value of the article between the place of manufacture and the place of sale. This 25 per cent. is a considerable protection, if we take into consideration the low price of manual labor in our Canadian manufactories as compared with the American. But the protection to capital becomes unjust when it rises to 40 or 50 per cent., including in the same the charges of transportation and insurance. It becomes oppressive for the workingmen, who, whilst not receiving larger salaries, are obliged as consumers to pay more for what they buy. It becomes oppressive to the farmers, who derive no compensation by the sale of their products. The actual state of the market for cereals and products of all kinds clearly establishes that the present Tariff cannot in any manner raise the price of their products. They have, indeed, during the last few months, experienced a considerable decline, notwithstanding the prosperity of our manufactures, of the lumber trade, and the commercial affairs of the country in general. I must congratulate the

hon. Ministers on the good idea which they conceived, not in the interest of the country but in the interest of their party, in bringing on the elections one year before the time fixed for the expiration of Parliament, and a few months only before the falsity of their contentions on the subject of the sale of agricultural products was made evident by facts such as we are in possession of to-day. A remarkable fact, and one which clearly establishes that the imposition of a duty on grain is not advantageous to the agricultural population, is that from 1874 to 1878 the price of grain and cereals was dearer in Canada than in the United States. The contrary is the case since the passage of the Tariff. The price of grain, since then, has been invariably lower here than in the neighboring Republic. The duty on grain ought to be taken off, not only because it does not protect the agricultural class, but because it is injurious to it and because it is a source of embarrassment and difficulty to the grain dealers in the country. It is much to be regretted that the Government pay no attention to the complaints which come from all parts of the country against the imposition of duties on grain. There are a number of other changes which should be made and which have been proved in this House by judicious calculations. It is true that in each season since 1879 there has been certain readjustments—certain duties have been increased, others diminished, on certain articles the duties have been taken off altogether. But these changes do not satisfy public opinion. It was something more than an ordinary farce to hear at the last Election the noise made by the Conservative speakers because the Government had taken off the taxes on tea and coffee and some other items of trivial importance, and at the same time by a singular contradiction which exists only among our opponents on the principle of an entire absence of political principles they applaud their party which imposed them a few years ago. We remember that all the taxes, those on tea and coffee as well as the taxes on flour, coal, coal-oil, &c., had only been introduced to protect the people of Canada. To-day we take off these taxes on tea and coffee and some other articles. Why? The answer is very simple, to again protect the people of Canada. It is necessary to have a little more than ordinary cheek to swallow all that. For the same reason the hon. Minister takes off, this year, taxes on a certain number of articles. I will not consider in detail the merits of these changes. For the present I will content myself with observing that I find very strange the pretensions of the hon. Minister of Finance. According to his statements he is always protecting the people—first in imposing the taxes, and then in taking them off or in making them disappear entirely. There was an old man who did the same thing, but with a great deal more candor. One day one of his children came home to ask his benediction; it was on the morning of New Year's Day. For what reason I do not know, but the father and son were not on amicable terms. "Go away," said the old man; "not only I will not give you my benediction this year, but I will take away that which I gave you for the past previous years." The hon. Minister of Finance is wrong in not admitting that, in abolishing certain taxes he is taking away the blessings he bestowed on them so liberally by the Tariff of 1879. The hon. Minister made some remarks about the large surplus of the year ending on the last day of June ult. and which amounted to over \$6,000,000. If I well understood the nature of his speech, a superabundance of good things may sometimes be injurious. If there is one man in the Chamber who thinks little of the millions which make up the surplus it is certainly the hon. Minister of Finance. These surpluses are there as a solemn protest of his errors of calculation, and of his false prophecies. We have got these surpluses because our importations have increased at an alarming rate, which is attracting great attention among business men. These importations cause an enormous balance of trade against us.

Patriots, such as the hon. gentlemen who occupy the Treasury benches, ought not to sleep in peace when they remember that they always contended that the country would be ruined if it continued to have the balance of trade against it; but the great reason that should make hon. gentlemen regret such large surpluses is the idea that there is among the electors of Canada, men sufficiently intelligent to recognize the iniquity of such high taxes, such revolting taxes, on such necessities as light, fuel and bread. It is the conviction that these numerous sums which are accumulating in the Treasury, are only the product of unjust legislation which presses heavily on the people of Canada, and which oppress in a special manner the workingmen, the farmers and the poorer classes of society. Another cause of prosperity, according to the hon. member from Cardwell (Mr. White), is the policy adopted by the Government in the construction of the Canadian Pacific Railway and the development of the North-West. I will say very little in reply to this question for the present, anticipating that it will come before the House in another form before the end of the Session. I think it is easy enough to establish the unsoundness of this contention. It is only requisite for this purpose to place side by side the policy of the two parties and to assign to each its share of the responsibility. The policy of the Conservative party in the matter of the construction of the Pacific Railway has undergone many important transformations from year to year since 1871, but especially during the last four years. I will not in the least reproach them with their change of policy, as the North-West is becoming year by year better known, that its lands are enhanced in value, and that certain opinions, which had appeared in the first instance reasonable, became absurd and practically inapplicable. The policy of the Liberal party has experienced certain changes; but there is an important and characteristic feature which has not been abandoned, that is, not to augment the burdens of the people, and I do not fear to say if the Liberal party had remained in power the burdens on the country would not have increased a single cent in the construction of the Pacific Railway. The essential difference between the two parties is that the Conservative party was determined to go on with the work irrespective of the enormous burdens it imposed on the country; whilst the Liberal party was disposed to advance more cautiously in carrying out the promises made to the other Provinces in 1871, that the burdens on the people would not be increased. But it was said in certain parts of the country at the last Elections, and it has been repeated in this House, that we would not have constructed this road, and that the country would not have profited from the great influx of capital and the influx of emigration which this gigantic work has induced. This was the argument which was employed to justify the squandering of millions and millions of dollars in British Columbia and on the north of Lake Superior, without object or benefit for the country. I reply to this objection in saying that there is not a man familiar with the political history of the last few years who can do otherwise than say that the man who did most to open up for colonization the fertile plains of the North-West is the hon. member from East York (Mr. Mackenzie). It was he who prepared the prosperous state which the North-West enjoys to-day. By untiring industry which exhausted his strength, the hon. member from East York made a multitude of explorations which taught the emigrants the value of this country. He made a map which is used to-day, and he furnished an outlet for the products of this immense territory by the Pembina Branch. The work which has been done since 1879 was rendered easy, and, to speak candidly, there are many men who are not statesmen who would have accomplished as much and in a much more efficient manner than the present hon. Minister of Railways in the last few years. I do not hesitate to say that the vain boastings of

hon. gentlemen on the right are not actually justified by the facts. What would we have had to-day, Mr. Speaker, if the policy of the Opposition had been followed? This is an important matter to calculate. Let us see. The two sections of British Columbia would not be under construction at the present time and would be delayed for an indefinite number of years, and by this means obligations to the extent of \$50,000,000 would have been saved to the country. But the construction across the prairies of the North-West would have been going on the same as to-day, either by a Syndicate or under the immediate supervision of the Government. The lands would be sold as they are to-day; we would have the same number of emigrants; in a word, we would have all the same advantages. Where, in fact, go the emigrants, apart from the Chinese? To British Columbia, to the north shores of Lake Superior or to the prairies? It is well known by every one that the prairies are the only place to which there is any emigration. The actual facts prove that the Government has adopted a false policy in increasing by \$40,000,000 or \$50,000,000, in money and lands the obligations of Canada for the construction of the two sections north of Lake Superior and in British Columbia, which it ought to have postponed to a later date, as they are not at all required neither for the necessity of colonization nor for the general interests of Canada. But this is not all. The lands given as a bonus to the Syndicate sell to-day four or five times as high as the price given to the House by the hon. Minister of Railways. In constructing, in the first instance, the Prairie Section and in not giving out at once the whole work of the road, the Government would have profited by the increase in the price of the lands, and it is also as evident as possible to any man who is not prejudiced, that the two other sections which I have just mentioned would have been constructed by a land bonus, somewhat similar to that which we give to-day and without any money bonus. The Government would have thus saved in the public debt several millions of dollars, and we would have had the same number of emigrants and the same advantages for the North-West and for the rest of Canada. I think I have proved that the present prosperity does not exist in Canada as a consequence of the policy of the hon. gentlemen on the right, but owing to causes entirely beyond their control. It is to Providence that we owe this prosperity, as the hon. member from South Brant (Mr. Paterson) so clearly proved. It has been given to us whilst these hon. gentlemen are in power, notwithstanding all kinds of errors which they have committed, notwithstanding the injustice which they have committed in the imposition of the Customs duties. I will only make a few remarks, Mr. Speaker, on the public expenditure and on the Estimates which have been submitted to the House for the year commencing on the first of July, 1883. The administration of the public affairs is an important point to consider in the judgment which we must pronounce on those who govern the country. It is an old saying, that good accounts make good friends. I must confess that I do not find the administration of the hon. gentlemen on the right, perfect enough to extend to them my political sympathy. I will endeavor at all times to be just to them, and not to judge their acts more severe than is proper. We must bear in mind that governments are the great points of attraction for solicitors and office-seekers of all kinds, who make the country pay dearly at times for the services which they may have rendered to their party during the elections. Some demand positions, some wharves, some public buildings, favors, in a word, of all kinds. And I am sure that many a Minister, after having yielded without sufficient resistance, has often repeated this famous saying: "Lord, save me from my friends." This first consideration will be important. We must, moreover, make allowance for the surplus population, aggrandisement of

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territory, everything, in a word, which can justify any increase of the public revenue. After allowing everything that is proper to allow for that, I do not hesitate to say that the public expenditure is increasing at a most alarming rate, and with a rapidity which not even the alarmists would have dreamt of when the Conservatives succeeded to power in 1878. In 1878 the expenditure rose to \$23,503,000, which was an increase of \$185,000 on that of 1874. These \$185,000 constitute the sole increase in the public expenditure for which the Mackenzie Administration was responsible during the time it was in power. Since that time the public expenditure has increased at the rate of \$1,000,000 a year on an average, as the following table will indicate:—

1877-78.	1878-79.	1879-80.	1880-81.	1881-82.
\$23,503,156.	\$24,455,634.	\$25,850,634.	\$25,502,544.	\$27,067,103.

For the Estimates of 1883-84, the enormous sum of \$29,961,989 is asked, which is an increase of \$6,458,851, in six years, over the expenditure of 1878. I will only enter into details in the matter of expenditure which is entirely under the control of the Government, as I do not wish to occupy at too great length the attention of the Chamber. The first item on the list is Civil Service. The sums voted for Civil Service ought not to be voted except on most careful examination, not only because the Civil Service absorbs each year a considerable sum, but because the nominations of public officials may afford opportunity for favoritism to the Government. If it is just, Mr. Speaker, to properly recompense, according to the nature of the service and the position which one occupies, every employé who performs his duty, it is unjust on the other hand that there should be in the public service, men who live, doing nothing, at the expense of the rest of the population, and thereby receive the reward for the services which they may have rendered during the elections. There is in the offices of the Government a considerable increase in the number of public employés, which has not been approved of by the Civil Service Commission nor justified by the hon. Ministers. We have the right to suppose, Mr. Speaker, that a certain number of employés would not be in the service of the Government without the favoritism of the hon. Ministers for those who support them. The expenses for Civil Service in 1878, were \$823,369.80, which shows a reduction of \$60,000 effected by the Liberal party during the time they were in power. The amount paid in the year 1881-82 according to the Public Accounts, was \$946,031.65, showing an enormous increase of \$123,000. For the year 1883-84, \$1,109,100, or an increase of \$285,731, over 1878 is asked. The second item is the Administration of Justice, in which the expenses amounted to \$564,020 in 1877-78, and \$581,695 in 1882, and in the Estimates now submitted \$621,765 is asked. The hon. Minister of Finance has certainly given sufficient reasons to justify such an increase in the Department of Justice. An important economy which was solemnly promised at the elections in 1878 was the abolition of the Supreme Court. Its abolition was demanded, in the first instance, as a matter of economy, and secondly, because it was not as at present constituted a competent tribunal in civil actions in the Province of Quebec. The Supreme Court has been subjected to a regular attack during each Session of the Parliament. All the manœuvres, attacks, and remedies resulted in nothing. The Supreme Court is still in existence and it is evident that no change will be made in its constitution to

satisfy the demands of the Province of Quebec. If the Supreme Court is a useful tribunal and it is important to maintain it, I would like to ask why such an attack was made on it. But this tribunal has been attacked not only by ordinary members, but by gentlemen who to-day occupy seats on the Treasury benches. If, on the contrary, it is a tribunal which does not render justice to the country, and which should not be maintained, then, I do not see why hon. members on the right have not abolished it, and have thus carried out the promises which they made to the electors of Canada. Another item showing a considerable increase, is that of the Department of Militia. The expenditures under this heading were in 1878, \$618,136.58; they were \$772,811.79 in 1881-82. According to the Estimates just submitted, \$779,600 is asked. I think the hon. Minister of Militia will have much difficulty in proving to the House that such an increase for the defence of the country is necessary, when a few years ago we had not the least apprehension of danger in only expending about two-thirds of that amount. But I desire to draw the attention of this House in a special manner, to the amount expended in 1881-82 for the maintenance of the Military College of Kingston. In 1877-78, it amounted to \$30,113, and in 1882, to \$58,937, or nearly double. The Mackenzie Government was formerly reproached with the extravagance of maintaining this establishment at Kingston, and especially because this institution was deemed entirely useless. We might, therefore, have hoped that the Conservative party, in succeeding to power, would have chopped down or battered down this institution. But we can form some idea of the stability of the ideas and principles of the hon. gentlemen on the right, in seeing that not only the Military College at Kingston has been maintained, but that also its expenditure is double what it was before. Under the heading of Immigration and Quarantine we expended in 1878, \$180,000; in 1881-82, \$253,000. This year \$570,487 is asked. We thus observe that the expenses of this Department have enormously increased. It is an admitted fact, that it is of the greatest importance to colonize the North-West as soon as possible. I regret, however, to see that so far the expenses of colonization are nearly all charged to the Department of the Interior. It would be only right to make the Syndicate bear a considerable part of this expenditure. When the different clauses of the Syndicate contract were discussed before the House, if I rightly understood hon. Ministers, it was distinctly understood that the Government would be relieved from part of the cost of immigration. The contrary is the case to-day. In my opinion, a very important matter, and one in which hon. Ministers seem to take very little interest, is the repatriation of our fellow-countrymen in the United States. It seems to me a very lamentable matter that the Government attach more attention to attracting foreign immigration, instead of trying to retain our native population at home, and repatriate our fellow-countrymen in the United States. The hon. members who occupied seats in this House before 1878, said that one of the planks of the Conservative party was the repatriation of our countrymen in the United States. After five years of trial, the result of the policy of the hon. gentlemen on the right is not very appreciable on this important question. No one doubts that many would come back to this country if they had only the assistance which is so liberally given to foreign emigrants. Where are to-day the promises of the past? I would like to hear during this discussion from our political adversaries, what has become of that solicitude which they had for our fellow-countrymen on coming to power, and which now has vanished. I will say nothing more on the public expenditure and on the Estimates which have been submitted, awaiting a more favorable time to make my intended remarks when the House is in Committee on the Estimates. I will content myself in comparing the most important items of public expenditure

from 1877-78, and 1881-82, and also the Estimates for 1883-84.

	1877-78.	1881-82.	Estimates 1883-84.
Civil Service.....	823,369 80	946,031 65	1,109,100
Immigration.....	186,691 44	253,661 02	570,489
Superannuations and Pen- sions.....	106,588 91	180,000 00	293,385
Militia.....	618,136 58	772,811 79	779,600
Contingencies.....	81,167 81	116,713 21	194,950
Indians.....	421,503 66	1,183,414 40	875,949
Post Office.....	1,724,938 52	1,980,567 25	2,238,310
Public Works.....	2,471,437 90	2,891,512 92	3,422,864
Railways and Canals..			

If we compare the total expenditure of 1878 with the Estimates asked for in 1883-84, we will observe a difference of \$6,458,831, or 26 per cent. in five years, without counting the Supplementary Estimates, which will be submitted, and which will amount to several hundred thousand dollars.

Mr. LANDRY (Translation). The hon. member has said that the increase in the expenditure was \$6,000,000. Will he tell us with what year he makes the comparison?

Mr. RINFRET (Translation). With 1877-78. It is a very serious matter to realize such an increase on the public expenditure, in view of the fact that many of the items which make up this increase, are of such a nature that it will be difficult to make any reduction in them, in case of a crisis. To-day we have several millions surplus revenue; but our Tariff is so constructed that these revenues may vary to a great extent, as was proved in the year 1879-80, the last year of the crisis and the first year of the operation of the Protective Tariff. Our revenues are not fixed; they depend to a great extent on the amount of our importations. I may not be believed by hon. gentlemen on the other side, but I will venture an opinion that, in the event of another crisis, our deficits will be as large as are our surpluses of to-day; and I contend that it is an unsound argument which our opponents use when they speak of the surpluses which they have to-day, as a justification for their extravagance. Therefore, Mr. Speaker, notwithstanding the enormous revenues which we have, I believe I will be doing my duty as a member, in bespeaking economy and prudence in the administration of the public expenditure. I desire, Mr. Speaker, before closing my remarks, to draw the attention of the House to the appointment of Mr. Fabre, as special agent at Paris, with a salary of \$2,000 per annum, and on the services rendered by Sir A. T. Galt, as Plenipotentiary in England, for the Government of Canada. The nomination of Mr. Fabre is of a peculiar character, and I wish to protest against it. Mr. Fabre, about ten years ago, was a journalist in the Province of Quebec. He was a member of the Liberal party. His paper obtained a large circulation at the time of the Pacific Scandal, owing to the energy with which he lashed the Conservative Administration, at that time when it had the same hon. members as now compose the present Government. He thereby proved that he had no confidence whatever in the present hon. leaders of the Conservative party. During all the time the Liberal party was in power Mr. Fabre fought in its ranks against Protection and in favor of the Ministerial policy. He was appointed Senator by the Liberal party. In 1878, as soon as the Liberal party lost power, a gradual change of opinion came over Mr. Fabre, as appeared from the tone of his journal *L'Evenement*. Six months afterwards the right-about-face was complete, and only one thing remained to be done to calculate what recognition he would receive from gentlemen on the right. From time to time since we saw occasional pickings either directly or

indirectly given to him or to his paper, and which amounted to some thousands of dollars. But to-day he directly and in the light of day has received his reward. If I protest against the nomination of Mr. Fabre, I think it is time to finish with these premiums which are offered for treason. Many members will admit with me, that the noblest duty devolving on the Government is to make disappear that spirit of venality which destroys the formation of a public opinion moral and disinterested in its nature and character. The sum asked this year for Sir A. T. Galt, amounts to several thousand dollars. It has been proved clearly in the last two Sessions, that the office of Plenipotentiary is one which present political circumstances render unnecessary. The presence of a Plenipotentiary in England has no object, inasmuch as all transactions between Canada and the other countries of Europe is done through the intervention of the British Ambassador. All the overtures so far made to France and Spain have resulted in nothing, and evidently we cannot count on any conclusion of a Treaty as long as we cannot negotiate directly with France. We remember that the Quebec journals announced, a few months ago, the customs reductions on ships from forty to two francs per ton; but at the same time a bonus of \$12 per ton, and \$22 per ton on the engines and steam machinery constructed in France was given. These immense advantages more than compensate for the reduction of the duties, and place us in a much more disadvantageous position than we were in before the reduction in the French Tariff. One conclusion this House should come to, and that is, that there is, no reason for retaining Sir A. T. Galt, or any other Plenipotentiary, in England, and that the sums demanded for this item, besides being high, should not be voted as they are entirely useless. I regret that the hon. Minister of Finance has made no allusion to a subject which should occupy a large part of this Budget address; I refer to the making of a Commercial Treaty between Canada and the United States. I do not think I should close my address without making some allusion to it. Several opinions have been expressed in this House as to the best means of encouraging our mineral industries and manufactures. There may be some difference as to the best means to adopt to encourage these last two industries, but I do not hesitate to say that there can be only one opinion as to the best means to adopt to protect our agricultural classes. If we could make all party feeling disappear from those who are engaged in politics and who have studied the events of the last twenty-five years, I do not think that one farmer could be found who would not be in favor of the free interchange of agricultural products with the United States and in favor of a Treaty of Reciprocity with our neighbors. There is no doubt that the removal of the duties from agricultural produce would be of great benefit to the farmers of the country. We gain doubly thereby; first by the sale of our products, and, secondly, by the purchase of foreign products. Our exports to the United States amounted, for the year 1882, to about \$11,000,000, for what is termed animals and their products, which includes horses, horned cattle, sheep, poultry, butter, cheese, eggs, undressed skins, wool, furs, &c. Under the head of agricultural products, embracing barley, wheat, oats, peas, rye, beans, hay, potatoes, malt, hops, green fruit, maple sugar, vegetables, &c., exports to the United States amounted to about \$18,000,000. Barley figures to the extent of \$10,000,000 in this classification. Adding up these two items we have a total of \$28,000,000 to \$30,000,000 representing all our exports of animals and agricultural produce to the United States. The duties paid on these articles into the American Treasury amount to several millions of dollars; our imports from the United States under the same heading are much less they only amount to \$8,000,000 for the last year. For the last three or four years the price of grain, except for corn, has been all along dearer in the neighboring Republic than in Canada. Barley is always several cents

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dearer there than it is here. It is the same for vegetables, potatoes and hay. Horses, for several years, have been sold from 30 to 50 per cent. dearer in the New York than in the Montreal market, and this explains why, after paying a duty of 20 per cent., we exported \$2,250,000 worth of horses in the year ending in the month of June ultimo. Our exports of butter, hay and potatoes are considerable also, notwithstanding the high duties imposed by our neighbors on these articles. That the greater part of these duties were paid into the American Treasury by the Canadian farmers who exported them, and only a small portion by our neighbors, no one can doubt. To sustain the contrary it would be necessary to prove that our export of these articles exercise an influence, if not controlling, at least important, on the market of the neighboring Republic. If no duties were imposed by our neighbors on these articles no one can doubt that we would have received from 10 to 20 per cent. on the average more for these articles than we obtained—that is to say, sometimes 5, sometimes 10, and sometimes 20 per cent., according to the supply and demand. This would represent about 50 to 100 per cent. on the net profit of the producer. The same reasoning applies to our imports from the United States, on which the duties are paid, in a certain proportion, by the consumers of Canada according to the control, more or less absolute, which our neighbors exercise on our market by the sale of their own products. Well, Mr. Speaker, I do not hesitate to believe for an instant, that if we offer as compensation to our neighbors, to take off the duties imposed by the Government of Canada on coal oil, coal, flour, corn and grains of all kinds, that they on their side will take off the duties on horses, hay, potatoes and on agricultural products generally. They could have no reason indeed not to consent to an arrangement, which would be advantageous to their own farmers as well as to those of Canada. In the first instance, our farmers would profit by the Reciprocity Treaty in getting more for the products which they export, and again in paying less for the articles of prime necessity which they import from our neighbors, and on which we have established unjust taxes, such as on flour, corn, coal oil, and a multitude of others. We have every reason to believe, Mr. Speaker, that the United States as well as Canada would be in favor of a Commercial Treaty of Reciprocity which would afford a mutually good market for both. I therefore regret that it has not seemed good to the Government to occupy themselves with the subject of a Treaty of Reciprocity especially with the United States. We remember that one of the reasons assigned for imposing a duty on grains of the United States was that in having resort to such reprisals we would compel our neighbors to negotiate with us a Treaty of commerce for the free interchange of agricultural products. This argument was used last Session by the hon. Minister of Public Works to justify the tax on flour. Well, Mr. Speaker, our Tariff has been several years in existence and the Government has not made a single step or move towards obtaining for us Reciprocity with the United States. I do not hesitate to say that in so acting they have failed in their duty and in the promises made to the country. I will not prolong my remarks further. I think I have proved that the administration of the public affairs is extravagant, that the taxes collected are not employed, are not expended in the well-understood interests, and for the greater good of those who pay them. I regret, moreover, that the Government is doing nothing to bring about a Commercial Treaty with the United States. What is necessary to develop our lumber trade, our navigation, and our agricultural resources is the free entry of our vessels into the important ports of the world; the free markets of the principal nations of the globe for the export of the lumber and agricultural products of Canada, which to-day are immense, but which will feed the world when the immense and fertile prairies of the North-West will contain millions and millions of souls.

Mr. AMYOT (Translation). I listened with a great deal of pleasure to the very elaborate discourse of my hon. colleague, the member for Lotbinière. I found in his speech a multitude of revelations, which it afforded me a pleasure to listen to, and if the history which he recounted to us of the benediction was realized, and if this old man is the one I knew in the county of Lotbinière, I pity him for the future, especially if he continues in the good way of admissions which he has commenced. The old man of whom I speak is in the habit, on New Year's Day, of assembling his family, and he causes his children to relate their exploits during the year. The one who has told the most lies and committed the most misdeeds then receives the greatest number of presents. When, therefore, my learned friend returns to his county, invited as representative to rejoin his friends, the family of the old man, the latter will say to him: "You have made too many admissions; I cannot give you as many presents as the others!" There was a large number of these old men when I passed through Lotbinière. They were in the majority, and that is the reason why I was not elected. My hon. friend rejoices with us at the prosperity which reigns in the country, but he says this prosperity is not due to the policy of the Government, is not due to the Tariff, to the good fiscal laws, but that it is due simply to the good harvests. The National Policy for him is a dead letter, which has had no influence in promoting the prosperity of the farmer, the manufacturer, the merchant, nor any class of society. If, Mr. Speaker, you will go back to what was said from 1874 to 1879 you will remember that there were two distinct issues between the Liberal-Conservative and the Grit parties. Then it was not sufficient to say that the National Policy, that Protection, would not give prosperity, but they went farther—they said that the Protective Tariff would be the ruin of the country; not only it would not produce wealth, not only the farmer would not benefit by it, not only manufactures would not increase, not only the merchant could not carry on business, but that all classes of society would be ruined. This, Mr. Speaker, was what was said at that time. Mr. Speaker, this is what the hon. members of the party said whose leaders have fallen one after another under the blow of vengeance, under what I might call the indignation of the people. Then these great minds were on these benches which to-day are so worthily filled by our leaders. They were there making all kinds of terrible prophecies, mocking at the Conservative party, which, when the people was straggling in agony and misery, said to the Liberal Ministry: Abandon these absurd doctrines, this antiquated system, which is no longer adapted to the present state of affairs; have recourse to the Protective system and you will restore the prosperity of the country. They laughed at us then; gave us figures as they do to-day. They cited to us the great systems, the great writers of old countries, and they told us, as you see, that Protection is the ruin of nations. But in spite of all this, Mr. Speaker, under the guidance of our worthy, of our honored and learned leader, the battle was fought; the Canadian people had confidence in the principles of Protection, and to-day, after four years of trial, we have come to the conclusion that Canada is more prosperous than it ever was before. The authorized oracles of the Opposition say to us: It is true the country is prosperous, but it is the good harvests which are the sole cause of it. Mr. Speaker, it is the harvests which have made spring into existence hundreds and thousands of manufactories. It is the harvests which has made the products of the farmer dearer. It is the abundant products of the farm which makes them sell better. But what is all this strange reasoning? When a party cannot deny any longer the practical results attained by a Government, it thus takes in this manner some such sort of means of escape. I admire the courage of the Liberal party in continuing to defend their past, admitting at the same time the present pro-

perity. I would admire it more if it would candidly admit that they were deceived in the past. They tell us, Mr. Speaker, that the Opposition is not opposed to Protection to a certain extent; but what does it object to? It is to a Protection such as we have to-day. Since when has the Liberal party inscribed on its banner that it was in favor of any kind of Protection? Have we not in our memories this axiom of the ex-Ministers: that this Tariff should not and could not be anything but a Revenue Tariff? Of Protection! they did not want any of it! They only wanted a sufficient revenue to meet the expenses of the country, and, moreover, it was necessary to so calculate this revenue that each year they produced a deficit, augmenting at the same time the public debt without diminishing the expenses of the country, without advantage to any class of society. I take advantage of this admission of our Liberal friends, that protection is good, to a certain extent. This is so much gained. This will save us so much in answer to their arguments before the people. We will no longer have to defend the Protective Tariff in its entirety, because they admit its advantages to a certain extent. But as to the measure of this Protection, we repeat what we said before, and what they denied. We say that not only the Protective Tariff does not impede the prosperity of a country, not only it does not ruin it, but, on the contrary, it enriches it. We will recall that the facts and experience have proved that we were justified when we predicted these things, whilst the Liberal party prophesied disaster. We will again say to the country, since we had reason then, we ought to know better than the Liberals the measure of Protection necessary for the country. Mr. Speaker, they speak to us of England and the United States. They tell us that England is rich in spite of its years of crisis, and in spite of remaining Free Trade. No person can deny, nevertheless, that there is a considerable movement in favor of Protection. Several of the industries of England, which, for a time, supplied the markets of the entire world with the products of their manufactures, threaten to collapse, and already the United States, a protective country, are going into the English market, to compete against the products of England itself. There is a great move in England to obtain from the Government a Protective Tariff. England, notwithstanding that she has the raw material at the lowest price, in face of the immense rapidity of the progress of the United States, feels the necessity of protecting itself against the competition of their neighbors. They tell us that the United States are rich and prosperous. Yes, Mr. Speaker; but why? Why have they done more in fifty years than other countries in two hundred years? It is because the United States, in adopting a Protective Tariff, encouraged home industry, protected the working classes, and secured a market for the products of the farm. Having in their possession an immense country, where raw material is found in great abundance, they so arranged their legislation that manufactures rapidly increased, and now they are sending their fleet to all parts of the world, and have become, if I may use the expression, the manufacturing centre of the entire world. Well, if the United States have progressed in this manner, why can we not do likewise? If the United States have large surpluses which seem to sicken the hearts of many in this House, to what do they owe them? They owe them to Protection as we also owe our surplus to Protection, and with this surplus they diminish their debt each year, and no one has yet ventured to say that the United States in employing their surplus to pay off their debt adopted a bad policy. It is only the necessity for speaking, and a species of fanaticism of the party, which can give them courage to make such declarations as we have heard this evening. They tell us, Mr. Speaker, and so doing I recognize a confraternity of opinion between our opponents and a certain class of men in another

country; they tell us, I repeat, that a country which is rich and prosperous is one in which there is the greatest equality. It is where we do not see one very rich man living side by side with a very poor one. In other words, it is a country, I presume, of social equality—it is the country which realizes the principle of liberty, equality, fraternity—there where the poor man is taught that he to whom God has not given the necessary energy and talents, to build up a fortune, to become jealous of the rich, and to desire to overthrow him, in order to appropriate the spoils. Mr. Speaker, this is a false principle—these are false maxims. And it is a bad social and political education to give to the people. The Liberal party, however, is determined not to be distanced by its elder brothers in the Old World. The Conservatives prefer to inculcate to the people that the law is the same for every man, but that fortune belongs to the most industrious—to the man to whom nature and habits have given the means to honestly acquire wealth. I understand, Mr. Speaker, the object aimed at—they imagine that the people, hearing these ideas propounded so eloquently, will say: These men who manufacture iron, sugar, india rubber, all the great manufacturers are rich, and, therefore, they are our natural enemies. Let us oppose them; let us unite against them; destroy their influence; refuse them our confidence, our assistance, co-operation. They hope by these means to bring about a conflict between the plebian, that is the workingman and, the capitalist, that is the manufacturing classes. They are mistaken, Mr. Speaker, and they do not make allowance for the intelligence of the people. The people, as a whole, are enlightened and just. Formerly, it was said *vox populi, vox Dei*. There is much truth in these words. The *vox populi, vox Dei*, manifested itself in 1878, when the people dismissed from power those who ruined the country by a blind administration, and it manifested itself again last year, when it ratified by a solemn vote the policy of the hon. Ministers, who had kept their promises not only in giving us the National Policy, but in restoring general prosperity. They may say to us that the *vox populi, vox Dei* made itself heard in 1874, at the General Elections, after which our friends were compelled to resign. Mr. Speaker, let us look into this matter. There are in countries enjoying the blessing of that system of Government of the people by the people, moments when the people become tired of those who govern them. The reason is that for a long time they have lent an ear to the incessant, excited and disloyal accusations of a political party whose sole programme is accusation, and during the fifteen, twenty, or twenty-five years that the same party is in power the same accusations are repeated. The people, alarmed at the numerous accusations, each succeeding one more vile than the other, says to itself: Perhaps, there is some truth in these accusations on the part of the Opposition. Let us try them. And that is what occurred, when what is called the Pacific Scandal happened. And since so much is said about this scandal, let us see what there was in it. There was a man, who, unfortunately, is no longer among the living, who with his genius understood that the Pacific Railway was the great artery which would enrich the country. As he was very rich, he said to himself that it was his duty to favor the project as far as it was in his power. He made a mistake—a mistake which many people often make; he thought that with lots of money he could succeed. This was a mistake. But let those who never said “come down handsomely,” the disciples of the “big push,” and of certain other maxims which have now become historic, come forward and cast the stone at him. Men paid by the party of purity, under the pretence of protecting public morality, went and broke open doors and drawers, to steal private papers, despoil their secrets, which thrown suddenly before the gaze of the people surprised and captured public opinion and the people embraced the Opposition. It cost them five

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years of misery and distress, we were exposed to the danger of being compelled to pay hundreds of millions of dollars for an amphibious railroad, part of it a land, part of it a water route, and to see the construction of this road, the Canadian Pacific Railway retarded for an indefinite number of years. Well, Mr. Speaker this is the history of the Pacific Scandal as it is now commencing to be written. An error was undoubtedly committed because the sum of money subscribed was indeed too large. But it was not the money of the people as was there stated. The Liberal party deceived public opinion in saying this money had been taken from the public chest. Yes, it deliberately deceived the people then, and our Opponents will spend many years in the cold shades of opposition to expiate the fault of having thus misled and deceived public opinion. The people also committed a fault then in giving any faith to the slanders of the Liberal party; but it hastened to redeem itself; it seized the first occasion which presented itself. They had already learned that all the promises which the Liberal party made only saddled the people with ruin, misery and hideous bankruptcy, that the former prosperity had been changed into disaster. Mr. Speaker, they also tell us that we favor the manufacturers in order to make certain classes rich who will assist us in the elections. There are perhaps in this House certain wealthy gentlemen who sit on the other side, who would not like to have an investigation made as to the moneys which they furnished in election times and the use that was made of it. Mr. Speaker, all these accusations fall to the ground, when we find our accusers before the tribunals. Our judicial records are swelled with the shameful frauds which are perpetrated by the Liberal party. Is it necessary, for instance, to speak of the St. Ann Ballot Box Trap? Is it necessary to repeat the history of this election in which \$18,000 to \$20,000 were expended in the interests of the Liberal party.

Mr. RINFRET. Tell us something about the record in the Bellechasse election and the ballot papers in the Montmagny election.

Mr. AMYOT. I am asked to say something about the election in Bellechasse. I have no objection. I was defeated in 1878, and I contested that election, saying that it was through the corruption practiced by my opponent that I was defeated; and what was the result? After a trial of three years before the courts I convicted my opponent of personal corruption, and for the next seven years you will be deprived of the pleasure of hearing his voice in this House. In 1881 I was elected. They contested my election and the court decided that, as far as I was personally concerned, there was not a single corrupt act in that election. The court declared me legally elected, and said there was no corruption, neither by me personally nor by any of my supporters. If details are wanting on a large number of elections I am ready to give them, but I would say to the Liberal party and what is often said, that those who live in glass houses, and such fragile glass, should not throw stones into their neighbor's houses. To summarize, the result of the contested elections has proved that the Conservative party is more desirous of conforming to the law than is the party of the purists. Now, my learned colleague, the hon. member from Lotbinière, speaks to us about the repatriation of Canadian emigrants from the United States, and he complains bitterly that we do nothing for the repatriation of our fellow-countrymen. I think that the new statistics will prove to him that thousands of our fellow countrymen are coming back from the United States. I need not say what pleasure I contemplate the efforts of the Government in this direction, and the success which attends them. It must not be forgotten that the present Government must not be held responsible if, in the dispositions of Providence, our people expatriate themselves, as a matter of necessity, every year, to earn money among the Americans. But when it becomes a question of examining the question of repatri-

ation and emigration, we must look at the general aspect and principal features of the question. What, therefore, do we find in the matter of emigration. We see that in 1875, there were 19,245, at a cost of \$14 per head; in 1876, 14,490, at a cost of \$19.60 per head, in 1877, the partiality of the Liberal party for immigration was so great that the number of immigrants was reduced to 15,323 at a cost of \$12 per head; in 1878, there were 18,372, at a cost of \$9.63 per head. We now come to the new era when the present Government came on the scene to change the then actual state of affairs, thanks to the good harvests according to the Liberals, thanks to the Protective Tariff according to us. The first year of the Conservative Government, the number of immigrants, which was 18,322 in 1878, ran up to 30,717, and the cost which was \$14 a head, fell to \$5.74 per head. In 1880, the number of immigrants was 27,544, at a cost of \$6.59 per head; in 1881, 32,587 immigrants at a cost of \$6.32 per head; and during the past year—I invite the special attention of the Opposition to this fact—102,000 immigrants at a cost not of \$14 per head, but of \$3.20 per head. If this, Mr. Speaker, is not a sound policy, if this is not the way to augment the vital force of the country, if this is not the way to direct the immigration to the immense prairies of the North-West, which will make our country before long one of the most prosperous in the world, if that is not introducing immigrants at a mere nominal cost, I must confess that I do not know anything about it. The Opposition may deny it, but it is not the less true that the result attained last year by the hon. Minister of Agriculture is a wonderful one, and we cannot doubt that during the coming year we will succeed as well. Mr. Speaker, there is much complaint that our Canadian emigrants who go to the United States, to eat the bread of misfortune and misery, do not return to our country. Are they aware how many returned this year? About 20,000 returned, the greater part of whom went to the North-West; and I may be permitted, in a House of which a majority do not speak my language, and do not practice my religion, to express the very ardent satisfaction and the sincere hope which I experience in seeing my French Canadian fellow-countrymen having also the courage to go to the North-West. At a later date they will be there as a nucleus, which will prevent us from being isolated in this vast Confederation which we so ardently sighed for, and which is to-day great and prosperous, and which will continue to do justice to all without distinction of religion or nationality. The hon. member from Lotbinière has said that the manufacturers of a country do not contribute to its prosperity, always coming back to his old argument that it is the good harvests which afford prosperity to the country. To-day the principal cities of the Dominion being filled with factories, with workmen going to them in the morning by thousands, going out of them on Saturday evening with lots of money which they circulate among the different markets and retail stores, for the purchase of the products of the farm and the goods of the retail dealer, to-day, in face of all these things, are we not justified in making a comparison with what existed when soup kitchens were in the ascendant, when workmen on a strike demanded bread in order not to perish by starvation? They tell us that this is no evidence of the prosperity of the country. But what do they understand by this word? When a farmer goes to town and finds there workmen who buy his products, and pay him a good price for them, when the workman earns good wages, when the manufacturer can sell his wares advantageously, when money is everywhere abundant, when everyone is making money and he can obtain what he wants, it seems to me that then we can prosper. I understand, Mr. Speaker, that a country would not be prospering solely because manufacturers are abundant, but when the manufacturers are prosperous the workmen are also. He can buy the products of the farm himself, buy from the retail merchant who buys from the wholesale

merchant who is supplied by the manufacturer. And this wheel which turns makes the fortune of every one. This is the way in which manufacturers contribute to build up the fortunes of the country. There are complaints, Mr. Speaker, as to the surplus, but to-day who pays this surplus? They tell us always that it is the consumer. Well, I contend on principle that this is not the case. I go to-day to any farmer. I go for instance, to the home of some such hospitable farmer as are to be found in Lotbinière, and I ask him if he sells his grain, his pork, his wool and all his products cheaper to-day than in the famous, the fabulous era of the Liberal party? He will tell me that to-day he sells his pork for 9 cts., whilst then he sold it for 4, 5, and 5½ cts., his butter he will tell me he sells for 20 or 25 cts., whilst during that period we saw it sold for 7, 6, and even 5 cts., that his eggs sell for 20 cts., whilst then he sold them for 10 cts., and sometimes for 8 cts. I assert, and I say emphatically, that the farmer sells to-day all his products dearer, and much dearer than he did at that epoch. Again, if the farmer goes to the merchant ninety-nine times out of a hundred he will pay less for his goods now than then. For instance, bar iron sold for \$3.50 in 1874, to-day we pay \$1.80; nails sold for \$5, to-day we pay \$2.65; sugar sold for 10 cts., to-day we pay 8 cts.; flour was much dearer then than now. I have no fear of contradiction on this point. My learned friend took the trouble to make this statement himself. He complains that flour is sold cheaper; but, Mr. Speaker, when we fought the battle in Lower Canada what did they say? You tax the flour, which is an object of general consumption by the French Canadian farmer. They told us that Lower Canada did not produce flour. She must buy it, and you tax it, and they asked the people not to elect us on account of the increased cost which they were going to make us pay for the flour. But he replied to them that this tax would not change in reality the price of flour in the country. To-day they say to us: You should not tax it because it lowers the price of it. At what point of their addresses must we place ourselves to judge of their value in face of these contradictions? Calico sold in that period at 10 cts., it sells to-day at 8 cts.; overshoes are 10 per cent. cheaper than they were then. Axes are 10 per cent. cheaper, scythes 20 per cent. cheaper, instruments of husbandry are 15 per cent. cheaper. Besides that the interest on money has fallen, because this general prosperity has had the effect of putting money in everybody's hands, and those who know how to amass it have become capitalists and lenders. Money has fallen in value. We can get it to-day at 6 per cent., and in that period we were compelled to pay 10 per cent. and 15 per cent. for it, and that not very far from the county of my hon. friend. After all, Mr. Speaker, allegation is not proof. But if it is true that to-day the farmer sells his products at a higher price than it did before; if it is true that he pays less for merchandize; if it is true that there are more manufactures, and that the wages of the working classes are higher; if it is true that the retail merchants do more business, and buy more goods from wholesale merchants; if it is true that the wholesale merchants buy more from the manufacturers, and if it is true that all these things attract immigration, and if it is true that the country is prosperous, why will the gentlemen on the left deny it?—because they could not foresee that such would be the case, and because they predicted the contrary. Well, if that is any consolation to them let them have it. As to us we elevate on high our banner. We follow our leaders who have conducted us in the paths of prosperity, and will continue to hail the National Policy, letting our friends amuse themselves as much as they wish with this consolation in the cold shades of Opposition, where their course is likely to retain them for a long time to come. Mr. Speaker, the public expenditure has been also criticised. They have spoken about the Civil Service. They say that the Civil Service has been increased to reward political friends. As this matter

is under consideration, I must congratulate the Government on the policy which it has adopted to have never made any dismissals for political reasons, not to have followed the example set by its predecessor, although it had much reason to do so at times. I am willing to accord to a public servant every liberty of action provided he commits no illegal acts. I will, in the second place, say that in our country the Civil Service in general is composed of persons who are competent, honest and industrious, who are an honor to themselves as well as to the country in whose interests they are constantly employed. After having consecrated their life to it, we ought not—we who can embrace any business, we who are not restrained by a bounded horizon, nor restricted to a prescribed life from the outset, and which obliges you to be at your office at such and such an hour—we ought not to reproach these worthy public servants with the little increases which they may receive from the Government in times of prosperity. Give them a little support when their family increases that the burdens which they have to bear may become lighter and that they may worthily discharge their duties. Often they have been compelled to accept these engagements from unforeseen reverses, which prevented them from struggling under favorable circumstances with the adversities of life, when misery in their family prevented them from awaiting brighter days. Let us not reproach them with this increase of salary if they can sometimes obtain it. Require them to efficiently discharge their duties, to give a conscientious service to their country, but do not begrudge them assistance. Do not imagine that you invite popular sympathy in economizing against the officers of the public service. Mr. Speaker, the people are too honorable, too just, to desire to speculate in this manner on the work of the poor. The people are in favor of paying liberally its public servants.

Mr. RINFRET (Translation). I think the hon. member from Bellechasse has misunderstood what I said. I am sure he has not done so maliciously, but I said I was in favor of properly remunerating those who discharged their duties well.

Mr. AMYOT (Translation). When one complains of the increase in the Civil Service expenditure that means something. My hon. friend has not been precise in his accusation; but I am much pleased to see him express himself more categorically, and to obtain his endorsement of this proposition that the public servants should be well paid. That is what I have contended for. But he must not, therefore, condemn the increase in the public expenditure incurred thereby. Again it is contended that certain appointments have been made as a reward for political services. Well, it is useless to disguise this fact; under party government it is only just that those who work for the party, and who are able to fill an office, that they should be appointed when a vacancy arises. It is not the Conservative party alone which acts thus. All parties who have contended for power in Canada since we have had responsible government, for the last forty years, have in this manner rewarded those who served them in the political arena, who had identified their destiny with that of the party. Secondly, the expenditure in the Department of Justice is complained of; but as the country increases the number of its tribunals, the expenditure must also increase in proportion. They keep repeating to us: You increase the expenditure. Let me make a very simple comparison, and I am surprised it has not been made before. A farmer has a bad farm; he expends \$100 a year for the manual labor necessary to cultivate it. At the end of the year he derives from it \$80. He thus loses \$20. His neighbor, who buys a good farm of 400 or 500 acres, expends \$100 for manual labor, and at the end of the year he derives from it \$300. Which is the best off? This is the position of

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the country in terms as clear as they are precise, we increase our expenditure, undoubtedly, but we increase our business, we increase the well-being of all and at the same time we find ourselves with surpluses which serve to diminish the public debt or be applied to other objects. In a single year did we not reduce the interest on the debt to the extent of \$400,000, at the same time reducing the taxation? I am surprised that an hon. member coming from the Province of Quebec could not understand to some extent the utility of these surpluses. He knows how the Province of Quebec has been bled almost to death to construct a link of the Pacific. The Province of Quebec put forth all her resources to construct a railroad which was to unite Quebec and Ottawa. To-day she finds she did the work of the Dominion in constructing this link which unites the Intercolonial with the Pacific Railway. The Province of Quebec will soon be happy to approach the Government of the Dominion and say to it: Since you have surpluses which came in part from the Province of Quebec, to render justice to her, and put her in a position to continue the great and noble work which devolves upon her under Confederation, this is a purpose for which the surplus might be applied; but perhaps they do not desire that; they fear that the Government may do something for Quebec; they fear lest they render the farmers prosperous; they fear lest the manufacturers succeed in their enterprise; they fear lest the merchant may prosper. And why? In the same way, Mr. Speaker, that a child often suffers for the faults of his father, in the same way a party bears the responsibility of its leaders. It was when the great question of the National Policy was under discussion that they should have foreseen the situation, and not be deceived. The fault has been committed, and those who committed it, as well as those who inherit, must expiate it. The Supreme Court, Mr. Speaker, has been attacked. Is it the dream of the Liberal party to destroy their past record and everything which it did in its sorrowful passage to power? Who established the Supreme Court, if not the Liberal party? It is true the Confederation Act provided for its creation, but our leaders had declared that its establishment was not necessary for a long time. In attaining power the Liberal party hastened to establish this Court, having a general jurisdiction over the affairs of all the Provinces. It finds this Court bad, and yet it created it under the pretext that it had the power to do so. It is like a man who would indulge in the luxury of cutting off a finger because he had the power to do so. I do not contend that the Supreme Court is perfect. Some changes may have to be made to guarantee the rights of the Provinces more fully. Perhaps in the future we may entrust the nomination of future judges, or a part of them, to the Local Governments. I am not prepared to discuss this question at present. May I lay down the principle that a Federal Court is necessary in Confederation. It was created too soon, say the Liberals who created it. At all events, since it has been established I do not think we can abolish it; it has become an institution forming an integral part of Confederation, and it could not be abolished except at very great inconvenience. As for myself, before laying a hand on any institution I would like to master the consequences which its abolition might entail, not act blindly and see that the remedy was not worse than the evil. The Militia Department has also been attacked. The expenses of the Militia Department increase, and yet we are not at war, they say. In all intelligent and well organized countries one must maintain a military spirit. Conflicts may arise; the existence of a nucleus of an army may prevent or avert them. A country must not be taken unawares, but as to our country we have tribunals of law. If one part of the population rebels against it, what power can intervene to defend it? We have Sheriffs. I know one who is only four feet two inches high, and others whose legs barely sustain them. What could they do against

a mutinous crowd? It is necessary to have a military force, the mere existence of which alone often suffices to anticipate riot and inspire respect for the law. I do not doubt that under the intelligent administration of the present Minister of Militia we will have such improvements as will render the volunteer system more efficacious than during preceding years. There is room for improvement and not for diminution; there is need of making the volunteer system more efficacious in the towns and country. They speak also of the Military College at Kingston. This College is only in its infancy; it has as yet rendered no important services to the country, they may say. But who established it if not the Liberal party; who, according to the expression of a journalist, deprived the Citadel of Quebec of it to give it to such a hole as Kingston? I might say, to the credit of this College, that already it has trained a large number of cadets who are distinguished in different careers in life. Among them we see the sons of several leaders of the little Liberal army. I make no reproach to the latter—instruction is something which we should get wherever we can find it; but I think the Liberal party is very audacious when it reproaches the Conservative party with extravagance in the matter of institutions which itself established. The Indians are another subject of complaint, and, on this question, the only reply I deem necessary to make is to repeat the very sensible remarks of the hon. Minister of Finance in his Budget Speech. He asked the House whether it preferred to have a similar state of affairs to that in the United States, or if we preferred to protect the Indians as we do in the North-West. One thing must not be forgotten, Mr. Speaker, that any being created like unto the image of God, whether this man be an Indian, negro, or any other nationality, his life must be preserved, whatever may be the cost to a civilized country: And, for my part, I will say to the hon. Ministers: Do not fear, organize a good police force; protect the Indians, take the means to civilize them, to teach them to know God, to make them more familiar with our population, and you will have performed a very patriotic act. If they censure you for the few dollars it may cost, continue your work, for it is a good one. It will invite for you public respect, and public confidence will continue to be given to you. The Post Office expenditure is also complained of, but, in connection with this expenditure, postal facilities and receipts have largely increased. Will any one censure our admirable postal system, which places every part of our young country in communication—the eighth part of which, fifteen years ago, was uncivilized? Will we complain of a system which, if not the best, is one of the best postal systems in the entire world? They try to make us believe that the Government is extravagant, and that the Opposition, if in power, would practice economy. But this system is in use. It is sufficient to say to the people: Behold the excellent communications which you have, see how rapidly we distribute your newspapers—these great intellectual lights which are distributed from the great centres. We say to them for this purpose, expenditure must be incurred and this expenditure must increase simultaneously, as the revenue and the well-being of the country increases. We are also charged with having increased the public expenditure to the extent of \$6,000,000 since 1878. They forget to tell us how much the revenues have increased, and the surpluses which they have given us. The expenditure will not remain even where it is. According as the population increases the expenses will increase, and I am anxious to see the country expending \$100,000,000 when the revenues will reach \$125,000,000. It was for this that we established Confederation, constructed the Pacific Railway, dredged canals and rivers, multiplied colonization roads. We have built public works to develop the country, in order that the population may settle on the banks of our great rivers, as well as in the fertile regions of the North-West, which must become a great centre towards which the wealth

and population of all countries will converge. The expenditure in the Public Works, Railways and Canals Departments is also complained of. It seems to be their policy to attack each of the Ministers in order to afford us an opportunity of expressing our views on these subjects. Well I say to the recognized leader of the Conservative party in the Province of Quebec that he can continue without apprehension to discharge the duties of his department with the same success which he has achieved in the past, without bothering himself with the nonsense and reproaches of the Opposition; let him continue as in the past, and all parts of the Dominion will be willing to hail to recognize him as a useful man who consecrates every moment of his life to the service of his country, who pushes rapidly to completion the great undertakings of Canada, and who is always found at his post in the House ever ready to meet any accusation of his adversaries. General accusations are indulged in without giving any details. Why? Because they know that there is not one of the works now commenced or under construction by the present hon. Minister which is not for the well-being of the country where it has been undertaken. They know very well that if any particular work was attacked, that there would be immediately a complete refutation of the charge. I have only two more questions to discuss, in reply to the address of my hon. friend, and then I will conclude. Complaint is made against Mr. Fabre; it is charged that the Government of Canada, composed to a great extent of an element foreign to the French Canadian Catholic race, has had the condescendence to give us an accredited agent in France, and this agent is one of our fellow-countrymen. They reproach us with having as a representative in France a man of talent, well instructed, a man devoted to his country. Mr. Speaker, this is not patriotic, it is not necessary for me to argue this. It is not politic either, because it is in the interest of the Dominion of Canada, that it should be known and well known in all parts of the civilized world, and especially in Europe. If we are a little better known in France to-day, we owe it to the efforts, to the energy of this great patriot, who was recently at the head of the Quebec Government, and who is to-day a member of the Government of Canada. It was he who by his brilliant eloquence made New France known to Old France. My hon. friend the member from Lotbinière ought to leave party spirit aside, and make an exception in this point, and there is one subject in which as a French Canadian Catholic I feel I can accord the present Government a little gratitude. But he complains that Mr. Fabre has been chosen, and he relates to us a little private history. Mr. Fabre was one of the supporters of the Mackenzie Government, and he abandoned them. He became a traitor and we should not put a premium on political venality. Mr. Speaker, politicians are like ordinary mortals. They make mistakes sometimes. If the Conservative party had reason to say that the Liberal party was wrong; if Mr. Fabre as an intelligent man understood that as we do; if he came to us through conviction, he committed no fault, he simply did his duty. Often does a party recruit its vital forces from among its adversaries. Why? Because these adversaries see so much obstinacy in evil ways, such a blindness that they end by concluding that there is no means of restoring public welfare, the welfare of the country through their party. Mr. Fabre said to the Liberals: You Liberals of Upper Canada, during five years, you refused to take our advice. You have kept Quebec in slavery; we were nothing in your eyes; we in vain protested again and again; we gave you advice on advice; you were deaf to our just demands; you despised the Liberals of Quebec. They abandon you. What could be more just than these words published by Mr. Fabre when the downfall of the Mackenzie Government came. Let them be a lesson to those whom they may concern. If I recall these facts it is in defence of one who is absent, who certainly requires no defence, but to prove that each

accusation of our opponents is unjustifiable. The one just referred to is also unpatriotic. The appointment of Mr. Galt is also censured. They did not go so far as to accuse him of venality, for he does not speak the French language. These accusations are reserved for those who speak French like ourselves; other nationalities are respected. It is not in this manner that a man or a party advances in the world or wins respect and confidence. I have respect for public men, and when they change their party I am not prepared to throw the first stone at them. I examine rather the reasons which induced them to change. For each man has his feelings, his conscience and responsibility. As for Mr. Galt, I am glad to see him representing us in England, and I will always be glad to see him in a position to serve us. I need not repeat the history of his record so bright and enlightened at London, but I know that he has been able to render us there very important services. He can defend us, he can be our interpreter with the English Government, he can explain to it the position we occupy towards other countries. Those who are in intimate and daily communication with him, those who are on the Ministerial benches appointed him to discharge these functions, and I am prepared to say that I have the greatest confidence in him. The Government is also reproached with not endeavoring to make Commercial Treaties with other countries. They say to us: Why have you not accepted the offers of the Liberals when they asked for Commercial Independence and the power to make their own Treaties. But, on the other side, when we take the means to make these treaties; when we take care not to alienate English sympathy, to gradually obtain the means to establish the necessary diplomatic relations, intelligently study the means to arrive at the goal of making all our Treaties with foreign countries, to ascertain what other countries can give us in exchange, they throw the blame on us. In a word, Mr. Speaker, we are constantly reproached on all sides. We are reproached for our action towards the United States. I am not a prophet nor the son of a prophet, but you will see, Mr. Speaker, that, when the time arrives, when our manufacturers will be powerful and rich enough, our workingmen sufficiently skilled, and that the United States will be ready to open their gates to us, and when we will be ready to open ours to them, that the Opposition will then come to us and say: "No, it is Protection we want." That is to say they are always years and years too late, that they will so arrange matters as to always criticise, accuse, and reproach, but that, in the meantime, they receive prosperity, the *salutem ex inimicis* by the wish of the great majority of the people of the Dominion.

Mr. ARMSTRONG. There are two subjects on which hon. gentlemen opposite give no very certain sound. The first is the victory achieved in last June. The hon. member for Lincoln began and ended his speech with that subject; and if I gather the meaning correctly of the hon. member who has just taken his seat, he claimed that the voice of the people on that occasion was the voice of a higher power. I am not the man to begrudge them their victory. I go a step further, and say I have my own reasons for believing it was not desirable the gentlemen occupying this side should have been victorious in that contest; and, besides, when men get a whipping, I like to see them stand up and take it like men. I was forcibly reminded to-night of a little story I heard of the late Lord Brougham. You remember that Baron Rothschild was several times elected member for the City of Old London, and belonging, as he did, to the Hebrew race, he was not allowed by law to take his seat. The seat was declared vacant and he was re-elected again and again. One day he met the late Lord Brougham, and complained to him of the peculiar hardship of his case, the burden of his complaint being: "But, Sir, I was the choice of the people." Lord Brougham tried to explain the law in the case, but he always met the same reply, until

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finally he lost his temper, and said: "Yes, and so was Barrabas." Now, I do not intend at this late hour to take up much of the time of the House. As far as the National Policy is concerned—the other subject on which they seem to agree so cordially—I believe we have not yet seen the full effects of it. It is claimed that it is the cause of the great prosperity of the country for the last few years. Well, I believe other causes were at work which would make a country prosperous, independent of any Government policy. It has been truly said that these periods of depression and prosperity come in regularly occurring cycles, and no matter what the policy of the Government may be, these will occur at various periods. The hon. Minister of Finance struck at the very foundation of the matter when he laid it down as a cardinal rule that a nation is governed by the same laws as govern the individual, and that if the nation or the individual purchases more than it or he sells, or live above their income, the result must be poverty. The Trade and Navigation Returns bear out this view fully. On looking at the period which preceded the late severe period of depression, you will find it was marked by excessive importations. So great was the disparity between our imports and exports, that, in 1875, it reached the enormous amount of over \$45,000,000; in other words, we imported \$45,000,000 worth of goods more than we exported. The result followed that always follows in such cases. When times are good people launch out into unjustifiable extravagance and expenditure. Then comes the period of depression. The people are brought back to their senses again, and a period sets in of permanent industry and retrenchment. People live within their income, save something, and, by-and-by, consequently, the nation becomes better off. In 1875, the people imported \$45,000,000 more than they exported, then set in an era of prudence and economy, and our imports decreased until, in 1879, they had decreased to the small sum of \$10,000,000; and in the year 1880, for the first time since I remember anything about it, the balance was on the other side. We exported in that year nearly \$1,500,000 more than we imported. But now we have entered again on a career of extravagance. Our imports are exceeding our exports by an alarming rate. In 1881, we imported over \$7,000,000 more than we exported; in 1882, we imported \$17,250,000 more than we exported. The hon. Finance Minister claimed that we had yet seven years of prosperity before us. I hope we have. I believe the period of depression in this case will be for a considerable time averted. We have had during the last four or five years extraordinary good crops, while, in England, they have had during the same period a series of bad crops. Then the lumber trade has revived, with the revival of trade with the United States and Great Britain. The exportation of live stock from this country has also greatly increased. The building of the railway has brought in a great deal of foreign capital, and immigration a great deal more. These things will have a tendency to keep the evil day further away from us; but still, independent of all that, I believe the period of depression will come sooner or later, and we ought to adopt a wise policy. We should in times of prosperity prepare ourselves for times of adversity. But it has been clearly shown that this is just what the Administration of the day are not doing. Instead of trying to lessen the expenditure and relieve the burdens of the people, they are increasing the expenditure and taxation. Let us always bear this fact in mind: that it is much easier to raise the taxes than to lower them. When a period of stringency comes, when confidence becomes shaken, when men have to contract their purchases, and have to import less, the natural result will be that we will have a good deal less revenue, and not only will we import less but the value of what we do import will shrink. The inevitable result will be that the revenue will diminish when we have in-

creased our scale of expenditure far above what that revenue will meet. The supporters of hon. gentlemen who occupy the Treasury benches, claim that the prosperity we have been enjoying the last few years is due altogether to the National Policy. That is just the point on which we, on this side, take issue. These causes that I have been enumerating have had a great deal to do with the prosperity of the country; but, Sir, there is only one source of wealth to the country, and that is the industry and the prudence of the people who inhabit it. We are far too apt to separate the Government from the individual. If we look at the matter in its proper light, what is the nation but just the individuals who compose that nation; and when we speak of national wealth, we do not mean something that the Government has in its pocket to distribute to the people, but we mean the aggregate—the sum total of the wealth of the people of the country. The National Policy was inaugurated, as we are told, to keep Canada for the Canadians. We all remember how the cry was raised in 1878, that we were ruined by importations of cheap manufactures from other countries; that this Canada of ours was made a slaughter market for the manufactures of other nations, and that we were being ruined by getting these manufactures at too cheap a rate. And so a policy was inaugurated that was going to keep Canada for the Canadians; that was going to give our manufacturers a monopoly of all the goods we required in this country, and thus save us from the expense of buying them from other people. Well, has that result been accomplished? I find, in looking over the Trade and Navigation Returns, that this is not the case; that instead of contracting our imports of manufactured goods from other countries, we have been largely increasing them. In 1878, that year in which we were told we were being ruined by importing manufactured goods, we imported to the amount of nearly \$50,250,000. Last year, after four years of this National Policy, we imported over \$70,500,000; in other words, in 1882 we imported over \$20,000,000 worth in excess of our imports in 1878, before ever the National Policy was thought of. So far, then, as the National Policy was to accomplish this result, it has proved a failure; it has not kept Canada for the Canadians. Now, let us look at some of the manufactured articles that we were told we were going to manufacture in this country, instead of paying our money for them to other people. Take the manufacture of cottons, for example. In 1878, we imported over \$7,000,000 worth, but, in 1882, after four years of the National Policy, which we were told was going to give us the manufacture of our cotton goods, we imported \$11,000,000 worth. Then there is the matter of agricultural implements. In 1878 we imported \$43,990 worth of threshing machines, reapers and mowers. There was a high Tariff put upon these articles to compel the people to buy them from Canadian manufacturers, and give these latter the monopoly of the market. Well, Sir, last year we imported of these two articles \$26,417 worth. Now, I want to draw the attention of the House particularly to this item. I find that last year we only imported \$11,611 worth of reapers and mowers; and yet, the other night, the hon. Minister came down and told the House that, in order to protect the manufacture of these articles against foreign competition—in other words, against this \$11,611—it was necessary to increase the price of these very machines 10 per cent. There is a tax now of 25 per cent. on these machines, and it is to be increased to 35. Now, what does all this amount to? The selling price of these machines is \$300; under the Tariff as it now stands every man in the Dominion of Canada whose necessities compel him to buy one of these machines has to pay something over \$70 more than the actual value of it on account of Protection, and the proposal now is to add 10 per cent., or \$30 to that. Now, Sir, it is a fact well known to those who

are acquainted with the situation of the country at present—at least I know it is so in Ontario—that on account of the scarcity of labor there are many men who will be compelled this year to throw aside their ordinary machines and to purchase what is known as the self-binder—that is sold at the price of \$300. I have been told by gentlemen from the North-West that in that country it is no use to try to sell any other kind of machines. Now, what I want to ask the hon. Finance Minister is this—and it is a question the country will want an answer to: Is it absolutely necessary, in order to meet this foreign importation of \$11,611, to add \$30 to the price of every one of these machines to the purchaser?

Mr. SPROULE. How is it that the machines are sold cheaper now than before the duty was put on?

Mr. FARROW. Will the hon. gentleman inform us of the company that sells these machines for \$300?

Mr. ARMSTRONG. I can inform the hon. gentleman of something more than that; there is a combination among the leading manufacturers of the country not to sell these machines less than \$300 apiece.

Mr. FARROW. Who sells them at \$300?

Mr. ARMSTRONG. The manufacturers of the country.

Mr. FARROW. Name one.

Mr. ARMSTRONG. John Elliott, of London. Another hon. gentleman asks how it is that these machines are cheaper now than they were before the duty was put on them. I deny they are cheaper now. But suppose they were cheaper now. What has that to do with the matter? The simple question we have to consider, in dealing with all matters of manufactured goods, is not as to whether they are cheaper or dearer in this particular country, but whether they are cheaper or dearer in the markets of the world. If they are cheaper in the markets of the world, we have the right, unless there are serious objections, to go into the cheapest market and purchase from there.

An hon. MEMBER. I have an affidavit from an agent that they are 20 per cent. cheaper.

Mr. ARMSTRONG. I know men who have had to buy them recently and I know it is not so, the agent of the company notwithstanding. In view of this fact, that in order to meet that competition that this enormous increase has to be made in the duty upon those articles, I ask any intelligent man if this is not a confession that the National Policy has proved to be a failure. It must prove one of two things, and there can be no other logical conclusion: First, that the imposition of 25 per cent. duty has not enabled our home manufacturers to make these machines at a profit with the enhanced prices; or, second, that they are so insatiably greedy they want to make 10 per cent. more. Hon. members will take either horn of the dilemma they choose. In regard to boots and shoes, we were told that the manufacturers in this country were ruined for want of protection. What do the Trade and Navigation Returns show in this respect? The value of manufactured boots and shoes imported in 1878 was \$45,914, while in 1882, after the protective Tariff had been in force four years, the imports were of the value of \$164,106, or nearly four times the sum. In the matter of furniture, according to the Trade and Navigation Returns, the imports in 1878 were of the value of \$399,330. In 1882 this item is not separated from manufactures in wood; but I wish to call attention to this fact that after four years of high protection under the Tariff which was intended to develop manufactures in this country, the imports of manufactures of wood in 1882 amounted to nearly \$1,500,000 in value. There is another branch of industry in this Dominion to which I desire to direct attention, and that is ship-building. We are told, and our people are proud of

the fact, that Canada is the fourth in rank among the maritime powers of the world, and it is interesting to consider how the ship-building trade is progressing under the National Policy. In 1878, when the country was going to ruin, and would have gone to total ruin, if the National Policy had not come into operation to save it, we built ships to the extent of 106,978 tons. In 1882 we built only 63,535 tons, or a little more than one-half. Not only so, but in 1878 we sold of ships—and this is a great source of wealth, bear in mind—\$1,236,145 worth, while last year we were only able to sell ships to the value of \$403,311. That is what protection has done for our shipping interest. I am aware that some persons have calculated that Protection has made our manufacturers enormously rich. I do not believe anything of the kind. Those engaged in manufacturing when the Tariff was inaugurated realized very large profits from the enhanced prices they were enabled to charge, but the inevitable result followed—over-production; and the result is that, to-day, in most important branches, manufacturers have come down and told the Government and Parliament that they are not able to carry on and make living profits without increased protection. And wherever this has been tried in the world this has been the inevitable result—and it has been shown conclusively by the speeches of hon. members—it has diminished our exports of manufactured articles. Look at the United States. It has absolutely destroyed their export of manufactured goods and their shipping on the high seas. The hon. member for West Middlesex (Mr. Ross) asked a question on this point, and I am ready to answer it. Hon. members must bear in mind that what is one man's raw material is another man's manufactured product, and if you protect one manufacturer you must protect all, and just so soon as you do that you raise the prices of all, and that prevents the manufacture of large articles, when everything manufacturers use is protected. Why does England stand at the head of nations in manufactures? Because she has pursued the grand old principle of admitting raw materials free, and taxing only a few of the luxuries of life. What has been the result so far as she is concerned? An hon. member has stated that England is the only nation which has not benefited by the good times. No greater mistake can be made. Since 1878 she has increased her exports of manufactured goods to the enormous amount of \$300,000,000 in consequence of free-trade in raw materials. Much stress has been laid on the fact that our revenue has increased enormously during the last four years. No one rejoices more than I do at this state of affairs, and it is always pleasing to have plenty of money to spend; but I ask again, is the Government entitled to claim any particular credit for this state of things. If we resolve the National Policy down to solid, hard facts, what does it amount to? Just to the simple old plan of increasing the revenue by increased taxation. It is a simple thing if, instead of raising \$17.50 on every \$100 you raise \$25, to obtain a surplus. I apprehend such action does not require superior statesmanship. If it does, then the Pacha of a Turkish municipality, who wrings from his people the utmost cent without driving them to utter starvation, is a greater financier than the right hon. W. E. Gladstone, or our Canadian Finance Minister, and the latter has not come to that yet, and has no intention of doing so. I do not wish it to be understood that I am advocating a policy of Free Trade, for I believe that is unattainable in this country; but what I do hold is, that no Government is justified in raising more money than the necessities of the country actually require. While I hold it to be true, and the items I have pointed out show it to be the case, that Protection when undertaken for the sake of protecting is not a protection to manufacturers, that it is the worst possible policy which a nation can adopt, and that the only true policy is not unduly to foster the manufactures of the country, because this will inevitably

Mr. ARMSTRONG.

result—it has always followed in other cases, and will follow in this—in over-manufacturing to be succeeded by depression and hard times. The only true policy, I repeat, is while we have to raise a revenue by a Tariff, to give manufacturers all possible protection under it, and then to allow them to manufacture just according to the necessities of the country. Twenty-five per cent. ought to be enough for any legitimate protection, and when you go higher than that, the protection is inordinate. There is another fact worthy of mention. People are in the habit of pointing to the United States as an example of a country which thrives under Protection. Well, Sir, they have thrived under Protection, but they have also had hard times under Protection. Why, Sir, anyone who looks carefully at the years of depression which we went through, knows that the suffering in this country was nothing at all compared with that of the United States. The inevitable result there followed: inordinate protection—in many cases it was as much as 80 per cent.—led to over-manufacturing, then came depression; workmen were thrown out of employment; the whole trade of the country was deranged, and something terrible was the result; and unless our paternal Government adopts some policy of restraint on over-manufacturing in this country, and on over-importation, the same results, which happened before, will occur again, and the same evils, which have in the past overtaken highly protected countries, will overtake us sooner or later.

Mr. CHARLTON moved the adjournment of the debate. Motion agreed to.

#### GOVERNMENT BUSINESS.

Sir LEONARD TILLEY moved that Government business take precedence on Thursdays during the remainder of the Session.

Motion agreed to, and (at 11:45 o'clock p.m.) the House adjourned.

#### HOUSE OF COMMONS,

WEDNESDAY, 4th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### DIFFERENTIAL DUTY ON TEA.

Mr. GUNN enquired, Whether it is the intention of the Government to remove the 10 per cent. differential duty on tea imported from the United States?

Mr. BOWELL. It is not the intention of the Government to do so.

#### CAPE BRETON UNDER CONFEDERATION.

Mr. CAMERON (Inverness), in moving for a statement showing the amounts charged in Public Debt Account of the Dominion of Canada which were expended on Railways, Canals and Navigation securities, in British Columbia, Manitoba, Ontario, Quebec, New Brunswick, Prince Edward Island, Nova Scotia proper and the Island of Cape Breton, up to the 1st of July, 1882; and showing also, the area and population of each of these divisions of the Dominion of Canada, respectively, said: My object in making this motion is to show that the Island of Cape Breton has not received that attention to which its importance as a part of the Dominion entitles it. To do so, I desire to compare its progress with that of the sister Island of Prince Edward for a

number of years in similar and different circumstances. Since the discovery of Cape Breton nearly 400 years ago, till the fall of Louisburg in 1758, its history has been a very eventful one, and since that time the people of that Island feel that it has been an unfortunate one. In 1762, after peace was declared between England and France, Cape Breton and Prince Edward Island were, by Treaty, declared to be British territory. In the following year both Islands were annexed to Nova Scotia proper, and considerable discontent existed in both these Islands on account of the annexation. After eight years of agitation Prince Edward Island secured its separation from Nova Scotia, and since that time it has been governed by a House elected by the people, and by a Governor in Council. It was not, however, until the year 1778, after fifteen years of agitation, that Cape Breton secured separation from Nova Scotia, and although it did not receive the blessing of a House of Assembly, it was governed by a Governor in Council, who seems to have looked after the interests of the Island much more satisfactorily, at least to the people, than had been done by the Government of Nova Scotia. In 1778, both Cape Breton and Prince Edward Island started in somewhat similar circumstances, each Island having its own Government. During the forty-two years that they were thus governed, it can be shown that the progress of Cape Breton was much more rapid than Prince Edward Island. In 1770, when Prince Edward Island obtained a separate Government, its population was nearly double that of Cape Breton, but in 1820, after forty years of separate Government, the population of Cape Breton was much larger than that of Prince Edward Island. From that date until 1867 Cape Breton was absolutely under the control of Nova Scotia, and its representation in the House of Assembly was insufficient to enforce from that Government what the people of the Island considered they were entitled to. After the inauguration of the railway system in Nova Scotia, it is true, it was impossible to extend the railways to the Island of Cape Breton; but the hope was always held out to them that when the railway system was extended to the Strait of Canso, they would receive that attention which the importance of the Island deserved. Unfortunately for that Island, before the railway was extended to the Strait of Canso, Confederation took place; and all are aware that the people of that Island strongly remonstrated against the Union, for more than one reason. They believed that the financial aid given to Nova Scotia under Confederation would be insufficient to enable the Legislature of that Province to do ample justice to the Island of Cape Breton. Again, they said that the progress of the Island, while annexed to Nova Scotia, was not such as its natural resources would seem to warrant, and they feared much less attention would be paid to the Island under Confederation than before. I am ready to admit that, in regard to the ordinary expenditures for local purposes, Cape Breton has received a fair share of money from the Government of Nova Scotia, and also from that of the Dominion since Confederation; but what the people of Cape Breton complain of, and which they have reason to complain of, is that while enormous expenditures have been made to various parts of the Dominion on railways and canals, no consideration has been given to the wants of the Island of Cape Breton. When the subject of better terms was under discussion in 1869, and when a meeting between the late hon. Joseph Howe and Mr. McLellan, now Minister of Marine and Fisheries, was arranged at Portland, I, as representative of one of the counties of the Island, took it upon myself to write to Sir John Rose, informing him that any concessions made to Nova Scotia might possibly be of no benefit whatever to Cape Breton, and I suggested to him that Cape Breton should receive a similar subsidy per head as was given to Prince Edward Island in the event of her coming into the Union,

to which he made a very favorable reply. As you are aware a separate Province is entitled to many advantages under Confederation which the counties of a Province are not entitled to, and the isolated position of Cape Breton demanded that her interests should be looked after under Confederation to the same extent that the interests of Prince Edward Island were provided for. I think I can show that Prince Edward Island since the Union has progressed much more rapidly than the Island of Cape Breton, although the latter is in size more than double the former; and notwithstanding the great fertility of Prince Edward Island, I hold that Cape Breton, if its resources, agricultural and mineral, were fully developed, should progress more rapidly than Prince Edward Island. The area of Prince Edward Island is as follows:—Prince County, 467,000 acres, Queen's County, 486,400 acres, King's County, 412,000 acres, giving a total area of 1,365,000 acres. In Cape Breton, Inverness County has an area of 886,680 acres, as large as Prince County and King's County in Prince Edward Island together, or as large as King's and Queen's. There is Victoria, with 767,000 acres; Cape Breton, with 748,000 acres, and Richmond, with 398,000 acres, giving a total area to the Island of Cape Breton of 2,800,680 acres, being 70,680 acres more than twice the size of Prince Edward Island. In view of those facts, it would only be reasonable that Cape Breton should expect, as a member of the Confederation, the expenditure on account of railways and canals of at least as much money as has been expended in Prince Edward Island. The cost of the Island Railway was \$3,250,000. It would be reasonable for the people of Cape Breton to expect that a similar amount should be expended on railways there; but whence the money will come is a question which agitates the public mind. Unfortunately for Cape Breton, there is a great difficulty in the way. Cape Breton, besides being an Island, is practically divided by an arm of the sea into two Islands, so that a proper treatment would require that the Island should be practically dealt with as two distinct islands. On the south-east side of Bras d'Or lie Cape Breton and Richmond counties, which require for the development of their resources a railway passing through from the Strait of Canso to Sydney, or Louisburg. The other side of the Island comprises the counties of Inverness and Victoria, which I have shown to be much larger than the whole of Prince Edward Island; and in order to develop the resources of those counties, and enable the people to distribute their productions, a railway is even more necessary for the north-west coast than for the south-east, because the south-east coast is very liberally supplied with natural harbors, while the north-west coast has not a single harbor from the Strait of Canso to Cape North, at which the people can ship the products of that side of the Island. The people of Cape Breton are at present, as they have been in the past, easily satisfied. I doubt very much they would ask that as much money be expended by the Dominion on railways in that Island as has been expended in Prince Edward Island, and although the railway system of Prince Edward Island was commenced before Confederation, yet, practically, it is a Dominion work, because it is a charge on the whole Dominion, for which the people of Cape Breton are called upon to pay interest just as are the people of that Island. I am of the opinion that one half the amount of money expended on railways in Prince Edward Island would amply satisfy the people of Cape Breton, and would be sufficient to build a railway from the Strait of Canso to Sydney or Louisburg, and from the Strait of Canso on the other side of the Great Bras d'Or to Cape North. That would involve an expenditure on railways in Cape Breton for a distance of about 180 miles, which is thirty miles less than the length of the present Prince Edward Island Railway. I would distribute the money, if I had the manage-

ment of it, which I doubt I will have, as follows: \$1,000,000 for a railway from the Strait of Canso to Sydney or Louisburg, just as the people of the south-eastern side of the Great Bras d'Or choose; and I would ask for the other two great counties of the Island, Inverness and Victoria, about \$675,000, which, I believe, would be ample to build a railway to Cape North. I would ask in all earnestness that the people of the Dominion should make that expenditure. I think I can prove it would be to the interest of the whole Dominion, not excluding Cape Breton, to have that amount of money expended on the Island. Notwithstanding the National Policy, the population of the Island of Cape Breton does not increase very rapidly, owing to the emigration from the Island.

Some hon. MEMBERS. Hear, hear.

Mr. CAMERON. Some Opposition members say "hear, hear," but I tell them that I do not charge the National Policy with that result so much as the want of it—the want of the extension of the National Policy to the Island of Cape Breton, as has been done to almost all the other portions of the Dominion. The people of Cape Breton, as their representatives in Parliament can prove, did not object to the expenditure of large sums of money for building railways in British Columbia, Manitoba, Ontario, Quebec, Nova Scotia, and Prince Edward Island, and they only ask that the same treatment should be accorded to them. It is, indeed, part of the National Policy, that facilities should be afforded to the different portions of the Dominion, not only to develop the resources of the country, but also to enable the people of those sections to distribute the productions of those localities. Now, Sir, it is a notorious fact that in the fishing sections of the Island of Cape Breton, the population increases very rapidly, and it is equally the fact that in the coal district of this Island the population increases fully more rapidly. The reason why the population, in these sections, increases more rapidly, I believe, than in any other part of the Dominion, Manitoba excepted, is owing to the National Policy; and the reason why there is little or no increase in population in other sections of this Island, is simply because they are not so much affected by the National Policy. It is an established fact, and a fact which can be shown from the Geological Report now in course of preparation, that Inverness county has the finest coal area in the Province of Nova Scotia, and that is saying a good deal for it; but I hold it is impossible, owing to the want of harbors on the north-west coast of the Island, to develop the coal interests of Inverness, without having an extension of the railroad through the country to the north. I beg to inform the House that the shipments of coal from Cape Breton County, for 1882, were as follows: Sydney mine, 126,000 tons; International, 102,000; Re-eve, 72,787; Little Glace Bay, 68,606; Cowrie, 66,000; Caledonia, 59,813; Blockhouse, 57,375; and Imperial, 22,000, making a total for the year of 574,581 tons, as compared with 274,108 tons, in 1878. Besides this, coal commanded a higher price in 1882 than it did at that period. The output in 1882 was then more than double what it was in 1878, and this every reasonable person in the Island believes and feels convinced, is owing to the National Policy. The cash value of it was over \$1,000,000; and the tonnage used in the shipment of coal from Cape Breton County alone, was 265,325 tons in 303 steamers, and 190,176 tons in 798 sailing vessels; but the increase of population during the last decade in the neighborhood of these coal mines was nearly 4,000, while the increase in all the rest of the county was only very little over 1,000. Now, Sir, if the extension of the railway from the Strait of Canso to Cape North, along the immense coal fields lying in the county of Inverness, would develop the resources of that county in that length of time with the same expense—and I hold that it should be considered a very great inducement

Mr. CAMERON (Inverness).

indeed for this being done—the population in less than twenty years would then increase at least 40,000. Let me here remark, that the cost of maintenance of this unfortunate Island is now as great as it would be if its population was doubled; and if the increase in population in one county would be 40,000 in twenty years, it is reasonable to assume that the population of the whole Island would be increased 120,000 in that period, if the facilities, so reasonably expected by the people, were only given; but in order to show that the extension of the road through the immense coal fields of Inverness would amply repay the expenditure to the whole Dominion, I would estimate the value of an increase of 40,000 to the population, at the very low figure of \$3 a head, which would be clear profit above all expenses. The cost of the railway for the whole Island would be only the interest involved, which would be \$67,000. Now, if the increase in population were worth, to this Dominion, \$3 a head, \$120,000 would be realized by the increase of 40,000 alone, which would pay the interest on the money which the railway would cost, and leave a net profit to the Dominion of about \$53,000; so that this view of the question would show that the expenditure of money would be justified. The north-west coast of the Island, besides requiring a railway to develop its enormous resources, would also require improved harbors around the coast. The railroad would be required to develop the vast mineral and agricultural resources of the Island, as well as to transport the products of the forest; but the improvement of the harbors along its sea coast, of not less than 150 miles, for the benefit of the fishermen, would also be needed; and if the Dominion could not conveniently find use for the surplus which they could make by the building of these roads in Cape Breton, it might be very properly applied to the improvement of the harbors along this coast for the benefit of the fishermen. The object in making this motion, then, is, if possible, to convince the representatives of the whole Dominion of Canada that special consideration should be given to the wants of the Island of Cape Breton; and that, if possible, the same consideration should be given to that Island by this Dominion as has been accorded to Prince Edward Island. I do not ask for a separate Legislature, although this would be very acceptable to the people; but even without this, some consideration in connection with the prosecution of her various industries would be desirable, in order to clearly show how much more money has been expended in all these sections of the Dominion than in Cape Breton.

Mr. McDONALD (Cape Breton). I have very little to say in addition to what the hon. member for Inverness has stated. I have seconded the motion, for the purpose of getting the information which will be given in the return, so as to enable us at some future time to see whether the Island of Cape Breton has received the justice to which it is entitled. It is undoubtedly the fact that throughout the Island the impression prevails that it has not received that justice either from the Government of that Province, or the Dominion, up to the present time. The population of the Island of Cape Breton is nearly 90,000, and they contribute to the revenue of Canada from \$500,000 to \$750,000 annually, and it has received comparatively little out of that sum. I trust that when this information is brought down to the House, that we who come from the Island of Cape Breton will make out a case that will enable the Government to do justice to that long neglected Island.

Mr. BRECKEN. I do not doubt the soundness of the claim which has been made by my hon. friend from Inverness, but I rise for the purpose of setting him right on one point with respect to Prince Edward Island. He seems to have the impression that the railway was built at the cost of the Dominion. The fact is, that when we entered Con-

federation, in consideration of the insular position of the Island, and the large sums of money expended on great public works in other parts of the Dominion, our indebtedness was arranged at \$50 a head. When we entered Confederation the railway was in course of construction, and as the monthly estimates were forwarded to Ottawa, we were debited with them, but the cost of the railway was deducted from our subsidy. We had \$60 a head whether we built the railway or not, and the fact is that Prince Edward Island paid for her own railway.

Mr. BLAKE. I am sure we have all listened with great interest to the able exposition of my hon. friend from Inverness of the wants of the Island of Cape Breton, and the condition and difficulties under which that Island labors; and we must all be anxious that a remedy should be applied. I am surprised, however, that it has not occurred, either to the hon. member for Inverness, or to the hon. member for the county of Cape Breton, to suggest a good, reasonable, practicable step towards greater attention being paid to the interests of that interesting Island. It has never occurred to either of these hon. gentlemen that the Ministry of Railways is about to be vacant, and it ought to be filled from the Island.

Motion agreed to.

#### OFFICIAL DEBATES.

Mr. LANDRY (Translation). Before proceeding to the Orders of the Day, I wish to invite the attention of the House to the reporting of French speeches. The French Canadians in this House have only one stenographer. Last evening we had two French speeches; this French stenographer was obliged to remain here all the time. He had to work for two hours or two hours and a-half, and pass the entire night to transcribe these two speeches. I think we ought to be not on what I will call a footing of equality, but of equity. I avail myself of the circumstances, to thank the representatives of the press, for the delicate attention to the hon. member from Lotbinière (Mr. Rinfret), and the hon. member from Bellechasse (Mr. Amyot). A morning journal merely announces that these hon. gentlemen spoke in French, and another announces that Mr. Amyot replied to Mr. Rykert. It was entirely ignorant of the address delivered by my hon. friend. I think that, as a matter of justice, these gentlemen who are admitted here ought to report the speeches of all who speak.

Mr. WHITE (Cardwell). With reference to the point raised by the hon. member for Montmagny (Mr. Landry) I may say that the Committee on the Debates have had under consideration since the beginning of this Session the question as to how the difficulty of the French reporting may be met. The Committee meet to-morrow, and one of the subjects to be discussed then is this very question. The difficulty, of course, has been that the French stenographer, as in the case of last night, has sometimes really more to do than he ought, whereas for three or four nights to come he may have nothing to do. I can assure my hon. friend, however, that the matter is being seriously considered, and that we hope to arrive at a conclusion that will be satisfactory to the French members.

Mr. AMYOT. As both languages are admitted by the law, as *Hansard* is intended to give to future generations the thoughts of the members of Parliament of to-day, and as the press does not show sufficient consideration to the French members, even sometimes to state when they speak, I think this House would be willing to vote the few hundred dollars that would be necessary to secure a full report of our Debates. It is true, the occasion may occur only seldom. The French members frequently speak in English in order to be understood, and not be too tedious; but that is not a reason, I hope, for the saving of a few hundred dol-

lars. We have a right to be reported in French, and I am sure this House will be disposed to vote the necessary funds.

Sir HECTOR LANGEVIN (Translation). I was about rising to reply to the hon. member from Montmagny (Mr. Landry), when the hon. member from Cardwell (Mr. White) rose to speak. I concur entirely in what the hon. member from Montmagny said. It is a fact that the speeches are not reported as they should be, and the exact reason is that the staff which is employed for this purpose is not sufficient. As the hon. member from Bellechasse observed, the two languages are on a footing of equality in this House; and I am convinced that the Committee, of which my hon. friend from Cardwell is a member, will not fail to deal fairly with the just demands which the French members made to-day. If we speak English often it is through deference to our English brothers, who could not understand as well if we spoke in French as if we spoke in English. I am convinced that if it is understood that our speeches will be well reported in French, and that we are not neglected on this point the number of French speeches will increase. This would not be an evil, but a benefit in many respects, because it would probably induce our English brothers to give some little study to the French language, which we think is one that should not be under-estimated. But looking aside, I am convinced, as the hon. member from Cardwell has announced that the Committee will do everything in its power to render justice to the demands of the French members.

#### CARRIERS BY LAND.

Mr. McCARTHY moved the consideration of Bill (No. 14) respecting Carriers by Land.

Mr. OUMMET moved in amendment:

That in the opinion of the House, the adoption of this Bill would be unconstitutional and injudicious.

He said: I regret that the question of constitutionality should have to be raised by myself, on account of the importance of the question, and also on account of the peculiar position which I, with my *confreres* from the Province of Quebec, occupy in this House. It seems that we have the monopoly of constitutional questions, and that through *esprit de clocher* we are specially jealous of the rights of the Provinces. But I think that it is very important that these constitutional questions should be discussed in this House. They have been so much discussed before the various tribunals, and with such different results, that it might be as well, before we legislate on questions of this kind, that we should pause, and endeavor to arrive at an understanding as to the limit of our powers. This Bill relates to some special contracts that may be made between common carriers by land and individuals who have freight to be carried. These contracts, I hold, are contracts of a private nature—I might term them even civil contracts; and I think they fall within the powers that are exclusively given to the Provinces by section 92 sub-section 13 of the British North America Act. The powers given by that section are exclusive, and, according to section 91, they cannot be infringed by the Federal Parliament. It is expressly stipulated by section 91 "that all matters on which the Federal Parliament will have power to legislate, will be matters not coming within the classes of subjects by this Act assigned to the Legislatures of the Provinces," and the enumeration that is given of the powers reserved to the Federal Parliament is only illustrative and not limitative of the Provincial powers, which are exclusive. It includes the regulation of trade and commerce, navigation and shipping, bills of exchange, promissory notes, weights and measures, and interest, and it is pretended that the present Bill comes under this heading of trade and commerce. Now, I hold that these contracts do not come under the heading of trade and commerce. It has been held by the different

courts—the Ontario Court of Queen's Bench, the Quebec Court of Queen's Bench, the Supreme Court here, and even the Privy Council, that the words "trade and commerce" only extend to laws that may be made for the regulation of commerce in general. They do not extend to any contracts which may be commercial in their nature, but only to certain regulations or restrictions imposed on certain trades—restrictions, for instance, on insurance companies, on banks, or general regulations as to weights and measures, &c. If the words: "the regulation of trade and commerce," had been intended to be so general as to include all transactions of a commercial nature, it would have been unnecessary to mention specially bills of exchange and promissory notes. Bills of exchange and promissory notes, weights and measures, savings banks, banks in general, currency and carriage, bankruptcy and insolvency, are all commercial in their nature, and the case of the insurance companies give us a perfect illustration of the principles which I uphold. These insurance companies, as to their relations with the general public, are governed by a general law from this Parliament. They are, for instance, obliged to take a license from this Government, and to make a deposit with it for the security of their policy holders. But as to the special contracts they may make with the latter, these are deemed private civil contracts, and as such come under the civil or common law of the Provinces. This was expressly decided by the Court of Appeals in Ontario, and the Supreme Court of Canada, in the case of *Parsons vs. the Queen Insurance Company*, in which the constitutionality of an Act passed by the Legislature of Ontario, relating to the conditions that may be inserted in the policies of insurance, was contested. I beg to quote to the House the opinion of the Supreme Court on that subject, as expressed by Mr. Justice Fournier:

"No doubt the contract of insurance is extensively availed of in commerce as well as by non-traders, but the object of a contract does not change its character. Whatever may be its object, the contract of insurance is, nevertheless, a contract of indemnity which is similar to a contract of guarantee, and as such belongs to the civil law. In commerce, contracts of sale, of exchange, and of bail, are constantly employed and executed. Does it follow that any legislation in reference thereto must be considered as being a regulation of commerce? If this be so, if everything which has reference to commerce could for this reason come under the exclusive control of the Federal power, the greater portion of the powers of the Provinces would thus become of no avail, for 'commerce' in its most comprehensive meaning extends to everything. It is, as defined by a French author: 'C'est échange de produits et de service. C'est en dernière analyse le fonds même de la société.' It is evident that this word cannot have in our Constitutional Act such an extensive meaning."

If all commercial transactions were to come under the jurisdiction of this Parliament, we might as well dispense altogether with the Local Legislatures, and restrict them to jurisdiction over municipal institutions and education, the only two subjects on which there can be no doubt. If we take the one subject of marriage, we find that sub-section 26, of section 91, provides that marriage and divorce shall fall within the powers of this Parliament; but does this mean that all agreements made between parties in their marriage contracts shall be under the jurisdiction of this Parliament? Does that mean that dowers, that marriage covenants in general, are to be within the jurisdiction of this Parliament? Where then would be our civil rights? What would become of the power which was exclusively given to the Provinces to legislate on civil rights and property? That power would disappear at once. I submit that this Parliament may legislate as to railways in general; for instance, it may impose on railways obligations to secure the safety of passengers, to secure to the people a return for the privileges granted by this Government to these companies, and all that is provided in the Railway Act. But to infringe on private contracts that may be made by these companies with individuals, is an encroachment on the civil rights and the legislative powers of the Provinces. The judgment I have cited

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has been confirmed by the Privy Council in England. This ought to settle that question. I believe these two matters—contracts entered into by insurance companies with those insuring with them, and the contracts that are entered into by railway companies as common carriers with their customers—are of the same nature. I will now cite a decision, given by the Court of Queen's Bench of Ontario, in the case of *Beard vs. Steele*, in which it was held that the Ontario Statute, 33 Vic., chap. 19, amending the law relating to bills of lading and declaring the right and liabilities of parties under these instruments of traffic, was not an invasion of the jurisdiction of the Federal Parliament, which alone has the power to regulate trade and commerce; and, as I said before, if a Local Legislature has power to legislate on bills of lading, and if such legislation is not an invasion of the jurisdiction of the Federal Parliament, then the Federal Parliament has no jurisdiction in this matter, because under section 91 of the British North America Act, all classes of subjects assigned exclusively to the Legislatures of the Provinces are excluded from the jurisdiction of the Federal Parliament. As to the second part of my motion, that the Bill is injudicious, I will begin by saying that it is, at least for the Province of Quebec, altogether useless. We have in our Civil Code all the provisions contained in this Bill. It is, therefore, sufficient to say that this legislation is injudicious, because it is useless. What is the use of putting into our Statutes laws which have already been enacted, laws which are already provided or in force in the different Provinces. I say, further, it would be injudicious, because the only provision in this Bill which is not included in our Civil Code is what I would term unreasonable, to use the expression that has been used by the promoter of the Bill. It provides that when special contracts are entered into between the common carriers and the shippers, the court may, although the contract may have been signed by both parties, set it aside, if in the opinion of the court the contract is not a reasonable one. Well, this is the first time I ever heard such a proposition in law. It gives to the courts a discretion they ought not to have. The courts have the duty of interpreting the laws, and that duty should not be left entirely to their arbitrary wishes, or arbitrary feelings. The courts ought not to be allowed to give an arbitrary construction to any laws. I hold that to be reasonable, which is held by the parties to the contract to be such; that is, if the party chooses to make a certain contract which is not against good morals, such contract is reasonable, and it is not for the Judges to say that when a contract has been entered into, whether by a company or individual, this contract is reasonable or not. That must be left to the liberty of the subject—to make agreements and contracts the way he likes. I am ashamed to see our legislation so often questioned in the courts and set aside. That would seem to indicate either that we have not the intelligence to know our jurisdiction, or we do not give the attention we ought to give to the legislation we are passing here. It is an everyday occurrence that these constitutional questions are raised in the courts, and decided sometimes against this Parliament, and sometimes against the Local Legislatures. And I think it is high time some means were devised to settle such questions between this Parliament and the Local Legislatures. It is time we had a Commission, or something like a court, to define in some way the special powers of the different Legislatures. I am told by the promoter of this Bill that the Supreme Court is doing it now; but, as I have said, it is not doing it to our honor. It is not very complimentary to us to see the Supreme Court deciding every day that we are legislating on matters over which we have no jurisdiction. This Parliament is supreme, and it ought to be supreme in intelligence and wisdom.

Mr. BLAKE. And it is.

Mr. OUIMET. It is held to be so. I think that when we have so many distinguished legal talents in this House, some of them ought to have authority to tell us what Bills are constitutional or otherwise. I think, Mr. Speaker, there ought to be a Commission in this House, or a Joint Commission of both Houses, to examine all Bills that are proposed to this House; and before they go to their second reading the preliminary question of their constitutionality ought to be settled by a Committee of competent men who would be responsible for it to the House.

Mr. ABBOTT. I think this House is indebted to the hon. member for Laval for bringing up the question, and for the mode in which he has argued it before the House. Although it is a very important question, quite as important as he claims it to be, it is not after all a very broad question, or one upon which a great deal can be said; in fact, I think my hon. friend has pretty nearly exhausted the arguments on the point. I will venture, however, to trouble the House for a few minutes with an illustration of the mode in which the opinions he has been laying before the House have been dealt with by the Privy Council. My hon. friend said the judgment to which he referred in the Supreme Court here, had been approved by the Privy Council. That is a fact, and in approving it the Privy Council has uttered no uncertain sound as to the principles of construction which should govern our Constitution in these respects. I regret, rather, to feel it my duty to say anything against this Bill, or to interpose any obstacle or any argument against its passing, because I think, on the whole, the Bill is a good Bill; I think, on the whole, there is some regulation required in the direction in which this Bill would regulate this particular contract; and I think, as a matter of general principle, that it would be a good thing if the laws regulating this kind of contract were similar in all the Provinces. But, at the same time, I think those considerations must yield to the consideration that this House ought not to show any example of legislating beyond its jurisdiction. We are constantly seeing the legislation of the Provinces, and, I think, occasionally, the legislation of this House, reviewed in the courts, and it is to be lamented that the occasion ever occurs for such review. At all events, so far as in us lies, I think we should show an example in our Legislature of confining ourselves strictly within the bounds which the Constitution has imposed upon us, and we should, under no circumstances, go beyond those bounds, or even tread upon doubtful ground unless the occasion is important enough, and the necessity great enough, to justify it. Now, I heard the speech of my hon. friend in introducing this Bill, and it appeared to me that he placed the jurisdiction of this House more particularly upon one clause of the Constitution, and also partially upon another clause. I think I understood him to say that he considered this House had jurisdiction to deal with this contract under the provision of the Constitution which gave to this House the regulation of trade and commerce; and I also understood that he referred indirectly to its jurisdiction over railway companies and similar companies as strengthening the position he took.

Mr. McCARTHY. No.

Mr. ABBOTT. I may be mistaken in that, but I understood that he claimed that this House had jurisdiction, not only over railways which passed through more than one Province, or which had been declared to be for the advantage of Canada, but also over railways within a Province. However, as my hon. friend says that he does not rely upon that, his pretensions, I think, must rest altogether upon a clause of section 91 of the Constitution, which gives us jurisdiction over trade and commerce. The second subsection of the ninety-first section mentions that as one of the subjects in respect to which it shall be lawful for this

House to make laws. It shall be lawful to make laws for the peace, order and good government of Canada, &c., in relation to matters not coming within the class of subjects assigned exclusively to the Legislatures of the Provinces. And then, for greater certainty, the clause proceeds to enumerate a number of subjects on which this House may legislate, the second of which is the regulation of trade and commerce. The eighteenth is bills of exchange and promissory notes; the fifteenth is banking and the incorporation of banks, and the use of paper money; the seventeenth specifies weights and measures; so that it appears that by this clause the Constitution gives us the right to regulate trade and commerce, and also gives us the right to make laws about bills of exchange and promissory notes, about banks, savings banks, and weights and measures. The ninety-second clause states what power the Local Legislatures shall have, and it appears to be quite clear that these powers are given exclusively to these Legislatures, and that they have nothing to do with any subject which is mentioned in the ninety-second clause, and one of those subjects is property and civil rights in the Provinces. Now, it has always appeared to me that this phrase, "regulation of trade and commerce," could not by any possibility go so far as to include within it the power of making laws respecting commercial contracts. It seems to me, even if there had not been some circumstances in the ninety-first clause, which appear to interpret it, to be impossible to believe that that language should mean that we may make in this House laws with reference to every kind of commercial contract. Now, if my hon. friend's proposition does not go so far as that, it does not seem to me to be worth anything. If he does not admit that that phrase gives us the power to make laws about every commercial contract, I do not see how he can claim that it enables us to make laws about carriers. A contract with a common carrier is a commercial contract, I do not think there can be any question about that. But, on the other hand, there is a contract involved in a promissory note, in a bill. Banking is trade and commerce, I presume; the regulation of weights and measures would come within this phrase in the interpretation which I understand him to claim for it. So, I say, if it were the intention of the Constitution in giving us jurisdiction over the regulation of trade and commerce, to give us the right to make laws about all commercial contracts, then no commercial contracts would have been mentioned in the remainder of this section. The express provision that we shall make laws about some commercial contracts, in this clause, seems to indicate that that phrase cannot mean that we should have jurisdiction over all commercial contracts. I presume an argument is unnecessary upon the point that the enforcement of a contract and the rights which parties acquire as against each other in respect to contracts, are civil rights. That, I imagine, cannot be disputed. And the ninety-second clause of the Constitution expressly says that the Provinces shall have the regulation of property and civil rights. That is my view of it. But there is a much higher authority than mine could ever possibly be, as to the view which I have taken, and it is to be found in the judgment of the Privy Council in the case of Parsons, to which the hon. member for Laval has referred. His Lordship, who rendered judgment—his name is not mentioned—referring to these clauses to which I have drawn attention, said:

"The scheme of this legislation, as expressed in the first branch of section ninety-one is to give to the Dominion Parliament authority to make laws for the good government of Canada in all matters not coming within the classes of subjects assigned exclusively to the Provincial Legislatures. If the ninety-first section had stopped here, and if the classes of subjects enumerated in section ninety-two had been altogether distinct and different from those in section ninety-one, no conflict of legislative authority would have arisen. The Provincial Legislatures would have had exclusive legislative power over the sixteen classes of subjects assigned to them, and the Dominion Parliament exclusive power over all other matters relating to the good government of Canada."

Then his Lordship goes on to show that it must have been foreseen that a sharp and definite distinction could not be obtained in some classes of subjects, and that these would inevitably run into each other; and then his Lordship lays down the general principle, to prevent a conflict between the powers of the two Legislatures, the language of the two sections must be read together, and that of one interpreted, and, where necessary, modified by the other. The first point with which his Lordship deals is the proposition of the promoter of the Bill; that is to say, as to whether the regulation of trade and commerce comprises the right to regulate contracts. His Lordship says:

"A question was raised which led to much discussion in the courts below and at this Bar, namely, whether the business of insuring buildings against fire was a trade. \* \* \* \* But in the present case their Lordships do not find it necessary to rest their decision on the narrow ground that the business of insurance is not a trade. The words 'regulation of trade and commerce' in their unlimited sense are sufficiently wide, if uncontrolled by the context and other parts of the Act, to include every regulation of trade ranging from political arrangements in regard to trade with foreign Governments requiring the sanction of Parliament down to minute rules for regulating particular trades. But a consideration of the Act shows that the words were not used in this unlimited sense. In the first place, the collocation of No. 2 with classes of subjects of national and general concern affords an indication that regulations relating to general trade and commerce were in the minds of the Legislature when conferring this power on the Dominion Parliament. If the words had been intended to have the full scope of which in their literal meaning they are susceptible, the specific mention of several of the other classes of subjects enumerated in section ninety-one would have been unnecessary; as, fifteen, banking; seventeen, weights and measures; eighteen, bills of exchange and promissory notes; nineteen interest, and even twenty-one, bankruptcy and insolvency. Regulation of trade and commerce may have been used in some such sense as the words 'Regulations of Trade' in the Act of Union between England and Scotland, and as these words have been used in other Acts of State."

The conclusion at which their Lordships arrive, is this:

"Construing therefore the words: 'regulation of trade and commerce,' by the various aids to their interpretation above suggested, they would include political arrangements in regard to trade requiring the sanction of Parliament, regulation of trade in matters of inter-Provincial concern, and it may be that they would include general regulation of trade affecting the whole Dominion. Their Lordships abstain, on the present occasion, from any attempt to define the limits of the authority of the Dominion Parliament in this direction. It is enough for the decision of the present case to say that, in their view, its authority to legislate for the regulation of trade and commerce does not comprehend the power to regulate by legislation the contracts of a particular business or trade, such as the business of fire insurance, in a single Province, and therefore that its legislative authority does not, in the present case, conflict or compete with the power over property and civil rights assigned to the Legislature of Ontario by No. 13 of Section 92."

It was urged that because the Dominion Parliament had the right to incorporate insurance companies to trade in the Dominion, they would necessarily have the right to define the powers of those companies, and it was attempted to be proved that in consequence of the Local Act there was conflict between the jurisdiction of the two Legislatures. But then his Lordship said:

"But it by no means follows (unless, indeed, the view of the learned Judge is right as to the scope of the words 'the regulation of trade and commerce,') that, because the Dominion Parliament had alone the right to create a corporation to carry on business throughout the Dominion, that it alone has the right to regulate its contracts in each of the Provinces."

It appears to me, that every word I have read from this judgment is applicable to this Bill, and it must be observed that the Bill is not at all restricted as to its purview. It is not contended that the transactions will extend from one Province of the Dominion to another, upon which some kind of argument might probably be hung as to the rights of this Legislature, but it includes all kinds of carriers' contracts, even the carriage of a parcel from one village to another. The Bill says:

"It shall include railway companies, express companies, and large coach proprietors, and every person or corporation who carries on the business of a common carrier on land for hire."

As I have remarked a moment ago, I think some regulation of these contracts would be advantageous; but I should re-

Mr. ABBOTT.

gret exceedingly if we should pass this Bill, unless we have undoubted power to pass it, as we would be showing an example to the Legislatures of the Provinces to deal with subjects over which they have no jurisdiction; and for these reasons, as I do not think we have not that power, I will support the motion of the hon. member for Laval.

Mr. McCARTHY. I agree in the observation which has just fallen from my hon. friend, that we ought to be very careful in not attempting to legislate on matters respecting which we are not invested with jurisdiction. But, at the same time, I see great difficulties in our refusing to legislate simply on the ground that we may, or may not, have jurisdiction. This Parliament, of course, must exercise its judgment upon that point. The suggestion of the hon. member who moved the amendment that some Commission should be appointed, composed either of members of this House, or of both Houses, to whom should be assigned the duty of saying whether matters were within the jurisdiction of Parliament or not, is not at present, at all events, the law of the land; and I doubt whether, according to the Constitution, a free Parliament would ever submit to have its hands tied by a Commission appointed, including even the most eminent members of that body. We are, therefore, obliged, when matters of this kind come before us, to determine, to the best of our ability, whether the matter proposed to be legislated by Parliament comes within the jurisdiction conferred by the British North America Act, otherwise legislation upon the subject might be impossible. If we entertain any doubt, and because of that doubt we decline to legislate on a subject—and no doubt the Provincial Legislatures will be equally modest—the people cannot obtain legislation on a subject, which it is admitted, as in this case, legislation is required upon. I admit, of course, the authority of the case cited by my hon. friend, that of the Queen's Insurance Company vs. Parsons; but to my mind—I may be quite wrong—it does not settle this question. The contention made in the Provincial courts, in which this case was first tried, was that it was a matter of trade and commerce, and being a matter of trade and commerce legislation by the Province was *ultra vires*. It was contended that the business of insurance was a trade—the decision of the Supreme Court was founded distinctly upon that view; but the Court of Appeal in Ontario, and in fact all the Judges in that Province, before whom the case came, unanimously held—I do not think there was a dissentient on that point—that it was simply a contract, not a matter of trade or of commerce, and, therefore, a matter clearly within the jurisdiction of the Local Legislature. When it came to the Supreme Court here, one or two of the Judges took an opposite view; and when the case came before the Privy Council the effect of the judgment was that they thought it was not a matter beyond the jurisdiction of the Provincial Legislatures. Now, it may be quite true that a contract relating to insurance—which always, I must confess, to my mind, appeared to me to be merely a contract of indemnity, and, therefore, not a matter of trade and commerce—was within the jurisdiction of the Provincial Legislatures; and that this may not be, we ought not to take too narrow a view of our powers. I do not mean to say, by any means, that we should endeavor to extend our powers. The charter under which we legislate is just as powerful for the Provinces as it is for this Parliament. I do not pretend at all to urge that we should stretch any power which has been given to us; but we ought to take a wide and liberal view, having regard to the subject-matter with which we are about to deal. Now, if there is one matter, as it appears to me, more than another which ought to be, if it is not, within the jurisdiction of the Federal Parliament, it is the law relating to carriers, because we know that articles carried may be sent from one Province to another; and it will be certainly a misfortune if the laws of the Provinces are to

be the guide, because they would differ from one another. I, therefore, think that the construction of the Act—I am speaking now directly in a legal sense—ought not to be lost sight of; and that the regulation of trade and commerce, which, in the language of the Privy Council, cited by my hon. friend, may refer to matters of inter-provincial concern, and may refer to matters of general concern, would, under these terms, very naturally be held to apply to all questions relating to the law of carriers; because, as I have said, the business of carriers is not circumscribed, is not limited, at all, within the bounds of any particular Province. My hon. friend who has just spoken, says that this Bill takes a wide view, and that it does not at all attempt to limit the law relating to carriers between Provinces, or to goods carried from one Province to another. I confess, Sir, that I would deem it a great misfortune if we were compelled to limit the law in that way; and that is the misfortune—if I may so speak of it—which regulates the Constitution upon the other side of the line. There, all matters relating to a State, within the State, must be regulated by the law of that State; but matters between States and foreign commerce are regulated by Congress. Now, the difference, I take it, and the broad difference, which exists between their Constitution and ours, is, that the matter is either wholly with us, or wholly with the Provinces; and it would, as I say, appear to me to be a very great misfortune indeed if we were to make a law here to regulate the business of carriers between Provinces, and each Province made a similar law regulating carriers within its own territory. I trust, therefore, that it will be found that the power to legislate in this matter rests with us, or with the Provinces; and for the reasons I have already given I think it would be a great misfortune if it were found that it does not rest with this Parliament. Now, no doubt, this is *prima facie* a matter of civil rights, and so is every matter relating to trade and commerce. I defy any hon. gentleman to point out any contract, or matter of trade and commerce, which cannot be brought under the head of civil rights. And the construction which has been placed upon the British North America Act, that has received the sanction of the Privy Council—if it did not originate there—is this: We are, first, to look to section 92, which prescribes the powers of the Provinces. If we find that they have authority to deal with any particular matter, then *prima facie* they have that power; but, before we can come to a conclusion, we have to turn back and look at section 91. And if, among the enumerated subjects specifically given to this Parliament by section 91, we find that those powers clash with these, which are given expressly by section 92 to the Provinces, then the power of this Parliament is supreme, and in that particular overrides the general power conferred by section 92 on the Provinces. Now, I think there is no doubt that—and every lawyer in the House will in this agree with me—this must be accepted as the construction to be placed on these two articles of the Constitution, upon which so much depends; therefore, I admit, in the first instance, that the law respecting carriers and the contracts of carriers is a matter of civil rights. But I have then to turn back and look at section 91; and on looking at section 91, I find that upon us is conferred the power of regulating trade and commerce to that extent. This power which is conferred upon us limits by the general authority of the Provincial Legislatures to deal with matters of civil rights. Well, my hon. friend points out—and there is no doubt that difficulties are created by it—that if it is evident that the ninety-first section gives us all the powers connected with trade and commerce, it would have been unnecessary to have specified, in subsequent sub-sections, the power of dealing with the matters to which my hon. friend has referred, such as banking, bills of exchange, promissory notes, interest, insolvency, &c. We have

that difficulty placed before us; but what meaning are we to attach to trade and commerce? Because the section goes on to specify with particularity matters which might well have been covered by the words "trade and commerce," does it follow that the words "trade and commerce" have no meaning? Because it comes to that. My hon. friend did not attempt to point out anything that he understands is regulated under the terms, "trade and commerce" unless the language of the Privy Council expressly covers matters of this kind, matters of inter-provincial concern, and matters of general concern. Now, Sir, we are fortunate, perhaps, in having many of these questions determined for us by the court, which, I venture to say, is the most competent to determine questions of this character—and that is the Supreme Court of the United States. Of course, in England it is but very seldom, indeed, that recourse is had to the highest courts there to determine questions of legislative jurisdiction, but this is of constant occurrence in the United States; and from the earliest times, therefore, we have had discussions in the United States, and by the very ablest men there, as to the conflicting powers of jurisdiction conferred upon the State Legislatures, and upon the Federal Legislature. I would, therefore, refer—if the House would tolerate it for a moment—to decisions on this particular subject, by Chief Justice Marshall, and by other Judges who have dealt with this matter. Now, from Pomeroy's work on the American Constitution, in which these matters are summarized, I would read an extract on this branch of the legislative power. Dealing with the question of this power—having cited the celebrated case of *Gibbons vs. Ogden*, in which Chief Justice Marshall first laid down the doctrine with regard to the powers of Congress, in matters of commerce—and referring to the extent of this power, he says this:

"I am now brought to the consideration of the second division into which the whole subject was separated: The extent of the power to regulate commerce; or, what particular Acts may Congress pass by virtue thereof?"

"As an introduction to the subject under discussion, I will quote some remarks of C. J. Marshall on the extent of the power of Congress to regulate commerce, which he made in the great case of *Gibbons vs. Ogden*. He says: 'The subject to be regulated is commerce; and our Constitution being, as was aptly said at the bar, one of enumeration and not definition, to ascertain the extent of the power, it becomes necessary to settle the meaning of the word. The counsel for the appellee would limit it to traffic, to buying or selling, or the interchange of commodities, and do not admit that it comprehends navigation. This would restrict a general term applicable to many objects, to one of its significations. Commerce undoubtedly is traffic; but it is something more; it is intercourse. It describes the commercial intercourse between nations and parts of nations in all its branches, and is regulated by prescribing rules for carrying on that intercourse. The mind can scarcely conceive a system for regulating commerce between nations, which shall exclude all laws concerning navigation, which shall be silent on the admission of vessels of one nation into the ports of the other, and be confined to the prescribing rules for the conduct of individuals in the actual employment of buying and selling or barter.'"

Coming more particularly to this matter, it is stated on page 247 of the same work:

"Statutes relating to the liabilities of ship-owners and others engaged in commerce, either declaring, altering, or supplementing the rules of the Common Law, or general Law Merchant. Congress has assumed to enact laws of this description, and having this effect. In 1851 it passed a statute entitled, 'An Act to limit the liability of ship-owners,' &c. This Act provides in substance, among other things, that no owners of vessels shall be liable for any damage to goods and merchandise caused by fire on board the vessel in which the commodities are laden, unless the fire were caused by the design or neglect of the owner himself. Provisions of the same law modify the liability resulting from collisions and other negligent or wrongful acts. Here is a plain and most material change in the rules of the Common Law; for, under that law, the common carrier is an insurer against all loss and damage, except that caused by the act of God or of the public enemies."

Now, if that is sound law—and it has never been questioned since 1851—the power to make it is simply based upon the power given to Congress in the words: "to regulate commerce;" of course, not so much as in ours, because their power is confined to commerce between different States,

with foreign nations, or the Indian tribes, while ours is much wider. The House will see that our power is, in point of fact, equivalent in all respects to theirs, and greater than theirs, because very properly, as it appears to me, we have authority to deal with subjects within our own jurisdiction and matters which by their law are confined to the State Legislatures. I would therefore submit, with all deference to my learned and hon. friend, that it would be unwise for this Parliament to hesitate to assume this power. Of course it may be a misfortune—and my hon. friend who first addressed the House on this subject seemed to think that it would be something more than a misfortune—that the court should have power to declare these laws unconstitutional, but I see no way out of that dilemma. All we can hope is that our courts shall rightly interpret our laws, and that as they do so from time to time we will pay every respect to their decision. But if we refuse to legislate because we have doubts, and the Provinces refuse to legislate because they have doubts, the result will be that the people of the country will be without a law on a subject upon which legislation is admitted to be necessary. On the other part of the motion I have only to say that, of course, the Province of Quebec is a most important part of this Dominion, but, with all respect to the hon. gentlemen from that Province, it is not the whole Dominion; and if the Code which is in force there provides, as it does very largely, for the Bill which I have introduced, why, it will not do them any harm to have it reenacted there. So far as I know I believe the other Provinces are without any such law. That is the case in the Province of Ontario. If we are not legislating against the law of the Province of Quebec, I do not know that hon. gentlemen from that Province should object to it. I have looked at the Code and I am inclined to think that the amendment proposed to be made by the Bill now under consideration will not be in the wrong direction. My hon. friend finds more fault because the court has power to say that a contract shall not be binding, but he forgets that contracts made with carriers are practically one-sided. If a man brings an article to be carried he has no alternative between possibly a law suit and signing the only terms upon which the carrier will agree to convey his goods. That is the result—we all know that to be the result. How is that state of things to be remedied? Some of my hon. friends think that we should remedy it in this way: that we should say that no carrier should have power to limit his common law liability—he should have no power to make a contract of any kind. But that would be a still greater interference than I have suggested, and I am not prepared to go that length. There may be cases—and the hon. member for West Durham pointed out when we were in Committee of the Bill—in which it would be in the interests of the public, as well as of the carrier, that he should have power to make a special contract; but at the same time we must interfere, and we ought to interfere, between the carrier and the public when he makes stipulations which are unjust and unreasonable. I do not know whether my hon. friends from Quebec will think it of any importance, but in the great commercial country of England, since 1854, provisions have been in force giving power to the courts to declare a contract to be unjust, and therefore not binding upon the man who signed it, and yet there are no complaints of its operation. Under that law decisions have been given in the courts which, if we enact a similar law, we will have the benefit of. In the very cases which the hon. gentleman cited, the insurance cases in the Province of Ontario, we have had decisions stating what were fair conditions between the insurer and the insured, and they have gone further and declared that special contracts should not be binding unless the court pronounced them just and reasonable. So that we have sufficient precedents, if precedents are necessary, to justify us in enacting such a law. For these

Mr. McCARTHY.

reasons I trust that while this should receive every consideration on the constitutional question, and while the hon. gentleman who leads the House will deal with it with the responsibility cast upon him in that regard, and while hon. members of the profession to which I belong will also discuss it, I feel very strongly that the jurisdiction to deal with this matter rests wholly with us and not with the Provinces. I may say with regard to the case referred to in connection with bills of lading, that I have not read the decision lately, but I think it is perfectly obvious to every hon. member that bills of lading do not come within the jurisdiction of the Provincial Legislatures. In a case which came before the Court of Queen's Bench a few days ago, it was proposed to call upon the Attorney-General to show cause why the Provincial Law should not be declared illegal, and the majority of the Judges expressed the strongest possible opinion, though I admit the case was not argued, that the law passed by the Province of Ontario with regard to bills of lading was not within the purview of the Provincial Legislature. For these reasons I trust the House will vote down the motion of my hon. friend and allow the Bill to proceed on its merits.

Mr. GIROUARD (Jacques Cartier). As the seconder of the motion, I wish to make a few remarks to the House. Constitutional questions have been raised from time to time ever since 1867 in all our courts, Provincial and Federal, as well as in the Privy Council. They have also been repeatedly brought up in this Parliament, and I believe that this is a good opportunity for us to define our jurisdiction, so far as we are able to do so, in matters regulating trade and commerce. The subject matter of the Bill now before the House is one of great importance. If it was advisable for this Parliament to make uniform legislation for all the Provinces, regulating carriage by land, a measure to that effect could now be considered. But that is not the most important point. The most important point is, have we jurisdiction to do so. If we have not, we should not do so. This affects a very large interest in the country. Almost every kind of commerce is more or less affected by regulations concerning carriers by land. This Bill tends to create new regulations, and it is very dangerous to do so in a matter of so great importance as the relations existing between the public and common carriers, unless we have undoubted jurisdiction in the matter. My hon. friend referred to a case in which the constitutionality of Provincial legislation was raised with reference to bills of lading. I am of opinion this Parliament has undoubtedly jurisdiction in matters of bills of lading when relating to banking. When we declare that a bank shall make an advance on a bill of lading, we have a right to declare in what manner that security may be given to the bank. The moment we legislate on bills of lading as a contract having no connection with banking we have no jurisdiction. A great deal has been said about the decision of Chief Justice Marshall. I believe we are not going to be governed by American jurisprudence. We all know that the American Constitution is not the same as the Canadian, in matters concerning trade and commerce. We all know that the Congress of the United States has jurisdiction over its commerce with foreign countries, between the States and the Indian tribes. We all know that in this country there is only to be found a provision in the Constitution—paragraph 3 of section 91—which establishes that the regulation of the entire trade and commerce shall belong to this Parliament. Not only have these American decisions no bearing on our Constitution, because our constitutional system is not the same as theirs, but we have Canadian decisions on the very point before this Parliament. There is the case of the Citizens' Assurance Company vs. Parsons, which has been alluded to by every speaker, and which my hon. friend says has not decided the

point at issue. I believe it has. I believe my hon. friend from Argenteuil is not absolutely correct when he says the Privy Council has not decided that insurance companies are not traders. This point, I believe, has been decided by the Privy Council in that case, and also by other courts; but the Privy Council went a great deal further. I will read only that portion of the decision having any bearing on the question:

"Construing, therefore the words: 'regulations of trade and commerce,' by various aids to their interpretation above suggested, they would include political arrangements in regard to trade requiring the sanction of Parliament, regulation of trade in matters of inter-provincial concern, and it may be that they would include general regulations of trade affecting the whole Dominion."

Mr. McCARTHY. Hear, hear.

Mr. GIROUARD. I presume my hon. friend is going to say this Bill affects the whole Dominion.

Mr. McCARTHY. Hear, hear.

Mr. GIROUARD. Here is my hon. friend's definition of a carrier by land:

"It shall include railway companies, express companies and large coach proprietors, and every person or corporation who carries on the business of a common carrier on land for hire."

I would understand that some ground would exist for this Bill if the hon. member had limited it to common carriers, carrying on business between the Provinces, excluding local common carriers of any of the Provinces. How can he claim jurisdiction under the decision of the Privy Council?

"Trade and commerce include political arrangement in regard to trade requiring the sanction of Parliament, regulation of trade in matters of inter-provincial concern, and it may be that they would include general regulations affecting the whole Dominion."

The hon. gentleman asks, if we are going to give that interpretation to that clause of the Constitution, where will be the power of this Parliament in matters affecting trade and commerce? We have a great deal of legislation passed by this Parliament affecting trade and commerce of this Dominion which will come only under that clause and does not affect contracts. Take, for instance, the law of this Parliament which says that persons shall not carry on certain business without a license obtained from the Dominion Parliament. Is not that regulating trade and commerce? Take the Railway Act which contains many provisions for the safety of passengers, and for the carrying of goods from one Province to another. These are regulations of trade and commerce which seem to have been contemplated by the Constitution, but not an agreement or a contract which may be made between common carriers and the public, and which comes under civil rights which belong to the Provincial Legislatures.

An hon. MEMBER. The Tariff.

Mr. GIROUARD. The Tariff comes under another clause—the power of taxation. The rates which railway companies may impose come under that clause of the Constitution which gives to this Parliament power to regulate trade and commerce. Now, there is in this Bill another point which is more important to us members from the Province of Quebec, than to the other hon. members of this honorable House. In our Province we are governed by a code which is not only the result of the labors of our most eminent jurists, but it has been modelled on the *Code Napoleon* and the Justinian Code. In 1862, I believe, at a special request of the late Sir George Etienne Cartier, a Commission was appointed to codify the laws of Quebec. The codification of those laws was entrusted to the most able jurists of our Province, among whom were Mr. Justice Morin, Mr. Justice Day and Mr. Justice Caron, the father of our worthy Minister of Militia. Some of our able lawyers also contributed to this great work, among them

Justice Beaudry and Justice Ramsay. The work of the Commission was completed in 1865, and Sir George Etienne Cartier took special pains to secure for that great national work the sanction of this Parliament. I may say that the Code of the Province of Quebec is the greatest monument which could have been erected to the memory of Sir George E. Cartier. Sir, the Federal Constitution which we are discussing to-day may pass away, and no doubt some day it will pass away, as did the Constitution of 1840. We shall all pass away in a few years, a great many of the present institutions of this country will pass away, Sir George E. Cartier himself has passed away, but one monument has survived him, and will continue to survive him for ever—I refer to the Civil Code of Lower Canada. Sir, we shall take good care that this Code be not touched, especially when it is doubtful if we have jurisdiction. Two years ago all the members of the Province of Quebec asked that the laws which were contained in that Code should not be submitted to the interpretation of the Supreme Court, because, as we understood, there were only two Judges of that court from our Province, and who were able to interpret those laws; and to-day are we going to allow this Parliament to exercise a jurisdiction which it is very doubtful whether it possesses? The hon. members from the Province of Quebec will fail in their duty if they do not object to this proposal, because it is one of the first duties of an hon. member to see that the civil laws of his Province are respected. I say we shall be failing in our duty as members from the Province of Quebec if we do not see that the jurisdiction of this Parliament is kept within its proper bounds. I object especially to the Bill of my hon. friend because it conflicts with the provisions of the Civil Code. If uniformity of laws be desirable, I do not see why the other Provinces should not adopt the provisions of that Code. It is not only based upon French principles, but upon English principles. In fact we all know that commerce is regulated by about the same principles of law in every country. If the other Provinces adopted the provisions of our Code then we would have a uniformity of laws, which is so desirable in matters of commerce. Now, let me quote article 1676 of the Civil Code, with which the Bill of my hon. friend comes in conflict:

"Notice by carriers of special conditions limiting their liability is binding only upon persons to whom it is made known, and notwithstanding such notice and the knowledge thereof, carriers are liable whenever it is proved that the damage is caused by their fault, or the fault of those for whom they are responsible."

Thus you will see that all the notices of carriers are permitted, provided they are made known, but section 11 of the Bill says:

"Except as hereinbefore provided, no carrier shall limit the Common Law liability of such carrier, for the loss of or any injury done to any horses, cattle or other animals, or to any articles, goods or things, whether contained in packages or parcels, or not, in the receiving, forwarding or delivering thereof occasioned by the neglect or default of such carrier, or his or its servants, by any special contract, unless the same shall be signed by the owner or by the person delivering such animals, articles, goods or things respecting for carriage."

Here is an important change. You are going to change by this Bill the whole business of common carriers in this country—at least in our Province. I believe it is also the Common Law of England, which has force in the other Provinces of the Dominion to-day, that a common carrier may limit his responsibility by a notice, and it is sufficient that that notice should be brought to the notice of the public or of the party offering the goods for transportation. But this Bill proposes that it should no longer suffice that the public or the party offering the goods for transportation, should be made acquainted with this notice; it must also be signed by such party. A provision of that kind is not even practicable. Are you going to require that every merchant offering his goods for transportation to a company having conditions limiting their responsibility, shall be obliged to sign a paper acknowledging that he is aware of

those limitations? I say that it is not practicable. That is not the way the business of carrying is done in a mercantile community. If there are limitations they are known to the trade, and it seems to me that is sufficient. That is one of the reasons for which I object to this Bill. But that is not all. There is another article of our Code which says:

"They are not liable for large sums of money or of bills or other securities, or for gold or silver or precious stones, or other articles of an extraordinary value, contained in any package received for transportation, unless it is declared that the package contains such money or other articles.

"The foregoing rule nevertheless does not apply to the personal baggage of travellers when the money, or the value of the articles lost is only of a moderate amount and suitable to the circumstances of the traveller, and the traveller is entitled to be examined upon oath in proof of the value of the things composing such baggage."

Let us see what the Bill says in that respect. By the provisions of our Code—which is also the Common Law of England—only gold, silver, precious stones and jewellery are excluded, but not the personal luggage of the passenger. In clause three of the Bill, the articles excluded are a great deal more numerous, comprising stamps, paintings, engravings, pictures, gold or silver plate or plated articles, glass, china, silks. If a lady has a silk dress or a fur cloak in her trunk she is to mention it specially, because the personal luggage of the traveller is not excepted in that Bill. More than that, in case the traveller or the merchant declares he has for transportation any of those excepted goods, the company has a right to charge extra freight. For all these reasons I am opposed to this Bill. I hold that it is unconstitutional, because it does not, upon its face, affect the trade of the Dominion alone, but seems to affect the local trade of the Provinces as well. Not only is it injurious but it is dangerous—dangerous to trade and commerce. Why is this Bill brought in? Have we seen any petitions from the mercantile community, from the Boards of Trade, or from any one else, complaining of the present regulations? We have received nothing of the kind, and we must have some evidence that the country wants this Bill before we undertake to disturb the business relations of our mercantile community. For these reasons I second with pleasure the motion of my hon. friend from Laval.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

#### ACADIA POWDER COMPANY.

Mr. TUPPER moved the third reading of Bill (No. 40) to grant certain powers to the Acadia Powder Company.

Mr. AMYOT moved, in amendment:

That this Bill be not now read the third time, but that it be declared by this House that the same is beyond the jurisdiction of the Federal Parliament of the Dominion of Canada.

He said: My object in moving this amendment is not to embarrass in any way the mover seeking the incorporation which he desires to obtain from this honorable House. I have all possible sympathy with him, and with those who seek for that incorporation; and I may tell him that if he applied for such incorporation to the Quebec Legislature he would receive a cordial reception, without a doubt. But we all know that in beginning this new institution, which we call Confederation, certain principles were laid down in the Statute-book, and it is not in the interest, as well of the Parliament of the Dominion as of the Legislatures of the several Provinces, that one of them should encroach on the rights and privileges of the others. We know that when improper legislation is cast it becomes a precedent for the future, and parties coming the following year and asking for such legislation point out that already similar laws have been enacted. After the several decisions by different courts that many laws passed are unconstitutional, it is time we

Mr. GIROUARD (Jacques Cartier).

should stop and not enact legislation beyond our power. I have not the intention of repeating what was so ably stated this afternoon, nor of quoting the same authorities and precedents, but it is well to remember what the fathers of Confederation said when Confederation was adopted. If we refer to page 1030 of the Confederation Debates we find clause 14 of the resolutions adopted by the construction—which is what was then intended to be placed in the Confederation Act, and I quote it now because it differs somewhat from the wording of the British North America Act as it now stands—ran as follows:—

"The incorporation of private or local companies, except such as relate to matters assigned to the General Parliament."

It is important, because, if I show the present Bill falls within the limits laid down here, there can be no doubt we have no jurisdiction to pass it, but the Bill must be referred to the Local Legislatures. Allow me to remind the House that at Confederation a solemn agreement was entered into between the several Provinces which joined the Union, by public men who had charge of Confederation itself. The present hon. leader of the Government used, according to the report at page 31 of the said Debates, these words:

"As I stated in the preliminary discussion, we must consider this scheme in the light of a Treaty. \* \* \* We made the arrangement, agreed upon the scheme, and the deputations from the several Governments represented at the conference went back pledged to lay before their Governments, and to ask the Legislatures and the people of their respective Provinces to assent to it."

Then the late Sir George E. Cartier, at page 1022, said in his usual vigorous language:

"I have already declared, in my own name and on behalf of the Government, that the delegates who go to England will accept from the Imperial Government no Act but the one based on the resolutions adopted by this House, and they will not bring back any other. I have pledged my word of honor, and that of the Government, to that effect, and I trust that my word of honor will have at least as much weight with this House and the country as the apprehensions of the hon. member for Hochelaga."

What was the meaning of these words in the resolution—"the incorporation of private or local companies except such as relate to matters assigned to the General Parliament." The Bill which we are now asked to pass is a Bill seeking for the incorporation of a private company to manufacture and sell powder, and that company is already incorporated in another Province, and as the company wants to deal with other Provinces, it comes and asks for a general Act of incorporation. Can we find, in any part of the British North America Act, any clause which gives to this Parliament the power of incorporating such local companies for those objects? I fail to find in it any such clause. If we refer to the debates on Confederation we will see what were the intentions of the framers of the Confederation Act. If we look at page 30 we will see what the present hon. leader of the House then said:

"In the proposed Constitution all matters of general interest are to be dealt with by the General Legislature; while the Local Legislature will deal with matters of local interest which do not affect the Confederation as a whole, but are of the greatest importance to their particular sections."

And then at page 40 the same hon. gentleman says:

"But any hon. member on examining the list of different subjects which are to be assigned to the General and Local Legislatures respectively, will see that all the great questions which affect the general interests of the confederacy as a whole, are confided to the Federal Parliament, while the local interests and local laws of each section are preserved intact, and entrusted to the care of the local bodies \* \* \* It will be seen that the Local Legislatures have the control of all local works; and it is a matter of great importance, and one of the chief advantages of the Federal Union and of the Local Legislatures, that each Province will have the power and means of developing its own resources and aiding its own progress after its own fashion, and in its own way. Therefore, all the local improvements, all local enterprises or undertakings of any kind, have been left to the care and management of the Local Legislatures of each Province."

Those were the words used by the present hon. leader of the House, who was one of those intelligent and patriotic men

who brought about Confederation. If we look at page 62 we will see another declaration by Sir George Cartier :

"So if these resolutions were adopted by Canada, as he had no doubt they would, and by the other Colonial Legislatures, the Imperial Government would be called upon to pass a measure which would have for its effect to give a strong Central or General Government and Local Governments, which would at once secure and guard the persons, the properties and the civil and religious rights belonging to the population of each section."

Now, it is my pleasure to quote the words of another of the founders of Confederation, who still lives. I quote the language of Sir Hector Langevin, now the Minister of Public Works, from page 373 of the same work, as follows:—

"I may add that under Confederation, all questions relating to the colonization of our wild lands, and the disposition and sale of those same lands, are civil laws"—

I insist on the words "civil laws" because I will explain the extent of the meaning of these words further on :

"And all measures of a local nature—in fact everything which concerns and affects those interests which are most dear to us as a people, will be reserved for the action of our Local Legislature."

Now, Mr. Speaker, this question has been discussed in England, in the Imperial Parliament, and we have the authority of Lord Carnarvon on this question. Lord Carnarvon makes a distinction, or rather makes a definition, summarizing the whole Act in these words :

"In this Bill the division of powers has been mainly effected by a distinct classification. That classification is four-fold : 1st, those subjects of legislation which are attributed to the Central Parliament exclusively ; 2nd, those which belong to the Provincial Legislatures exclusively ; 3rd, those which are subjects of concurrent legislation ; and 4th, a particular question which is dealt with exceptionally."

And then he says :

"But there is, as I have said, a concurrent power of legislation to be exercised by the Central and the Local Parliaments. It extends over three separate subjects—immigration, agriculture, and public works."

We know, Mr. Speaker, that the present Bill does not refer to public works, or to immigration, or to agriculture, so it is not one of the subjects of concurrent jurisdiction ; but it must be one of exclusive jurisdiction. It does not fall within the exceptional provisions of the Act, so it remains to be discovered whether it falls within the jurisdiction of the Federal or of the Local Parliament. He goes on to say :

"Of these the two first will in most cases probably be treated by the provincial authorities. They are subjects which, in their ordinary character, are local ; but it is possible that they may have, under the changing circumstances of a young country, a more general bearing, and therefore a discretionary power of interference is wisely reserved to the Central Parliament. Public works fall into two classes : first, those which are purely local, such as roads and bridges, and municipal buildings—and these belong, not only as a matter of right, but also as a matter of duty, to the local authorities. Secondly, there are public works, which, though possibly situated in a single Province, such as telegraphs and canals, and railways, are yet of common import and value to the entire Confederation, and over these it is clearly right that the Central Government should exercise a controlling authority."

Now, the rest of all the public works belong to the Local Governments ; and Lord Carnarvon tells us most distinctly that in the distribution of the powers, all these local interests fall within the jurisdiction of the Local Governments. What are the words of this Statute, which was then passed by the Legislature of the United Kingdom ? The tenth subsection of section 92, says : One of the exclusive powers of the Local Governments relate to local works and undertakings, other than such as are of the following classes ; then comes the distinction respecting steamship lines, and such works as have been declared by the Parliament of Canada to be to the general advantage of Canada, &c. I may here remark that I heard, this afternoon, on this same question, something said, to which I do not like now to refer, in regard to a matter not so clear nor easy to decide than the one to which I am at present alluding. Then there is sub-section eleven which refers to all incorporated companies with Pro-

vincial objects ; and section 13 which refers to property and civil rights in the Provinces. Now, Mr. Speaker, I humbly contend : first, that these words are most comprehensible and most clear, and that the intention of the framers of the Constitution cannot be denied for one moment ; and if there were any doubt, if there were any room for controversy about this matter, it would be very easy in this regard to agree. Since the Confederation Act was passed, we have had any amount of decisions from the most learned Judges of this country, and even of England. We have also the very wording of the Act ; and if I cite these documents, it is because I wish to make plain the real meaning of the constitutional rights of the Provinces and of the Dominion. The whole question lies in this : What are we to understand by the words civil law ? Are these words opposed to Criminal Law, and to commercial law ; or to what are they in opposition. In the work from which I am now quoting, on civil law, it is stated :

"The Roman law as comprised in the Code, Pandects, Institutes, and Novels of Justinian, and his successors, constituting together what is termed the *corpus juris civilis*, as distinguished from the canon and common law."

"That system of law, which a community, state or nation establishes for its own peculiar Government, as distinguished from the *jus gentium*, or general law of nations."

This is the first distinction. Civil law means the law which is distinguished from the public law, and the law of nations. It goes on to state :

"That division of municipal law which is occupied with the exposition and enforcement of civil rights as distinguished from Criminal Law."

That is, the right is reserved to the several Provinces of the Dominion to pass laws relating to civil rights ; and the effect of the British North America Act was to give to the several Provinces the right to pass laws concerning all matters connected with the laws of the land, with the exception of such as pertain to the laws of nations, the Criminal Laws, and so much of the civil law, which has been especially entrusted to this Parliament, as enumerated in section 92. If we start from this point, and say that to the several Provinces belong the right to pass laws upon any question which is not mixed up with and does not form any part of the rights of these Provinces between themselves ; the rights of these Provinces in connection with other countries, or with the Dominion ; or of the Dominion with other countries ; and if we see that the Local Legislatures have the right to pass laws on all matters except criminal matters, and also except diverse powers given specially to this Government, we arrive at a very easy conclusion on questions which come up before this Parliament. We have also as an authority : the Civil Code of Lower Canada which deals with all those laws and the interpretation of those private rights, and those civil laws. It is true this law does not take its authority exclusively from France, for the best laws of England and all the experience which the legislators and Judges of England have acquired for centuries have been availed of by our codifiers in framing our civil laws. They have taken the best laws and the highest authorities which they have been able to find anywhere. With the permission of the House, I would like to quote a few authorities on this subject. There was a celebrated case of *Dobie against the Temporalities Fund*, which was decided in this country as well as in England. In England, the decision of the courts of Canada was reversed, but on totally different principles than those upon which a decision was arrived at in this country. In rendering his judgment, Mr. Justice Jetté, of Montreal, used the following words, as reported on page 184, of 26 *Lower Canada Jurist* :—

"The Constitution, in subjecting property and civil rights to the control of the Provincial Legislatures, did not make and could not

make a distinction between the possessors of these rights; it has not limited the legislative authority to the case where the property belonged to a resident only. No, all rights of property, whether possessed by a resident or a non-resident, are under the authority of the legislative power of the Province. Any other interpretation of our Constitution would be contrary to the best established principles of the civil law and of the public law. Therefore, either the rights which the petitioner claims exist in this Province, or they do not."

Sir Antoine Aime Dorion, on page 187 of the same volume, says:

"The British North America Act was passed for the very purpose of allowing each Province to regulate its own internal affairs, including civil rights and incorporations for provincial objects, without interference on the part of the representatives of the other Provinces through the Dominion Parliament. It would be a mere evasion of the plain tenor and object of the Act, to say that the Dominion Parliament could interfere in matters purely provincial, merely because two or more of the Local Legislatures had adopted the same legislation, or, what would be more obnoxious still, because they had refused to do it."

On page 188 he says:

"The Supreme Court on a reference from the Senate has also decided that a Bill to incorporate the Christian Brothers as a body of teachers for the whole Dominion was beyond the powers of the Parliament of Canada (Journal of the Senate 1876, pp. 155, 204). This shows that under the provisions of the Confederation Act, civil rights and provincial objects are not to be determined by the extent of territory to which interested parties may wish to apply the legislative action of the Parliament of Canada, but by the character of such rights and objects.

"A society incorporated for certain objects in the Province of Quebec would by such incorporation acquire civil rights in this Province for provincial objects. A similar society incorporated in Ontario would have provincial objects in Ontario, and if the same society was incorporated both in Quebec and in Ontario, the rights granted to such corporation in each Province would still be civil rights, and its objects would not cease to be provincial as regards each Province, because there would be only one society incorporated in the two Provinces, instead of two."

I should like to give a few more extracts from a judgment of Mr. Justice Dorion, which is given with his usual lucidity and knowledge of the law. On page 190 he goes on to discuss the matter in this way:

"If in conveniences should result from such an interpretation of the British North America Act of 1867, they are not to be compared to the anarchy which would be created by giving to Local Legislatures the exclusive authority to legislate generally on all questions of civil rights, and by retaining to the Parliament of Canada the absolute right to legislate on the same subjects, whenever they should have been regulated by statutes passed by the late Province of Canada, or whenever it was proposed to subject two or more Provinces composing the Dominion to the same laws, or extend a statute already in force in one Province to another or to the whole Dominion. This would enable the Dominion Parliament to interfere in almost every subject matter of legislation coming within the scope of the legislative power conferred on the Local or Provincial Legislatures. The Dominion Parliament would only have to declare that it is expedient to have the same laws in more than one of the Provinces of the Dominion in order to assume exclusive jurisdiction in such matters.

"There would in that case be two codes of laws relating to civil rights in the same Province, the one enacted by the Local Legislature of the Province, and the other by the Dominion Parliament.

"The Provincial Legislature might, for instance, pass laws to prevent the accumulation of property in the hands of private corporations, as being contrary to public policy, and at the same time the Parliament of Canada might create new corporations for civil purposes or amend the charters of existing corporations and confer upon them the right to acquire and hold property in mortmain to an unlimited extent; the result being the most inextricable confusion.

"We must therefore come to the conclusion that the Parliament of Canada has no right to assume any jurisdiction in matters of civil right, except when they are necessary incidents of the exercise of some of the powers which are expressly conferred on it by the Confederation Act, or when they come within the exception contained in the subsection 10 of section 92 already referred to. As the establishing of civil corporations or the amendments of charters of such corporations do not come within either category, they are not within the jurisdiction or the powers of the Parliament of Canada."

In view of these words, I think it is clear that if we followed any other interpretation we would be stultifying ourselves and exposing parties to a costly litigation. The Privy Council itself in rendering judgment declares very clearly that such an interpretation of its powers by the General Parliament would be *ultra vires*. "In *Doutre on the Constitution of Canada*"—an excellent compilation—page 240, we

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find a decision of Mr. Justice Strong, who used the following language:—

"In the distribution of the legislative powers, it must have been intended to confer the right of legislation in private matters, and in matters of property and civil rights theretofore exercised by the Legislature of Canada, either on the Parliament of the Dominion or on the Provincial Legislatures, and there is nothing in the Act showing an intention to give any part of it to the Parliament. But the laws to be made by the Provincial Legislatures are confined to property, civil rights, and matters of a local and private nature in the Province, so that, although no limitation is imposed as regards the extent to which the Legislature may in their discretion affect private rights within their jurisdiction, they are limited to dealing with rights and property within the Province.

"That the Legislature have that power in all cases where the property and rights sought to be affected are 'in the Province' to the same unlimited extent that the Imperial Parliament has in the United Kingdom, I have not the slightest doubt."

And so on, he proceeds in the sense of the decision of Mr. Justice Dorion from which I quoted a moment ago. He refers, on page 242, to a decision given by the Supreme Court of New Brunswick which came up before the Privy Council:

"Their Lordships are further of opinion, with Mr. Justice Fisher, the dissentient Judge in the Supreme Court, that the Act in question, even if it did fall within the 2nd article, would clearly be a law relating to a matter of a merely local or private nature within the meaning of the 16th article of section 92 of the Imperial Statute; and therefore one which the Provincial Legislature was competent to pass unless its subject-matter could be distinctly shown to fall within one or other of the classes of subjects especially enumerated in the 91st section. This view is in accordance with the ruling of this tribunal in the recent case of *L'Union St. Jacques de Montreal vs. Dame Julie Belisle*."

On page 247 Vice Chancellor Blake is reported as using the following words:—

"That exclusive power is conferred upon the Local Legislatures by the B. N. A. Act, 1867, to deal with property and civil rights in the Provinces. The true principle, is, adopting the language of the Court *in re Goodhue*, that under the Confederation there has been a Federal not a Legislative Union; that to the Provincial Legislatures are committed the powers to legislate upon a range of subjects which is indeed limited, but that within the limits prescribed the right of legislation is absolute. And that the Local Legislatures have that power in all cases, where the property and rights sought to be affected are in the Province, to the same unlimited extent that the Imperial Parliament has in the United Kingdom."

In the same work, page 311, Chief Justice Ritchie uses the following language with regard to another case:—

"Therefore, the Dominion Parliament would only have the right to interfere with property or civil rights so far as such interference would be necessary for the purpose of legislating generally and effectually in relation to matters confined to the Parliament of Canada."

Now, I desire specially to call the hon. gentleman's attention to this last quotation. The Judge says:

"I scarcely know how one could better illustrate the exercise of the power of the Local Legislatures to legislate with reference to property and civil rights, and matters of a merely local and private nature, than by a local Act of incorporation, whereby, is granted a right to hold or deal with real or personal property in a Province, and the civil right to contract, and to sue and to be sued as an individual in reference thereto; and, if a Legislature possess this power, as a necessary sequence, it must have the right to limit and control the manner in which the property may be so dealt with, and, as to the contracts in reference thereto, the terms and conditions on which they may be entered into—whether they may be verbal, or shall be in writing, or whether they shall contain conditions for the protection or security of one or other or both the parties—or to declare the contracting parties may be free to deal as may be agreed on by them, without limit or restriction. Inasmuch then, as this Act relates to property in Ontario, and the subject-matter dealt with, is therefore local; and as the contract between the parties is of a strictly private nature; and as the matters thus dealt with, therefore, in the words of the British North America Act, are 'of a merely local or private nature in the Province;' and as contracts are matters of civil rights, and breaches thereof are civil wrongs; and as only the property and civil rights in the Province are dealt with by the Act; and as 'property and civil rights in the Province' are in the enumeration of the 'exclusive powers of Provincial Legislatures;' I am of opinion that the Legislature of Ontario, in dealing with those matters in the Act in question, did not exceed their legislative powers."

Now, I fail to find a single precedent contrary to that. As I have said, by the Bill now before the House, a local company for the manufacture and sale of powder, incorpor-

ated in one of the Provinces, comes before the General Parliament, and says that it would be more advantageous for it to have a General Act, under which it could trade in all the Provinces of the Dominion. We certainly have no objection to this company going into every Province of the Dominion and asking for incorporation; but we have objections, as members of the Federal Parliament, to the company infringing upon the undoubted rights of the Provinces. The power of the Provinces, so far as these local matters are concerned, is supreme and exclusive, and we ought not, with the immense power we have here, to infringe upon their rights. If this company wants to deal in the Province of Quebec, it should be incorporated there, and if it wants to deal in the Province of Ontario, it should be incorporated there. The great advantage of a legislative union would have been that there would have been no difficulties of this kind; but we are not called upon to decide whether the British North America Act was a wise measure or not. If that Act is not a good one, let us ask the several Provinces to consent to have it changed, and to delegate to this Parliament those powers with which they have been invested. But while that Act lasts, we must respect it. If we do not respect it, if we begin to attack the root of the tree of Confederation, if we begin to go against the solemn bargain which has been made, we expose the whole Confederation to danger. I am sorry, of course, for the private company whose Bill I have to attack, but I do it under a sense of duty. I feel it due to this Parliament that it should not be induced to pass laws which are *ultra vires*, and I feel it due to all of the Provinces that we should not exercise a jurisdiction which belongs exclusively to them. So that, in the spirit of those who obtained Confederation from this Dominion, and in the spirit of the interpretation of the law by the courts, I regard the local and private incorporation asked for as *ultra vires* of this Parliament, and we are in duty bound to refuse it.

Mr. TUPPER. If the hon. member for Bellechasse, when he came to this Bill—the name of which, I fear, has led him into a belligerent attitude towards it—had only kept his powder dry for a Bill to which his remarks would more aptly apply, the very interesting argument which he has addressed to the House might have had its due weight. But I think I can satisfactorily show to every member of this House, in a very short time, that the premises upon which that hon. gentleman built the whole of his argument have not the slightest connection with the Bill before the House. I could not avoid wondering as the hon. gentleman proceeded, and evinced such great interest in this Bill, why he sat quiet last night when a Bill fraught with the same danger to Provincial rights was discussed and passed by this House. Instead of being a powder company, it was a phosphate company; and instead of emanating from Nova Scotia, it emanated from Ontario. That Bill passed its third reading last night, and the hon. member for Bellechasse, if I mistake not, was in the House at that time, and his constitutional argument might then have been disposed of. There was a Bill before the House this afternoon of a different nature, to which the remarks of the hon. member for Bellechasse might fitly apply. All through his argument, parts of which I was only able to catch, from the distance at which the hon. member spoke, I caught the words “of a local and private nature.” I caught also the reading of a clause in the British North America Act, under the section that deals with matters of Provincial legislation and jurisdiction relating to the incorporation of companies of a private nature for local purposes. There is also another phrase: “For Provincial purposes solely.” If the hon. member for Bellechasse were to consider the weight of that term, and the whole clause itself, he would feel that, notwithstanding what the fathers of Confederation have said, the Confederation fathers have been ever since, permitting

to pass and bringing forward, Session after Session, Bills of this character which are not of a local nature solely—which do not relate merely to a Province in the Dominion, but contain a preamble such as that in the Bill referred to that passed the House the other night, to incorporate the Dominion Phosphate Company, and this Bill to incorporate the Acadia Powder Company. These Bills state that their objects are not solely of a local or Provincial character, but to carry on business in the different parts of the Dominion. They ask only the privileges which are enjoyed by other companies—which Quebec companies enjoy to-day, such as the Construction Company of Iberville, the Credit Foncier, or the Canadian Engine and Machinery Company and others, a host of which I could cite if necessary. Ever since the Confederation Act was passed this Legislature has been occupied, Session after Session, with Bills of this character. True, this question has often come up; but I can appeal to those arguments, not one of which has been alluded to by the hon. member for Bellechasse, as settling the question we are now discussing, irrespective of that raised in the discussion of the Common Carriers' Bill. Here we are not tied down by the clause of the British North America Act, which deals with the incorporation of companies of a purely Provincial nature. We are following in the beaten track, in which we find the incorporation of companies of a precisely similar character. We have not only the cases I have mentioned, but many others, such as Lamb's Waterproof Gun Manufacturing Company. If we have the right to incorporate a company for the manufacture of guns, surely we can incorporate a company to supply the powder. Perhaps, when this question assumes a worse attitude, if the company's efforts are found to be very beneficial, and when a discussion of this kind takes place outside of the Dominion—a day that is yet, I hope, far distant—the services of the company will be recognized. I have alluded very briefly to the argument addressed to the House, because I think that on second thoughts every hon. member will agree with me that the question raised by the hon. member for Bellechasse does not apply to this Bill. The authorities cited and extracts read by my hon. friend do not apply to this Bill, because they all deal with objects purely local. There is a feature in this Bill not contained in some of the others referred to, and which was slightly touched upon by the hon. member for St. John the other night. This is not the case of an ordinary application for charter, but the case of a company incorporated under the laws of Nova Scotia coming here for further powers. There are precedents for this. A company incorporated under the laws of the State of New York, the Canada Consolidated Gold Mining Company, was incorporated by this Parliament in 1881. Another incorporated company with a Provincial charter, the McClure Manufacturing Company, came to this Parliament and obtained an Act of incorporation. I hope, therefore, this amendment will be voted down.

Mr. IVES. I was not in the House when the hon. member for Bellechasse made his motion, but as Chairman of the Private Bills Committee I was aware he entertained the views to which he has given forcible expression by the amendment he has proposed. The question is one of very great importance, that of the relative powers of the Parliament of Canada and the Local Legislatures over the incorporation of private companies. It is one the House has already considered and on which the courts have given their opinions. As the question is so important, and the House, perhaps, not sufficiently prepared to-night to discuss it fully or vote intelligently upon it, it would, I think, be desirable that the promoter of the Bill and the hon. member for Bellechasse should consent to an adjournment of the debate. I am sure there are many hon.

members who would like to look into the matter more thoroughly and prepare to discuss it more fully before coming to a decision that will form a precedent. There is no doubt on this point, that our companies, having purely and solely local objects in view, must go to the Local Legislature. There is no doubt also that companies having Dominion objects in view, or, perhaps, more properly speaking, that have not purely local objects in view, may become incorporated, here; in other words, that there is a certain class of subjects over which the Parliament of Canada and the Local Legislatures have concurrent jurisdiction—not exactly concurrent jurisdiction, but the same classes of subjects are, if purely local, within the jurisdiction of the Local Legislatures, or, if general in their application, then they should obtain their Act of incorporation here: for instance, railways or companies which propose to operate throughout the whole Dominion. Now, this question has been thoroughly discussed with reference to a measure which I have the honor to promote here, the Credit Foncier for the Dominion of Canada. The question was raised by the hon. member for Montreal East on a motion for the six months' hoist. The matter was discussed by legal gentlemen in the House, and the opinion of the last Parliament was that in matters like this the Parliament of Canada has jurisdiction. Here is a company which was local in its objects and local in its operations. Now it comes to this Parliament and seeks to be empowered to do business over the whole Dominion. The question arises, has this Parliament power to give this company that Act of incorporation? As I look upon it, that local incorporated company is the same as an individual resident in the Province of Nova Scotia or New Brunswick who comes here and asks for incorporation. I take it that if any half dozen citizens from Nova Scotia wished to obtain incorporation as the Acadia Powder Company to manufacture and sell powder over the whole Dominion, then the Acadia Powder Company might come here. The question is, can citizens of Nova Scotia come here and obtain an Act of incorporation enabling them to manufacture and sell powder over the whole Dominion? Have we power to grant such an Act of incorporation? Now Parliament has taken that power. I am not aware that the courts have decided that we have not that power, and I think the question is one of sufficient importance that it would be well if the debate were adjourned; and I move in amendment to the amendment that the debate be adjourned.

Motion agreed to; and debate adjourned.

### THIRD READINGS.

The following Bills were severally read the third time and passed:—

Bill (No. 63) to amalgamate the Presbyterian Ministers' Widows' and Orphans' Fund in connection with the Presbyterian Church of the Lower Provinces, and the Widows' and Orphans' Fund of the Presbyterian Church in the Maritime Provinces, in connection with the Church of Scotland, and to create a corporation to administer such funds.—(Mr. Richey.)

Bill (No. 75) to incorporate the Board of Management of the Church and Manse Building Fund of the Presbyterian Church in Canada, for Manitoba and the North-West.—(Mr. Ross, Lisgar.)

### BILL IN COMMITTEE.

The following Bill was considered in Committee and reported:—

Bill (No. 20) to empower the National Insurance Company to wind up its affairs and to relinquish its charter, and to provide for the dissolution of the said Company.—(Mr. Coursol.)

Mr. Ives.

### SECOND READING.

The following Bill was read the second time:—

Bill (No. 88) to unite the Winnipeg and Hudson's Bay Railway and Steamship Company and the Nelson Valley Railway and Transportation Company into one Company under the name of The Winnipeg and Hudson's Bay Railway and Steamship Company.—(Mr. Cameron, Victoria.)

### CARRIERS BY LAND.

The House resumed the consideration of Mr. McCarthy's proposed motion for the third reading of Bill (No. 14) respecting carriers by land, and the motion of Mr. Ouimet, in amendment.

Mr. CASGRAIN. I think the hon. member for North Simcoe should take advantage of clause 94 of the British North America Act, which provides that a law may be made to apply to all other Provinces of the Dominion except the Province of Quebec, and I would suggest that he should amend the Bill to that effect. Not only am I willing to accede to the principle of the Bill if restricted to Provinces excluding Quebec, but I will go even further, and favor uniformity in commercial laws. I recollect that in the Parliament of 1872 I introduced a motion which was carried, to the effect that the commercial law of all the Provinces should be assimilated and should be made as far as possible to agree with the commercial laws of the United States and England, the two nations with which we have the most direct trade relations. I throw this as a suggestion, and I reserve the right hereafter to renew the motion I moved in 1872 respecting the assimilation of the commercial laws of the Dominion. I think our system of commercial laws might be codified and made uniform, as we have made uniform our weights and measures.

Mr. McCARTHY. It is but fair and courteous that I should answer the hon. gentleman who has just made the suggestion. I am afraid I cannot adopt it. I think the laws should be as far as possible assimilated, but I do not hold that a law should be applied to all the Dominion with the exception of one Province. On the contrary, I am quite willing to consider the operation of the Civil Code as suggested by the hon. gentleman, and see how far we can approach the laws of the Province of Quebec in that direction. I do not think my Bill varies very much from the Civil Code, and although my hon. friends from Quebec declare it to be perfection, as we used to think our Common Law was, nevertheless a little reflection will satisfy them that it is capable of improvement. As I understand the matter has to stand over, we will have an opportunity to consider it at a later stage.

Sir HECTOR LANGEVIN. As this matter has been brought under the notice of the House for the first time to-day, and as no notice was given of the motion moved by the hon. member for Laval, I think the proper course to adopt is to adjourn the debate. I therefore move that the debate be adjourned.

Motion agreed to; and debate adjourned.

### STAMPS ON PROMISSORY NOTES, DRAFTS AND BILLS OF EXCHANGE.

Mr. WELDON moved, that the House resolve itself into Committee of Bill (No. 78) to amend the Act passed in the 45th year of the reign of Her present Majesty, intituled: An Act to repeal the duty on promissory notes, drafts and bills of exchange.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. WELDON. The first section of the Bill is to place innocent holders of promissory notes insufficiently stamped in the same position as they occupied prior to the repeal of the Stamp Act of 1872. Doubts have been raised as to whether such is their position or not. The second section is for the purpose of saving the rights of parties in actions now pending. The last section of the Bill, which was formerly the second section, declares that former Acts did not apply to stamps on debentures. This point was raised in a case, but I have since been informed that the parties have appealed against the decision, and I feel, under the circumstances that I will not press this clause.

Mr. MITCHELL. To my mind the Bill is an exceedingly objectionable one. I do not know but what my hon. friend may have made objections removing some of the objections to this Bill; but I will state to the Committee what I consider objectionable in it: In the first place, it deals with two classes of securities, and attempts to revive an Act which has been repealed by an amendment. In other words, by the first section it is declared that any suit or proceedings at law or in equity now pending, or hereafter to be commenced before any Court or Judge, &c. It is thus proposed to affect existing legislation, and securities which may now be pending before the courts; and I consider that this is legislation in which this Committee will not take action. While I have no objection to the hon. gentleman passing a measure which provides for any defects that may properly be proved; but with relation to suits not commenced, I say, it is a principle laid down and sustained by this House that it will not pass Acts, unless under special circumstances, which in any way affects existing legislation that may be in progress at the time. I believe my hon. friend intends to withdraw the second clause of the Bill.

Mr. WELDON. I have stated that I withdraw it as far as I myself am concerned.

Mr. MITCHELL. Then I need not state my objection to it; but in regard to the first clause, it appears to me, we ought not, as a matter of right and fair play, pass any legislation which will affect existing law suits, or alter the character of decisions to be given on this litigation. Again it appears to me a very singular way of reviving an Act, which is repealed, by such an amendment as the hon gentleman proposes.

Mr. JAMIESON. As a member of the Special Committee to which this Bill was referred, I may say that when it was introduced, I thought it was a very proper measure. My attention was called to this matter some time ago, by noticing a decision given by one of our county Judges, in which he held that the power to double stamp—if the stamps were procurable, which I believe is not now the case—was taken away by the Act of last year, repealing the Stamp Act, and I cannot see that there can be any possible objection, such as has been raised by the preceding speaker, to this Bill. The revenue cannot now suffer; and some remedy ought to be afforded. A doubt has been expressed with reference to the effect of the Act of last year; and the principle laid down by the county Judge referred to, was, that except as to matters passed and closed, when the Act was repealed, it was to be treated as if it had never been in existence; and this principle has been acted upon by the highest judges in England. I think it right that parties who hold unstamped paper should have some remedy to recover their security; for in ninety-nine cases out of every hundred where notes have been improperly stamped or perhaps left unstamped, there has been no intention on the part of the makers or holders of them to commit any fraud on the revenue. It would be a very serious matter to the holders of such notes, many of which are still

unpaid, if they had not some remedy by which they may recover their security; and I was very much pleased indeed, when the hon. gentleman introduced this Bill. If allowable however, I would have liked to have seen the Government introduce a Bill legalizing all notes which had been improperly stamped; and I cannot see that there would be any serious objection to legislation of this kind. I hope that this Bill, under the circumstances, will be allowed to pass.

Mr. BLAKE. Of course we ought to be very careful in passing a law which affects existing legislation; but I do not think that this measure, as it is now framed, offends against sound principles; and for this reason—if I rightly understand the state of things, it was this: under the law in certain circumstances, these holders of unstamped, or insufficiently stamped paper, were entitled to make that paper valid by double-stamping. We passed an Act last Session, the consequences and effect of which have been to render it impossible to get stamps with which to double-stamp; and all that is now being done is to put these persons in, practically, the same position, as nearly as may be, as they would have been in but for our legislation of last Session. The revenue question is at an end; and we are now putting some persons, who could make their notes valid, by double-stamping, in a position, under which the Judge may declare that they are valid. This seems to me to be sound and wholesome legislation; and I do not think that any persons who are liable for unstamped paper, have any right to complain because we prevent them from taking advantage of our Act of last Session, which might enable them to cheat the holders of such paper out of the payment of their debts.

Sir LEONARD TILLEY. I think that the case has been very fairly stated by the hon. gentleman who has just taken his seat. We passed an Act last Session, repealing the law which required notes to be stamped; and now the question simply is, shall we place any individual in the Dominion in such a position that, owing to this Act, he cannot collect a legal and just claim. Looking at it from this point of view, I can see no objection to the Bill.

Mr. SPROULE. I have a letter from a lawyer in my county urging the principle contained in this Bill. He states that, in several cases, notes could not be collected owing to their not having been stamped, and he enquired where stamps could be obtained, and whether notes were collectable unstamped. Under the circumstances, I think it is very desirable that this Bill should pass.

Mr. CAMERON (Victoria). Before we pass any legislation which interferes expressly in this way with existing litigation it seems to me we should be very careful that we fully understand the position of the litigation that is to be affected, and that we do what is right in reference to protecting the interests of the various parties concerned in them. I understand that this second clause, which is now made the third clause, was for the purpose of meeting a special case. My hon. friend, I believe, has abandoned that clause, but if it was introduced to meet a special case just now pending in the Courts of New Brunswick, possibly the first clause is introduced for a similar purpose.

Mr. MACKENZIE. I understand that no one can suffer by it. It would only enable them to take advantage of the repeal of the Act.

Mr. CAMERON (Victoria). If a liability is saddled upon him by this Act which would not be saddled upon him otherwise, he would suffer.

Mr. BLAKE. Does the hon. gentleman mean to say that John Jones who happens to be sued upon a note which he has reason to think is a dishonest note, should be in a better position than Smith who has not been sued. The question is whether we should allow any person, whether

action has commenced or not, to suffer through legislation which *per incuriam* prevents him from holding a note by a system of cheating and dishonesty. I do not think the circumstance that a man is defending a suit brought against him on one of those notes puts him in a better position than if the action had not been brought. The question is, whether we shall allow the holder of the note to be placed in a position which, but for our legislation of last year, he would have been placed in.

Mr. CAMERON (Victoria). The hon. gentleman misunderstands me altogether. I said that inasmuch as we had been informed that the second clause which is now made the third was introduced to meet a particular case, I wish to know from the promoter of the Bill whether the first clause was intended to affect a particular case not covered by the general enactment.

Mr. WELDON. The hon. gentleman is entirely misinformed as to the second clause. I would not be guilty of bringing in an Act which would affect a client of my own in regard to litigation in which he was engaged. Parties asked me before the Bill was introduced as a favor to be allowed to appeal, and I said that sooner than raise any question of that kind, I would raise it here, whether there was an appeal or not. I felt satisfied, however, of the ultimate decision of any court on the subject. I would not for one moment use my position as a member of this House in favor of any case in which I was concerned. In regard to the first clause it does not interfere with any litigation, but I myself raised an objection in a case which came up with regard to stamps. I referred to the case mentioned by the hon. gentleman, of a decision of a County Court Judge in Ontario, in which double stamps were not allowed to be used under the law. He held that as to the innocent holder of the note the law was absolutely null and void, thus placing the holder in a worse position than if the law had not been repealed. It often happens, as the hon. gentleman is aware, that this question of stamps is sprung upon the holder for the first time when the case comes up, but under the old law a Judge would not have any hesitation in allowing the party to double stamps. The object is to place the parties in precisely the same position they were in before the case was repealed.

Mr. MITCHELL. I did not understand that the hon. member for Victoria made any such allegation as the hon. member has stated. What the hon. gentleman said was that inasmuch as the second section of the Bill has been admitted by the House to have been put in to meet a particular case, he wished to know if the first clause which deals with a different class of securities was put there for a similar purpose. I may say that I have had communications from a party who was defending a suit, calling my attention to the fact that the Bill would affect litigation in which he was himself engaged, and he asked me to look into the matter and to prevent any injustice being done to present litigants. I saw the mover of the Bill, and he frankly stated with regard to the second section, which affects the class of securities to which the writer of the letter referred, that if there was any question raised about it he would withdraw that section, and he has kept his promise. It struck me that the first clause would be unfair to the general public, but the explanation of the hon. gentleman may be all right, and if he allows it to stand, the responsibility will be his and not mine.

Mr. OUMET. As this Bill is one which comes to the relief of certain parties who have suffered from previous legislation, I would like to see it come to the relief of all parties; and I would like to call the attention of the promoter of the Bill to a fact which came to my knowledge last summer. A promissory note was in the hands of a third person who was innocent of any neglect of the law. The

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note had not been stamped and became prescribed by the five years limitation. The maker would not renew it, and the holder could not sue him, because there was no law authorizing him to sue on a promissory note which was not duly stamped, and on which he could not put double stamps. The amount of that note has been a clear loss to that man of something like \$500 or \$600. I think this is a fair case for the consideration of the promoter of the Bill. I will say frankly that he was a client of mine, and would like to see his interests attended to by this Parliament, as the interests of the clients of some prominent lawyers are attended to; and I would suggest that a provision should be inserted in this Bill that all promissory notes lost through prescription, as was the case with my client, should be held good.

Mr. BLAKE. My hon. friend should apply to the hon. Finance Minister to put a vote in the Supplementary Estimates for the amount his client has lost by this legislation; and let him apply to the hon. member for North Renfrew to support him, because it is by the legislation of this House that he has suffered; and I venture to say that if not now, before the next Election, my hon. friend will succeed in obtaining an Order in Council and a vote in the Estimates to pay his client's prescribed debt.

Mr. OUMET. I have no doubt the Government will be willing to assent to that proposition, seeing that the leader of the Opposition is so ready to support it.

Mr. WHITE (Renfrew). I would suggest also that my hon. friend had better get the leader of the Opposition to telegraph his views on the subject.

Bill amended and reported.

#### BILLS OF LADING.

Mr. McCARTHY, in moving the second reading of Bill (No. 84) to amend the law relating to bills of lading, said: The House will understand that according to the law of merchants, the endorsement of a bill of lading transfers the property mentioned therein to the consignee; but some years ago it was decided by the English Courts that although the property was transferred, the contract was not, and the law was altered so as to make both the property and the contract transferable. The Bill I now move has the same purpose. It was enacted some years ago in the Province of Ontario, but recently the Court of Queen's Bench expressed the opinion, apparently, that this Bill was unconstitutional. I have, therefore, brought it here at the suggestion of some members of the profession in Toronto.

Bill read the second time.

#### MASTERS' AND MATES' CERTIFICATES.

Mr. McLELAN moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to provide for the examination of persons desiring to become Masters or Mates of vessels of certain descriptions, registered in Canada and employed on the Inland Waters of the Dominion or any coasting voyages; and, that after certain named dates every such vessel so employed must carry a Master certified, after such examination, to be properly qualified, and must also, if of a certain class or description, carry a Mate duly examined and certified as being qualified to act as such.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. McLELAN. The frequent loss of life and property on the inland waters and along the coasts of the Dominion has raised the question whether the officers in charge of the vessels were properly qualified, whether there was not great risk to life and property in allowing vessels to be commanded by men whose qualifications have not been put to an examination test.

In the case of foreign sea-going vessels, masters and mates must be certified and qualified; and it is proposed to extend a similar law to vessels navigating along the coasts and in inland waters. The Bill proposes that after the end of January, 1884—so that ship-owners may not be taken by surprise—vessels exceeding 100 tons shall have certified masters, and that vessels carrying passengers shall have certified masters, that vessels carrying over forty passengers and sailing vessels over 200 tons shall have certified masters and mates.

**Mr. MACKENZIE.** Will you apply the same class of questions as in the examination of sea-going vessels?

**Mr. McLELAN.** No; that will be left for regulation hereafter. The same qualifications will not be required.

**Mr. BLAKE.** Are there sailing vessels that carry as many as forty passengers?

**Mr. McLELAN.** No; it refers to steam vessels.

**Mr. BAKER.** What is the intention as regards those already running steamers in the coasting trade?

**Mr. McLELAN.** After the 1st January, 1884, they will undergo examination and procure certificates, if competent. If not, they will have to give place to others that are competent.

**Mr. LAURIER.** Who will give the certificates?

**Mr. McLELAN.** The examiners to be appointed by the Governor in Council, probably the same as those appointed for the examination of masters and mates on sea-going vessels to foreign ports, with a different standard.

**Mr. DAWSON.** I think this is a step in the right direction. I understood at the commencement of the Session that there was some further legislation contemplated in regard to the inspection of vessels on the Upper Lakes, to prevent their being overloaded, and carrying too many passengers. Something should be done to prohibit the burning of the inflammable oil now used on board those vessels, which is the cause of a great many of them being destroyed by fire. On the opposite side, vessels are not allowed to burn this oil. I hope the hon. Minister of Marine will bring down further legislation to provide against the overloading of vessels navigating the Upper Lakes, and prevent them from using this inflammable oil. They should also not be allowed to carry dynamite and other explosive articles, whereby the safety of passengers is endangered.

**Mr. MITCHELL.** Is this intended not only to apply to the inland waters and coasts, but to the sea coasts as well?

**Mr. McLELAN.** Yes.

**Mr. MITCHELL.** When the Bill establishing this classification of masters and mates was proposed some years ago, we found, on reflection, it was very desirable that we should not at once put a large number of persons out of employment. There are hundreds of men running these coasting schooners, carrying lumber and produce of one kind or another along the coast to local markets, who are quite competent to do the work, but many of whom, if subjected to an examination, which, I presume will be pretty strict, would probably be thrown out of employment. I would make the suggestion to the hon. Minister, that while he should employ a strict rule with all persons in the future who are to be made masters and mates, he should make some provision to allow the continuance in their position of those who have been for a period of years masters and mates.

**Mr. WELDON.** This Act will work very badly as far as regards the River St. John and the Bay of Fundy. Many of those engaged in running vessels in the coasting trade between those ports and the United States, are farmers.

Their wood boats, originally used for the river, are now used to carry lumber to Boston. They do not follow seafaring as a profession, but are perfectly qualified for the work they do, being probably better acquainted with the coast between New York and the Bay of Fundy than experienced mariners who are used to crossing the Atlantic and have passed the necessary examinations. The effect of this Bill will be to deprive these parties entirely of a means of subsistence. In fact, those parties who have studied navigation, would not be prepared for the examination, but, at the same time, no more competent persons could be found for the particular trade in which they are engaged, and the result will be to throw these out of employment. Moreover, if only masters and mates can be employed who have passed an examination, it will add increased expense to the cargo and the parties who are shipping, and the result will be to injure, to a large extent, the trade which now exists between the Bay of Fundy and the United States. Many of these parties I refer to are the owners of vessels themselves, and, during the summer season they are employed on the coast in bringing lumber to St. John; at other times in carrying boards to the United States, more particularly in the class of vessels I refer to. They are sea-going vessels in the strict sense of the term, though they were originally employed on the river, and now they are navigated by men who are mostly farmers on the river and fishermen on the coast. The effect of this resolution, if adopted, will be to deprive these men of profitable employment, and, to a large extent, to cripple the carrying trade of lumber to the United States.

**Mr. McLELAN.** It is proposed to ascertain whether the man in charge of the vessel is competent for the trade in which he is engaged. When a man is examined for a sea-going foreign voyage he receives a certificate to take charge of a vessel in any part of the world. The hon. gentleman will see that for the River St. John or for the coast, there is no necessity for navigation, but it is necessary that the man should be qualified to command that vessel and to know what to do in case of emergency, that is, any vessel over one hundred tons. For the smaller craft it is proposed to exempt the masters from this provision until the House shall otherwise determine. There are but few vessels exceeding one hundred tons that navigate the coast, but these all required to have certified masters competent to take them to any part of the world. What we propose now is that they shall have captains competent to command them in the particular trade in which they are engaged. I have reason to believe that very often men are put in charge of vessels who know nothing of their management in case of a storm arising, or other emergency, and I think, it is due to the trade, due to the owners of property, due to the lives of crew and passengers, that these vessels shall be in charge of competent men able to take charge of craft in the particular trade in which they may be engaged. I may say in answer to the hon. member for Algoma (Mr. Dawson) that this Bill refers only to the qualifications of masters and mates, and that anything the hon. gentleman may deem necessary in respect to the construction of the vessels and the safety of cargo and passengers, will more naturally come under another Bill.

**Mr. VAIL.** May I ask why the hon. Minister puts the number of passengers at forty?

**Mr. McLELAN.** I propose at first that all steamers carrying passengers shall have competent captains, and in the case of all the larger vessels the number of passengers is fixed by the size of the vessel. When you have a larger vessel carrying more than forty the line must be drawn somewhere. The object is to have competent officers on board.

**Mr. VAIL.** A steamer running, for instance, from Digby to St. John, of 500 or 600 tons, is at liberty to carry thirty-

nine passengers, but she cannot carry forty unless she has a certified mate.

Mr. McLELAN. It is not the number of passengers on board, but whatever she is certified for.

Mr. WELDON. There is a difficulty with regard to the Board of Examiners, as I understand the observations of the hon. Minister. The present Board are men accustomed to sea navigation, but with all due respect to their abilities as seamen I doubt if they are as capable of running a coast voyage as men on the Bay of Fundy or on the River St. John; and the great difficulty would be to get a Board able to examine parties who would be competent for the coasting trade. For instance, with regard to the present Board of Examiners, masters and mates are examined as to navigation and the use of charts, and the method of ascertaining longitude and latitude. Now, these are matters which are unnecessary in the coasting trade. What is needed is a practical knowledge derived from the experience those men get on the coast, a knowledge of the Bay of Fundy, of the coast of Maine, and a knowledge of the tides. The difficulty will be to find a Board who would know what knowledge is required for that purpose.

Mr. McLELAN. I will explain to the hon. gentleman that when our examiner of masters and mates goes down to St. John or Halifax to hold his examination he selects a local man to act with him, and he would select a local man who was quite able to judge whether the candidates had the necessary attainments or not.

Mr. WELDON. The present Board in St. John comprise competent navigators, and will be able to examine and pass men for long voyages, but I question very much their knowledge with respect to coasting voyages.

Sir LEONARD TILLEY. I call the hon. member's attention to the fact that while any Bill interfering with vessels navigating the River St. John would be a serious matter, this Bill is confined to vessels of 100 tons and over, and scarcely one of them would be affected.

Mr. BLAKE. Hon. members have had reason to complain, for a number of years back, that Bills belonging to the Marine and Fisheries Department have been introduced and pushed through the House without proper information being furnished, in order that they might be intelligently considered. It is said that oil and water do not mix well, but this and the Inland Revenue Department are like offenders, for the latter has given notice of a coal oil Bill. The measure now under consideration is no doubt prepared with due regard to the public welfare, and with proper safeguards and with proper working may prove salutary; but as it is going to affect a large number of persons it is exceedingly important that on as early a day as possible we should have full details as to the mode of the examination and other points, in order that we may obtain the opinions of those parties who will be affected. The next notice standing on the Order Paper is with respect to the Civil Service Act of last Session. We passed a good law for the examination of Civil servants, and now it is proposed to relax it because it is found inconvenient to those in the service, and I warn the hon. Minister of Marine and Fisheries that he may, if he does not act with prudence, also inflict great injury on persons who are not so able to obtain redress. With respect to the date proposed to be fixed it strikes me that it has been considered rather with respect to the needs of the coasting service of the sea-board than the inland coasting service. There is no necessity as regards the inland service for fixing as early a day as the first of January, because the inland waters are locked up, it is two months' later before that season commences. I would therefore suggest to the hon. Minister whether it would not be proper, at all events, as regards the inland waters, that the first examination should commence

Mr. VAIL.

at a later date. Their season terminates from the 1st to the 15th November. If they are called upon at an examination for book learning and scientific information—and we cannot tell how much may be called for, as that depends on the Board, and there must be many Boards—it is important that as long a time as possible should be given them to prepare. I hope the hon. Minister will consider this point and expedite as far as possible the printing of the Bill and afford the House explanation as to how these examinations are to be conducted, as to the points at which the Board will sit, and as to the character of the examinations to which these persons are to be subjected.

Mr. SPROULE. I think the Bill introduced by the hon. Minister is a step in the right direction. No doubt, boats of that size, carrying both life and property, require competent persons to run them; but I think it is equally important that other steps should be taken at an early day to remove evils which are perhaps as dangerous to life and property as this one. I think the hon. Minister intimated to the hon. member for Algoma that this Bill only applied to masters and mates; but if it was necessary to regulate and inspect steamers in any other way, it would be important to put it in another Bill. I should like to know from the hon. Minister if it is the intention of the Government this year to introduce a Bill for that purpose. When the subject was under discussion, I called the attention of the hon. Minister and the House to several lamentable disasters which had happened on our inland waters, especially on Lake Huron, Georgian Bay and Lake Superior. There was the *Asia* which went down with between 100 and 200 people on board, only two being saved. The year before we had the *Victoria* and the *Jane Miller*, last year the *Manitoulin*, and a few years ago the *Waubuno*; and these disasters show that some additional remedy should be applied for the protection of life and property. Last year I tried to impress on the Minister the importance of appointing an inspector to see that vessels leaving port were properly loaded. We find on examination that the *Jane Miller* was lost on account of the load being on deck, and when she tried to turn round against the wind, not being properly ballasted, she upset, and all on board were lost. As regards the loss of the *Asia*, it was partly due, perhaps, to the same cause, that of over-loading. I do not understand why inspectors cannot be appointed, whose duty it would be to inspect vessels at ports at which they call and ascertain whether they were over-loaded or not. That might be done by the Collector of Customs, and thereby a large amount of property and valuable lives might be saved. The inspectors should not be those who would go on the deck of a vessel and look round and be unable to give any authoritative command as to whether or not the vessel should leave port. With respect to the *Asia* this was one of the troubles. It was said the boat was inspected and it was intimated that she was not fit to leave harbor, but there was no one to order that she should not do so. It requires some person with authority to declare that a boat shall not go out of harbor if overloaded and considered unseaworthy. It is important that inspections should be made. It is important to make inspections at different seasons of the year. A boat which might be seaworthy during the summer when there are few storms, should not be allowed to go out in the fall if she has been injured by two or three storms, or run on a sand bank; and, in fact, only those boats should be allowed to go out in the fall which are very strongly built and most likely to withstand storm and tempest. Attention has been called to the lamentable fact that a whole fleet of vessels plying on Georgian Bay, Lake Huron and Lake Superior, has been lost, and all this has happened within a few years. An objection raised as to the appointment of inspectors, is, that so many would be required that a heavy expenditure would be incurred. It must be remembered, however, that a single cargo would pay

the salaries of all inspectors for many years. But I do not recognize that this question has to be looked upon solely in the light of expense. The value of human life cannot be estimated, but the value of property can, and the time has arrived when strenuous efforts should be made to prevent the great loss of life which has occurred during the last few years. Inside of three years we can count between 1,000 and 1,200; and if we are not going to have recourse to remedies, which I believe will be effectual in preventing this great loss of life, I think that we will fail in the discharge of our duty. I hope that the hon. Minister of Marine and Fisheries will see its importance, and that it is imperatively necessary to introduce this Session, a measure for the inspection of boats—not only of engines and boilers, which are, I believe, already provided for—but of hulls, and also cargoes, as to whether vessels are overloaded, and as to how the cargo is distributed. One boat, if I remember rightly, carrying grain to Chicago, was lost, owing to the fact, that the grain was thrown on the bottom, without partitions, or any division, and when the storm commenced, it shifted from one side to the other, until finally the vessel keeled over; but, if compartments had existed, and the grain had been placed in sacks and properly stowed away, it was the general opinion, that this loss would have been prevented. The loss of the *Jane Miller* was due to the cargo being placed on the top of the boat, and of the *Asia* to having been overloaded and to not having the cargo properly stowed away, while the boat was inferior and unfit to stand the Upper Lakes; and I think that with all these facts before our eyes we should deem it important that something should be done at a very early day, if possible, to save this property, and prevent this very great loss of life taking place every year.

Mr. BAKER. I fail to see what all this has to do with the subject of masters and mates. I would like, however, to ask the hon. Minister of Marine and Fisheries to take into consideration the position of those persons at present in command of vessels on the coast, who have commanded them successfully for a number of years, and that this law should not be made retroactive.

Resolution reported.

Mr. McLELAN introduced Bill (No. 89) respecting certificates of masters and mates of inland and coasting ships.

Bill read the first time.

Sir LEONARD TILLEY moved the adjournment of the House.

Motion agreed to; and (at 10:25 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 5th April, 1883.

The SPEAKER took the Chair at Three o'clock

PRAYERS.

### WAYS AND MEANS—THE BUDGET.

The House resumed the adjourned debate on the proposed motion of Sir Leonard Tilley: That the House go into Committee to consider of the Ways and Means for raising a Supply to be granted to Her Majesty.

Mr. CHARLTON. Mr. Speaker. On entering, Sir, upon the field of discussion opened by the presentation of the financial statement of the hon. Minister of Finance, I have

the disadvantage of coming after the field has been mostly occupied, and, of course, I can only glean where others have reaped. I trust, however, to be able to present certain facts not alluded to, that have a bearing upon the question under discussion, and perhaps I shall allude to matters which have been alluded to, and present them in a light which may elicit some new information bearing upon the subject-matter of debate. We are discussing this financial statement, Mr. Speaker, as hon. members of the House are aware, at a period very much later than on the last occasion. Last year, the hon. Finance Minister made his financial statement, if my memory serves me, on the 24th February. This year the financial statement was not made on the 24th February, it was not, indeed, made till March 30th, a month later I recollect, Sir, reading an anecdote once of Susan B. Anthony. During an address in Philadelphia on woman's rights she attempted to make a very impressive commencement by asking: "why was I born?" This was the first sentence she uttered, and she then made an impressive pause and just as she was about to resume, some little street Arab in the gallery called out, in a piping tone of voice: "I give it up." Well, if I were asked why this delay in presenting the financial statement I would certainly have to answer: "I give it up;" and I must confess that the reason assigned by the hon. Finance Minister did not seem to me a satisfactory reason of the delay. He told us that he delayed the financial statement because certain changes in the American Tariff were about being made. It was perfectly proper for him to wait until he should ascertain what the nature of those Tariff changes were. He told us he received the information he sought on the 16th March. Now, the term of the American Congress expired, by constitutional limitation, on the 4th March. The nature of the changes of the Tariff was well known on the 20th February, for at that time the Chief of the Bureau of Statistics, Mr. Nimmo, was instructed to prepare a statement to lay before Congress showing what the loss of revenue by the proposed changes would probably be. Had the hon. Minister of Finance desired to act promptly in this matter he could easily have taken means to have ascertained what those changes in the Tariff were, at a much earlier period than he has informed the House he received the information. There was not a prominent newspaper in the United States which was not discussing the effect of the proposed changes on the 5th March, the day following the adjournment of Congress. The hon. Finance Minister could have ascertained from the Treasurer of the United States by a telegram, which, no doubt, would have been most courteously answered, on the 5th March, what the changes he desired to know were; or if he had sent a letter to any newspaper correspondent in Washington, or to the Secretary of the Treasury Department, on the 3rd March, the hon. Minister would have been informed on the 5th March, either by wire or by mail, what the changes were he desired to know about; but he seems to have waited until the Tariff Bill had gone through the slow process of printing in the Government Office, and it was not until the 16th March he received a copy of the Bill, being fourteen days after all the world interested in the American Tariff knew what the changes were he desired to be informed of. He had told the House that he particularly desired to know what changes were to be made in Excise duties, especially on the duties upon tobaccos and cigars. The whole world knew that the changes in the Excise duty on tobacco would be a reduction to 8 cts. per lb. That was known on the 5th March, and even on the 3rd March. All the changes which the hon. gentleman needed to be informed of he could have ascertained twelve or thirteen days earlier than he did it. It cannot be denied, and I have no disposition whatever to deny it, that the hon. Finance Minister, upon this occasion, meets the country under very comfortable circumstances,

circumstances that must be gratifying to him as the head of the Finance Department. He has an overflowing Treasury; he has a large surplus; he has been able to provide for a largely increased expenditure, and still has money to spare. This state of things is attributed by the hon. gentleman, and by those associated with him, to a cause which we hold to be merely coincident with the prosperity that exists. This prosperity is attributed to the National Policy. We say no, the national prosperity is merely coincident with the change brought about by other and independent causes; and while agreeing perfectly as to the prosperous condition of the country, and as to the flourishing condition of the Treasury, and while congratulating the hon. Minister on this condition of things, I must take issue upon the cause of this prosperity, and I will endeavor, in the course of my remarks, to point out what I conceive to be the true causes of the prosperity now existing in Canada. I hold that to assert that a Tariff can cause prosperity is to assert what is a self-evident absurdity.

Sir LEONARD TILLEY. Hear, hear.

Mr. CHARLTON. The hon. gentleman says "hear, hear." If those curious in this matter will go back to the derivation of the word, they will find that the word "Tariff" is derived from the name of a seaport in Algiers, the Algerian port of Tariffa, from which in former ages issued Corsairs that preyed upon the commerce of the Christian nations of Europe, levying upon their vessels tribute or toll; and from the circumstance that tribute or toll was levied by vessels issuing from Tariffa, the stronghold of a piratical State, we have derived the name Tariff. Tariff means toll, tribute, taxes taken by force. If hon. gentlemen can show me that a person who wishes to buy cotton sheeting, and through the operation of the Tariff is compelled to pay for seven yards, a sum, which, without the Tariff, would have purchased ten yards, and that he is enriched by receiving only seven yards instead of ten yards; or if they can show that, for every \$100 purchased, the \$25 or \$35 that go for taxes which the Government exact is a benefit, he has proved that a Tariff can be a source and cause of prosperity. But I hold such is an impossibility, and that the operation of this or any Tariff, whatever its character, is simply to diminish the prosperity which the country enjoys, to the extent of the taxes taken from the pockets of the people. One Tariff may be more unjust than another, and bear more heavily on the resources and energies of the people than another; but any Tariff imposed by the Government is not a blessing, but an evil inflicted on the people. The Government may be compelled to raise taxes, and the people may be compelled to pay taxes; but the tax does not enrich them; but when a Tariff is constructed and devised for the purpose of securing the amount of revenue that is required by the Government, and goes no further, that Tariff the Government is justified in imposing. But when a Tariff goes beyond this, and imposes a scale of duties yielding revenue largely in excess of the requirements of the Government; and when duties are imposed, not for the purpose of securing revenue in the most common-sense, and most economical manner, but to foster and protect certain pet interests, then it ceases to fulfil the proper requirements and functions of a Tariff, and becomes to the extent in which it imposes extra taxes, a burden, and an unjustifiable burden on the people of the country; therefore, I assert that a Tariff cannot create prosperity. It merely provides revenue to the extent of the taxation imposed; and it is absurd to attribute to this National Policy the prosperity which we have enjoyed. The existence of the National Policy was merely a coincidence with this period, at a time when other causes happened to produce prosperity. Now, Sir, I do not see my hon. friend from Lincoln in his seat; but I will, nevertheless, take the liberty,

Mr. CHARLTON.

though he has pronounced it unpatriotic, to refer occasionally to the example of the United States, because we can profit by their example. We have the blessing, if we please to call it so, of a Protective Tariff, the United States have a Protective Tariff; and taught by the experience of these two respective fiscal systems, we can make certain comparisons and come to certain conclusions. The United States inaugurated their protective system in 1861; but did that protective system prevent that country suffering from the effects of a great commercial depression and avert the disasters from which we suffered from 1874 to 1878? On the contrary, Sir, they experienced very severe commercial depression, which, under their protective system, was very much greater than that which we were visited with, while we were under a Revenue Tariff—and a very moderate one—and that country was enjoying all the blessings of a high protective system. The degree of depression from which that country suffered, was more intense, more widespread, and much greater than that which we experienced in Canada. We had by no means as large a proportion of laborers out of employment. We had by no means as large a proportion of industrial establishments lying idle; and the returns from the investment of capital in Canada were much greater during that period than was the case in the United States, and in every respect, in drawing a contrast between the condition of this country and of the United States, during the depression from 1874 to 1878—the one under the operation of a Revenue Tariff system, and the other under a high protective system—is very much in favor of Canada. The depression was less here, and was due not to causes which arose in Canada, but to causes which arose in the United States. The depression here resulted from the depression which commenced in the United States, a highly protected country; and but for that depression there the depression in Canada would have been by no means as severe as it was; and again, Sir, when we had changed our fiscal system, and adopted a protective policy, as we did in 1879, the revival of business had begun in that country before this policy was adopted. The resumption of specie payments in the United States on the 1st of January, 1879, and other causes, tended to produce there a revival in trade, and to bring about that change here, which is falsely attributed to the National Policy. The degree of prosperity which has existed in Canada since the adoption of the National Policy, has been by no means greater than the prosperity which has existed in this country during other cycles of prosperity; and at other periods in Canada, when we were under a Revenue Tariff, and a low Revenue Tariff, the degree of prosperity enjoyed by this country was greater than it is to-day; and, if prosperity could so exist under a Revenue Tariff, it is certainly absurd to attribute to the existence of this policy to-day, the effects which we have perceived. Well, Sir, what has produced this prosperity? If it is not due to the Tariff, as it cannot be, to what is it due? Well, Sir, I think that the main and principal cause of this revival of prosperity can be very easily pointed out. We all know, Sir, the effect on a country situated like Canada, of an abundant harvest, and we all know, Sir, as well, the effects produced on a country situated as this is, of a failure in the harvest. A failure in the harvest produces disaster and commercial stringency, and must necessarily do so; and it will do so in spite of any fiscal system which may be in force from time to time. On the contrary, Sir, an abundant harvest will set in motion the machinery of trade, and will give to the country larger means, a larger surplus and an increase in the wealth of the country. Now, Sir, if an abundant harvest comes you will necessarily have prosperity; and if a series of abundant harvests comes you will have great prosperity; and if these series of abundant harvests come in conjunction with the failure of harvests abroad, making an unusual demand for the pro-

ducts of our soil, and a demand at an unusual price, the result on the business and prosperity of the country can be easily understood. Then, Sir, the first and the primary cause of the revival of prosperity in Canada was abundant harvests—not one, but a series of abundant harvests—greatly augmenting our exports, which were sold at high prices in consequence of the unusual demand abroad, which was the result of the failure of the harvests in England, not in one year merely, but during two successive years. This, then, Sir, is the first and primary cause of the revival of the prosperity in Canada. Then there is another cause which had something to do with it. Commercial depressions, Sir, are brought about, to a certain extent at least, by extravagance, and the natural result of this, after a few years, is to cause a revulsion; and then we have a panic. What is the corrective of the panic? Why, the people commence to retrench and practice economy; and from this process which follows extravagance and over-trading, in due time a period of prosperity comes. Now, Sir, while one of the primary causes of prosperity was due to the economy and frugality practiced by the people of Canada during those lean years, from 1874 to 1878, when we were suffering from the effects of commercial depression, there is another cause which added somewhat to our prosperity. We were opening up the great region of the North-West; and this caused a very large amount of capital to flow into this country. There were then these three causes: the increase of our harvest exports; the effect of the economy practiced during previous years, and the influx of a vast amount of capital into Canada, which satisfactorily accounts, in my opinion, for the change in times which we have witnessed; and which I am glad to say we have witnessed during the last three or four years. Now, Sir, let us enquire for a moment what is the real character of this Tariff, of this policy which is lauded, by our hon. friends on the opposite side of the House, as the cause of our prosperity. It is not as bad a Tariff as are some Tariffs. It is not as bad a Tariff as is the Tariff of the United States. It might fairly be called, in some respects, a moderately Protective Tariff. I do not say it is in all respects a very bad measure; but it has certainly very bad features. Now, Mr. Speaker, if my hon. friend from West Durham were at the head of the Government, he would find, I have no doubt, that in dealing with this question, he would have to have a due regard for the interests which have grown up under this Tariff.

Sir LEONARD TILLEY. Hear, hear.

Mr. CHARLETON. The hon. gentleman opposite says, "hear, hear;" but the hon. member from West Durham (Mr. Blake), no doubt, would avoid rash and inconsiderate action in this matter; he would avoid anything which would entail ruin upon any great interest of this country; and if he did not do that he would act unwisely, and would not act in the interests of the country. But I think I can assure hon. gentlemen on the opposite side that there are some things he would do without delay. I think he would remove the duties from the raw material. I think he would give the fishermen of the Maritime Provinces free cornmeal and free flour. I think, Sir, that he would give the manufacturers of Ontario, and other parts of the Dominion, free coal; and I have no doubt that he would scorn to deceive the farmers by giving to them any such Protection as is given to them in the matter of wool. If he were to give Protection on wool he would put the tax upon such wool as is imported into the country. But, under the operation of the kind of Protection given by the hon. gentleman opposite, we imported, last year, 9,646,000 lbs. of free wool, and only 36,000 lbs. of dutiable wool; in other words, for every 300 lbs. of wool we imported into the country we imported 1 lb. which paid a duty, and 299 lbs., which came in

free. I repeat that this is a kind of Protection which my hon. friend from West Durham would scorn to give to the farmers. The hon. Minister tells us, in his speech, that he felt a difficulty about the duty on iron. I have no doubt he did. I have no doubt he has felt a difficulty about the duty on steel, as well as upon various other articles. If he is a man of sympathetic nature he must have felt a difficulty about the duty on cornmeal and coal; and I have no doubt he has felt immense difficulty, and has stifled his convictions in meeting the requirements of those who come to him, as he tells us, to make representations to him. The character of the Tariff could be changed in these essential particulars at all events. The duties might be taken off the raw materials, and there might be a reduction of the duty in order to bring down the revenue yielded by that Tariff within the limits of the requirements of the country. Will the hon. gentleman tell us that the great mass of the people of Canada are benefited by this Tariff? Is it the great mass of the people which have sent deputations down here from time to time, and visited him in his office in the Eastern Block, and made those representations which have resulted in the changes which are made in the Tariff, Session after Session? Do these representations come from the lumbermen of Canada, from the fishermen of Canada, from the laborers of Canada, from the farmers of Canada? No, Sir, they come from interests that desire to secure, and do secure, benefits from this Tariff. They come from a very small proportion of the mass of the population of this great country; and while I do not deny that this Tariff confers benefits upon some, I assert that while it does so, it inflicts grave injury on the majority of the people of Canada. Last year the hon. gentleman boasted—I notice that he did not indulge in the same strain this year—about the increase in the industries of this country. I do not know why he was silent in that respect this year, but his silence was rather ominous. Last year he informed us that this Tariff had been the means of creating new industries which employed no less than 7,035 hands; and he had the hardihood to claim that the increased operations of old industries which had resulted in increasing the number of hands employed by 17,000, was due to the operation of this Tariff. How absurd! Industries which were created under a Revenue Tariff were obliged, during a period of depression, to curtail their operations, and because, forsooth, they commenced on the old scale of operations which existed under a Revenue Tariff, when the good times came again, the hon. gentleman claimed that that increase was due to his Tariff. And even when we came to criticise his claim that 7,035 hands had found employment in new industries in consequence of his Tariff, we found in place of their being 7,035 we had to reduce the amount by something like three-fifths, and instead of their being 7,000 hands employed in those concerns, there were only about 3,000. However, Sir, the National Policy will have a fair trial. We desire that it should have a fair trial. The people desire that it should have a fair trial, and they have so decided; and in all human probability, for another five years at any rate, that policy will be the policy of this country. The hon. Minister tells us that we are to have seven years of prosperity. I trust we may have seventy times seven; and I have no doubt that if the conditions are observed which the hon. Minister attached to his promise of seven years prosperity, we may have seventy times seven. What were the conditions? He said we should have seven years prosperity; and, after a pause, he said if we only avoided over-trading, if we avoided reckless extravagance, if we avoided bad harvests, if we avoided low prices, if we avoided, in short, all causes that produce stringency and hard times, we would not have hard times, but seven years prosperity; and I have no doubt we would. But, Sir, the hon. gentleman, in the experience he has acquired as the constructor of Tariffs, has, doubtless, learned one

truth—and I would ask the hon. gentleman if it is not so. I have no doubt he has learned that in arranging the details of a Protective Tariff, he finds that he has to meet and contend with the strugglings of conflicting selfish interests. I have no doubt he finds that this interest wants this thing, and that interest that thing—that each interest wants to promote its own selfish end at the expense of everybody else; and in arranging the details of his measure, he has to compromise between one interest and another; and in doing so he presents us with a Tariff, which, as he tells us himself, is not strictly scientific, but which is to a certain degree an experiment, and which seems destined to be a continued experiment, judging by the number of changes that are made from year to year. This effect of selfish conflicting interests—this grafting upon the Tariff branches incongruous and absurd, is well exemplified by the changes which were made in the last American Tariff. Though professedly a Protective Tariff the duty upon iron has been reduced 30 to 40 per cent.; but while doing that the owners of iron ore have succeeded in getting the duty upon ore increased 50 per cent., so that while the Protection is reduced the price of the raw material has been increased. Now, if we were at liberty to choose our own ground in the discussion of public questions we should pronounce this one of the Tariff to be a minor issue. I believe we have questions before the people of Canada to-day that are of far greater importance than the question of whether we shall pay 3 or 5 per cent., more or less, on our average importations. I believe the land policy of this Government is a policy of far greater moment to the people of Canada. It is a policy which will have more influence on the future of this country than anything connected with its fiscal policy. I believe, Sir, that a judicious land policy, calculated to promote the settlement of the North-West, and to lead to the rapid development of the resources of this country, is a matter vastly more important to us than the question we are discussing to-day. I believe that the railway policy of this country, that we discussed two years ago, was a matter fraught with greater consequences to Canada than this question. I believe the question of Provincial rights, the question of the preservation of the constitutional guarantees, under which the Provinces of the Dominion exercise their right of local self government, is of far greater consequence to the Dominion of Canada than this question. I believe that in the case of one of the Provinces, at any rate, the questions of whether that Province shall be shorn of half its territory, is a matter of vastly more importance to that Province than the question of a Protective *vs.* a Revenue Tariff. But as the National Policy is forced into the foreground by hon. gentlemen opposite, we are, of course, compelled to meet them on their own ground, and to discuss this question which they choose to make the leading issue in our political contests and in our discussions here. In discussing this question I shall, first of all, direct myself to the consideration of the enquiry, has the ratio of the manufacturing development of this country, under this policy, been greater than it was under the policy preceding it? I will ask the hon. Finance Minister whether the manufacturing interests of Canada owe their existence to the National Policy; and if he fails to answer I will take the liberty of saying that they do not. I will take the liberty of pointing out that before the National Policy was inaugurated, the manufacturing interests of Canada had attained a very high degree of development under the operation of a strictly Revenue Tariff. According to the Census Returns of 1871, we produced in that year over \$200,000,000 worth of manufactures, and employed 187,000 operatives. The development of our manufacturing industries continued to be rapid in the years succeeding the Census of 1871. It is certain that during the period of depression, from 1874 to 1878, our manufacturing industries were in a stronger position than those of the United States with their high

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protective duties; that a greater number, proportionately, of new manufacturing establishments were erected in this country than in the adjoining Republic; and, Sir, if we had the Census statistics of 1881—and I hope we may have them sometime during this generation—and were able to institute a comparison between the amount of manufactures produced in 1871 and 1882, I venture the prediction that it would be found that the progress of the manufacturing industries of Canada had been satisfactory, had been healthy, had been rapid under the operation of a Revenue Tariff. I have something here from my hon. friend from Cardwell, which points out clearly and forcibly a truth to which I have now much pleasure in calling the attention of the House—the truth that a moderate duty imposed for revenue purposes is an ample protective duty for any manufactured product suitable to this country. The hon. gentleman told the Montreal Board of Trade, in a speech delivered in 1873, that a 15 per cent. Tariff means more than 15 per cent. of Protection to manufacturers. He said:

“There is the cost of the transportation of the goods from the other side of the water, which amounts, on an average, to at least 5 per cent., so that there is now a Protection equal to 20 per cent. That ought to be sufficient for any industry suitable to the country, and as for others, it would not be wise to support them by fiscal props.”

Mr. WHITE (Cardwell). The hon. member for West Middlesex assured me that I was entirely wrong in my view, because he said that the price of sugar from New York was the same as the price from Montreal.

Mr. ROSS (Middlesex). What I did say was, that New York was as easy a distributing point for Manitoba, Ontario, and the Maritime Provinces, as Montreal.

Mr. CHARLTON. The point raised by the hon. member for Cardwell was that the cost of transportation from Great Britain was equal to 5 per cent., and that consequently a duty of 15 per cent. upon goods imported from Great Britain was equal to 20 per cent. of Protection, and he very properly claimed that that amount of Protection was sufficient for any industry suitable to this country.

Mr. WHITE (Cardwell). So it was then.

Mr. CHARLTON. If that is the case, a duty of 20 per cent. is equivalent to 25 per cent., and a duty of 22½ per cent. is equivalent to 27½ per cent. of Protection. No man claims that we could in the present condition of our expenditure, go back to a Tariff of 15 per cent., or even of 20 per cent. It is my opinion that it would be necessary, under any circumstances, to impose for revenue purposes a Tariff of 22½ per cent., which, according to the hon. member for Cardwell, would be 7½ per cent. more of Protection than any industry suitable to this country requires. Well, Sir, let us suppose, at the time this policy was inaugurated, when the change came from bad harvests to good harvests, and from stringent times to prosperity, that the Tariff imposed a duty of 20 per cent. Does any man imagine that under that state of things, with rising prosperity, there would not have been an increase in the manufacturing industries of this country? Does any man suppose that the same causes which led to increased prosperity in our manufacturing industries would not have produced the same results under a Revenue Tariff of 20 per cent.? Will any man say that there would not have been a large increase in the production of manufactures in this country, that there would not have been new factories called into existence, and that the number of employés engaged in manufacturing would not have multiplied? Reasoning from the experience of the past, we are warranted in asserting that such would have been the result. I do not say that the increase would have been as great as it has been under the present system, I am quite willing to admit that it would not have been as great in particular lines, which are protected to such an extent that dividends of from 50 to 75 per cent. are possible. The profits of the cotton and woollen

industries, would not, probably, have been so great, and I suppose the Redpaths would have been deprived of a few hundred thousand dollars of their gains; but I am satisfied that nearly all our manufacturing industries, besides the three I have named, would have been in a better position under a Revenue Tariff than they are under that which the hon. Finance Minister gave to this country in 1879. I would ask the hon. member whether he is prepared to assert that this Tariff of his has given to Canadian manufacturers a greater control over their own markets than they had under the previous system of a Revenue Tariff. The hon. gentleman does not seem disposed to answer.

Sir LEONARD TILLEY. I will answer by-and-bye.

Mr. CHARLTON. I now assert that the result of the policy has not been to give to the manufacturing interests of this country a greater control of our home market than they possessed prior to the inauguration of this policy. I take the ground that this policy has not resulted in curtailing the importation of goods susceptible of manufacture in Canada, and I will quote tables to sustain that assertion. In fact the hon. gentleman himself, in the course of his remarks the other day, practically admitted this—I do not know but that he did admit it in so many words, for he went on to tell us that importations to a large extent were all right if we had the means to buy. He thus gave the whole case away. Certainly it is not right to buy when we have not the means; but if it is proper and judicious to buy when we have the means, is it not wrong to impede this proper and judicious purchasing by throwing obstacles in our way, and preventing us from using, to the best advantage, the means we have to purchase with? It seems, however, that even the attempt made in this direction has been futile. I am about to make use of a few figures. I wish it were possible to present this financial question in the form of an allegory or parable. If the hon. gentleman himself will make his financial statement in the form of an epic poem, it, no doubt, would be more interesting, but financial matters are matters of figures. We can only express the results that we deal with by means of figures, and I shall use them as sparingly as possible. With reference to the assertion I made that the National Policy has not resulted in giving to our manufacturers greater control of our own markets, I wish to call attention to the fact: first, with regard to the importation of cotton, woollens, iron and steel; and, second, with regard to the importation of all goods susceptible of production in Canada, that there was a rapid diminution in the importation of these, under the Revenue Tariff, from 1874 to 1879, and a rapid advance in their importation during the subsequent period. These tables have been compiled from the Trade and Navigation Returns, and are the result of considerable labor. The classification may not be strictly accurate, but, for the purpose of comparison, the tables are accurate, because whatever article is named in one year is named in all the years. I find that the importation of cottons and woollens, and the manufactures of iron and steel, in 1874, were \$34,435,000; and that the importation of goods of the same class, four years later, in 1878, had fallen to \$24,271,000—this under the operation of a Revenue Tariff. I find that the importation of the same goods, in 1879, had fallen to \$21,762,000. Then the National Policy was inaugurated. Did the falling off continue? If the National Policy was efficient in the direction promised by its promoters, if its result was diminished importation of goods susceptible of production in this country, the importation of iron, steel, woollens and cottons must have continued to decrease; but if the National Policy did not operate as hon. gentlemen opposite promised it would? Let us see the result. In 1881, the importation of these articles had risen from \$21,762,000, in 1879, to \$31,466,000; in 1882 it had risen to \$33,170,000. When we come to analyze these

returns what do we find? We find that the decrease from 1874 to 1878 was \$10,164,000, or 29 per cent.; and that from 1874 to 1879 it was \$12,673,000, or 36 per cent. Then this policy comes into operation, that is to diminish the importation of goods susceptible of manufacture in Canada. What do we find? We find that from 1879 to 1881 there is an increase in those goods of \$9,704,000, or equal to 44 per cent.; and from 1879 to 1881 an increase of \$11,408,000, or 52 per cent. Thus the policy had not the result its promoters expected. It did not prove effective in keeping out of this country goods that could be manufactured here and largely promoting their manufacture. If we take the total importation of the manufactures susceptible of production in Canada, we will find results still more striking. In 1874, we imported of this class of goods \$68,959,000; in 1877, this importation had fallen to \$42,820,000; in 1878, it was \$41,588,000; and, in 1879, \$39,599,000. Then began the operation of this policy which was to put an end, to a large extent, at least, to the importation of these goods. What do we find? Had we Canada for the Canadians? Were these goods banished from the country? Were these importations diminished? Were the goods formerly imported from the United States and England produced here, and did a great falling off in the volume of importations follow? Nothing of the kind. We find that, in 1881, the importation had risen to \$59,000,000 from \$39,500,000 in 1879; and, in 1882, it had risen to \$69,642,000. When we come to analyze these figures, we find that the decrease in the importation of goods susceptible of manufacture in Canada, from 1874 to 1877, was \$26,139,000, or 38 per cent.; that the decrease from 1874 to 1878 was \$24,371,000 or 35 per cent.; and that from 1874 to 1879 it was \$29,360,000, or 40 per cent. These were the decreases under the operation of the Revenue Tariff which these hon. gentlemen tell us was not conducive to the interests of our manufactures. Then the policy is changed, and what do we find? Do we find that these decreases are augmented? No; we find nothing of the kind. We find that, from 1877 to 1881, there was an increase in the importation of goods, susceptible of manufacture in Canada, of \$14,106,000 or 31 per cent.; that from 1877 to 1882 there was an increase of \$25,000,000, equal to 56 per cent.; that from 1878 to 1882 the increase was \$19,000,000, or 45 per cent.; from 1879 to 1882 the increase was \$30,000,000, or an increase of 73 per cent. between the years 1879 and 1882 in the importation of goods into Canada, that were susceptible of manufacture in this country; goods that that policy, forsooth, was inaugurated for the purpose of excluding from this country! Is not that a brilliant specimen of success? An increase of 73 per cent. between 1879 and 1882 in the goods that were to be excluded from this country by the operation of that Tariff! I must congratulate the hon. Finance Minister on his success. Then, what are the plain deductions? The plain deductions from these figures are: that the importation of manufactures is not diminishing; that, on the contrary, it is rapidly increasing, and that the manufacturers do not control our own markets any better than they did under a Revenue Tariff; nor indeed do they control it as well. And in addition to these facts, the prices of these goods have been greatly increased to the consumers of Canada by the imposition of the additional duty. The hon. Minister made a statement with regard to the balance of trade. The subject has already been alluded to by the hon. member for South Brant (Mr. Paterson), and by the hon. member for West Middlesex (Mr. Ross). However, I think neither of these hon. gentlemen quoted the words of the hon. Finance Minister with reference to this matter of the balance of trade in 1879. The hon. Finance Minister said, the other night, that the average annual amount of balance of trade against this country during the administration of the hon. member for East York, was \$15,000,000, and that the average balance of trade against the country during

the time that he has presided over the finances of Canada, was \$8,333,000. He forgot, however, to inform the House that this balance was created within the last two years. He forgot to inform the House that the balance of trade last year was, in round numbers, some \$8,000,000, and that this year it had gone up to \$22,600,000; or, if we deduct the estimated amount of exports from the inland ports, called short returns, which is merely guess work, then we have a balance of trade against the country last year of \$18,511,000. When we strike an average for the entire period of four years, the statement of the case is somewhat misleading, for nearly the entire balance has accumulated in the last two years. Now, the hon. gentleman says we believe in an adverse balance of trade. Sir, we have never said anything of the kind. The position taken by the Liberal members of this House is that an adverse balance of trade is not an indication that the country is going to the bad, or that the country is running in debt. We have asserted that a nominal adverse balance of trade might not indicate the real state of matters, that the profits on the exports, that the earnings of our vessels in carrying these cargoes to Europe, and the cargoes exchanged for them would come back to Canada—that these various items of revenue might more than counterbalance the apparent balance of trade. We have always asserted that the laws of supply and demand would regulate these matters without the interference of a Finance Minister or a Government; that people would buy what they had the means to pay for—and if the sum exceeded by some small amount that limit in one year they would curtail enough in the next year to equalize matters. But the hon. Minister himself has held in the past that a balance of trade against the country was a dangerous thing. He warned this country when a balance of trade existed against it, and when the affairs of this country were presided over by my hon. friend from East York, that this was a ruinous condition of things; that it was a condition of things that it was high time to have rectified. In 1879 he said, in his Budget Speech:

"There are other difficulties. The volume of imports has not much diminished. Regarding the matter as I do, I think it is to be regretted that the volume of imports has not been materially reduced. I look upon large imports ever since the Dominion was organized, showing a large balance of trade against us, as one of the causes of the trouble with which we now have to contend, one of the difficulties that is our duty to remedy. Imports have been decreasing to a certain extent, but are still very large, showing distinctly and clearly, in my judgment, that they ought still further to be diminished. It appears to me that we should turn our attention to the best means of reducing the volume of our imports from all parts of the world."

Well, Sir, if that was sound political economy, if the position of the hon. gentleman on this matter was a tenable position, I implore him to turn his attention to that subject now, and to see that when another year comes round, our Trade and Navigation Returns shall not indicate a balance of trade against the country of \$18,500,000 in round numbers. Now, Sir, I have a few words to say as to the burdens that are imposed upon us as a people. First of all, I will refer to the increase in the duties levied. In 1878, the average rate of duties upon dutiable goods imported was  $21\frac{4}{5}$  per cent.; the average rate of duties upon all importations was  $14\frac{1}{5}$  per cent. In 1881-82 the average rate of duties upon dutiable goods was  $25\frac{3}{5}$  per cent.; the average rate of duty upon all goods imported was  $19\frac{3}{5}$  per cent., if I am correct in the calculations I have made, this indicates an increase in the taxes imposed upon the people of this country through the operation of the Tariff of 38 per cent.; and the revenue collected by the Government to day is 38 per cent. greater than it was under the Tariff that preceded the one now in force. Last year we paid \$21,708,000 in duties. At first sight, one would say that this represents the increased cost to the consumers of Canada of the goods that we imported; that in consequence of the imposition of these duties the people paid \$21,708,000 more for their goods than they would otherwise. But the case is worse than that.

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The duties levied upon these goods, are as a matter of course added to their cost; it is an item in the cost of the goods. An importer importing \$1,000 worth of goods that pay 35 per cent., adds that 35 per cent. to the cost, and the added cost of the goods stands at \$1,350 in place of \$1,000. When he proceeds to calculate his profits on these goods, he puts so much per cent. upon the entire amount of \$1,350. We will suppose that the wholesale dealers' profit is 15 per cent. The importations into this country having cost \$21,708,000 for duty in excess to the first cost of the importations. The wholesale dealer proceeds to assess his profit of 15 per cent. upon the original cost of the goods, and \$21,708,000 as well, and these goods are sold to the retail merchants at \$3,255,000 more, in consequence of the imposition of that duty. The retail dealer proceeds to assess his profit of say 25 per cent. He calculates this upon the original amount of duty plus the wholesale dealers' profit being \$24,963,000, and the profit of 25 per cent. on this sum amounts to \$6,240,000, making the goods cost the consumer \$31,203,000 in excess of the sum they would have cost had no duties been imposed. So there is an increase of \$10,000,000 in cost to the consumers in consequence of the imposition of the duty, beside and beyond the amount of duty collected by the Government. Then there is the enhanced cost of what we may term domestic manufactures, or the goods produced in this country. The agricultural implement manufacturer, in producing his implements, pays duties on coal and iron and various other articles. The cost of the article to the consumer is enhanced by the duty upon raw material. The cotton manufacturer charges almost up to the limit of the duty in addition to the cost of the article to the importer. Thus the goods of the country are enhanced in cost and in price through the operation of this system. In the United States the best authorities estimate that the people of the Republic pay \$5 in the enhanced cost of domestic goods for every \$3 that are paid into the coffers of the Government in the shape of duty. But we will take a much more moderate estimate than the proportion of five to three, and we will estimate that the cost of goods produced in Canada is enhanced to the extent of the duty imposed on importations, and that is certainly a very moderate estimate. And what is the result? The result is that the people of this country are paying, in duties and extra profits based on duties, \$31,000,000 a year, and indirectly, in the enhanced cost of the goods produced in this country, \$31,000,000 more. They are paying, directly and indirectly, in consequence of the operation of the policy, \$62,000,000 a year, or \$14 per head. These figures cannot be controverted; such is a reasonable statement, a statement showing the truth with respect to the direct and indirect burdens imposed on the people in consequence of the operation of this policy. Now a Revenue Tariff, would impose millions of dollars less; a Revenue Tariff, properly adjusted, would raise a revenue sufficient to meet the expenditure of the country without storing up a surplus of \$7,000,000 or \$8,000,000; a Revenue Tariff would remove the duties on raw materials, and to that extent cheapen the production of goods, for which that raw material is used in this country; a Revenue Tariff would impose millions of taxation less, and would raise millions less of revenue, and, at the same time, as I have stated, it would prove as efficient a Protective Tariff as the Tariff now in operation, and I have the authority of the hon. member for Cardwell (Mr. White) in making that assertion. What do we get for all this extra taxation? We do not get reduced importation of goods susceptible of being manufactured here; we do not get cheaper goods; and while we may benefit a few monopolies and a few cliques, we do not benefit the agriculturist, the lumberman, the fisherman, the laborer; we do not benefit one man for every eight hundred injured by the operations of this policy. And why then, it may be asked, have we prospered? I

made a remark in regard to that point before, and I intend to go more fully into a demonstration of why we have prospered. I intend to lay before this House the exact reasons why we have prospered; I intend to adduce reasons which cannot be controverted, ample and sufficient, to account for all the increased prosperity which the country has enjoyed since 1878. I will not make a comparison between one particular year and another. I will not lay myself open to the charge of having made figures lie, or of having cooked accounts; but I will make a comparison in such a way that no man can challenge its fairness. I will make the comparison in such a way that every hon. member who listens to me will be at least compelled to say that the mode of comparison is a fair one—I take the entire period of the Administration of the hon. member for East York (Mr. Mackenzie) and the entire period subsequent to his Administration. I take these two periods, and take the exports of the one period and compare them with the exports of the other—not of a year when, on the one hand, we happened to have an exceedingly good harvest, and not a year when, on the other hand, we happened to have an exceptionally bad harvest; but I take the two periods, one of five years and the other of four years and a-half, and institute a comparison between them. I make these comparisons, not upon the statements published in the Trade and Navigation Returns of the amounts entered for consumption, and of the exports of goods produced in Canada, because such comparisons are not reliable; but, in order to arrive, for instance, at our exports of breadstuffs, I take our total exports and deduct our total imports, and the result shows accurately the net exports of Canada. Proceeding upon this basis what do we find? I take the period of five years, from 1874 to 1878. The net exports of breadstuffs for that period was of the value of \$49,592,000. I compare that—and I am enabled to do so through the courtesy of the hon. Minister of Customs who very kindly caused to be prepared a statement of the exports for the six months ending 31st December last—with the subsequent period of four and a-half years, ending 31st December, and I find the net exports of breadstuffs during that period was of the value of \$75,111,000, or a gross excess of \$25,519,000 for the period of four and a-half years as compared with the preceding five years. The comparison shows that the average annual export for the first period was \$9,918,000, that the average annual export for the second period was \$16,691,000; that the annual average excess of exports of breadstuffs in the second period as compared with the first was \$6,773,000; that the percentage of increase in the annual exports during the second period as compared with the first was equal to 68 per cent. Will it be denied that this excess produced no effect, that the swelling of the exports of breadstuffs to the extent of 68 per cent. had no influence on the prosperity and business of the country? Hon. gentlemen cannot thus argue. Let us take next butter and cheese. The exports of butter and cheese in the period of 1874 to 1878 inclusive, were of the articles value of \$31,860,000. The exports of the same during the four and a-half years, ending 31st December last, was of the value of \$36,882,000. And the annual average for the first period was \$6,372,000, and for the second period \$8,196,000; the annual average for the second over the first period was \$1,824,000 per annum, and the annual percentage of increase was 28 per cent. Let us take animals and their produce, the produce of Canada. The exports from 1874 to 1878 amounted to \$69,137,000, the exports from 1879 to 1882 amounted to \$73,523,000 an annual average for the first period of \$13,827,000, and for the second period of \$18,380,000. The annual average excess of the second over the first period was \$4,553,000, and the annual percentage of gain was 32 per cent. Now, Sir, these figures may not be very pleasant to listen to, and I have no doubt that they fail to have the fascination for listeners as a

novel, but they tell a story and point to facts; and when I get through with these figures I will have explained to the House and country why we have had increased prosperity; and for that reason, although the figures may be dry, I ask the House to bear with me a little further while I lay bare the causes of the prosperity which fortunately exists, and I have not the slightest disposition to deny that we do enjoy it. Let us take next, Sir, the five articles in the list of agricultural products. Having taken up grain and breadstuffs, I will go through with the balance of the list, excepting a few insignificant articles, such as bran, flax-seed, and roots. I will take up malt, hay, hops, green fruit, and potatoes. The exports of these articles, the produce of Canada, from 1874 to 1878 inclusive, for five years, was \$5,248,000; and for the four and a-half subsequent years, ending the 31st of December last, \$14,700,000. The annual average export for the first period was \$1,050,000, and for the second period \$3,266,000; the average annual excess of the second over the first was \$2,216,000, and the annual percentage of increase was 41 per cent. Let us next take the fisheries. The exports of the products of the fisheries from 1874 to 1878, was \$26,671,000, for five years; and from 1879 to 1882, four years, \$28,588,000; the annual average for the first entire period was \$5,337,000, and for the second period \$7,139,000; the average annual excess of the second over the first period, was \$1,802,000, and the average annual percentage of increase was 33 per cent. These then, Sir, are the four great classes of exports, the increase of which, in my estimation, accounts for the increased prosperity of the country. Let us summarize them. In these articles, Sir, the total average annual export for the first period of five years, was \$30,132,000, and for the second period, \$45,476,000; the total average annual excess of the second, compared with the first period, was \$15,344,000; composed of \$5,073,000 in breadstuffs, \$1,553,000 in animals and their products, \$2,216,000 in malt, hay, hops, potatoes and green fruits, and \$1,802,000 in products of the fisheries, making a total of \$15,554,000 or an average annual gain of 50 per cent. What gain does that represent in four years? It represents the increased export of the country, and the gain in the purchasing power of the country of \$61,376,000. There has been no material change, Sir, in the exports of the mine and of the forest, counting in the last half-yearly returns, and our improved condition financially is due entirely to the increase of some \$62,000,000 in the exports of the products with which I have been dealing. Here then, Sir,—is the secret of our increased prosperity. It is not due to the increased taxation which the country has been called upon to endure. It is not due, Sir, to the extravagant expenditures of this country, which while they may enrich some, impoverish the masses. It is not, that so many additional dollars of expenditure have been imposed on every man, woman and child in Canada in direct and indirect taxation; but it is because our exports have swollen to the extent of \$15,344,000 in each and every year. It is, Sir, because the purchasing power of the people of this country, through this augmentation in the exports, has been increased to the extent of \$3.50 for every man, woman and child in Canada for each and every year during the period that my hon. friend the hon. Minister of Finance has presided over his Department. Well, in view of these facts, Mr. Speaker, is it not somewhat ridiculous for my hon. friend to claim to be the author of this prosperity. Is it not somewhat ridiculous, Sir, that he should claim that the policy which he inaugurated in 1879, and which simply amounts to additional taxation, and the imposition of additional burdens, should be the policy which has given us this increased prosperity? Why, Sir, this reminds me of a story which I was reading, last Sabbath. An old Jewish king—his name was Jeroboam, the son of Nebat—I know it is rather unusual to say anything about the Scriptures here, but this happens to be apropos—

Mr. BOWELL. A quotation from Shakespeare would suit you better.

Mr. CHARLTON. This king of the ten tribes thought it necessary to keep the children of Israel from going up to Jerusalem to worship the God of their fathers, and so he set up a couple of golden calves, and, like my friend the hon. Minister of Finance and the hon. First Minister, who point to themselves—he pointed to these calves, and said—as they say: “Behold your Gods, O Israel;” but they are not the gods which are the authors of this prosperity, but they are the men who came into power at a fortunate juncture, when the tide was turning and the dawning prosperity of the United States and of other countries resulted in prosperity here. They put into operation a Tariff which happened to be contemporaneous with this prosperity, and claim, forsooth, that a measure imposing additional burdens on the people is the cause of this prosperity which comes, not from them, but from a higher power.

Mr. HESSON. The gods went back on you and your policy in 1878, in the verdict of last June.

Mr. CHARLTON. Who are these gods? Does my hon. friend believe in the maxim, *vox populi, vox dei*? Is there no higher power than this poor humanity in the Dominion of Canada? No; the gods did not go back on us, because, Mr. Speaker, I fear that the God of gods concluded he would give to Canada the drunkenness of prosperity, and allow us to go on in our own course, until finally He will show us that the overweening confidence in our own wisdom, in which we seem to trust so much, is a poor reliance at the last. Well, Sir, the results then of this policy are a decrease in our exports of manufactured articles, and under that head I wish to call the attention of the House to this fact, and to make a comparison again between the entire period between the two Governments. The exports of manufactures from 1874 to 1878 amounted to \$20,017,000; the annual average was \$4,003,000; the export for the four years, from 1879 to 1882, amounted to \$16,070,000; and the annual average was \$4,005,000—this is not a bad showing—and when we come to make a comparison between the three last years under the régime of my hon. friend the member for East York, and the period subsequent to that, we will find that the comparison is not quite so favorable to my hon. friends on the opposite side. We will find, Sir, that the exports of manufactures in the period from 1874 to 1875 rapidly increased from year to year, that while the average export was \$4,003,000, the average export of the last three years was \$5,123,000, or \$1,118,000 per annum greater than the export in the period subsequent to that time; consequently, as I said before, our importation of manufactures is increasing, our exportation of manufactures is decreasing, and, Sir, our export of food products has increased. Protection, I say, therefore, does not protect. The fact I am trying to impress upon the House has been discovered long ago by political economists, that the great mass of the manufactures of the country are just as prosperous under a Revenue Tariff as under a protective system. If we take the United States, we find that the importation of woollens, cottons, iron, steel, linen and flax manufactures and silks, upon every one of which a very high protective duty has been imposed, has rapidly increased in recent years. Without troubling the House with a detailed statement of the importation of each of these articles, I will say that while woollens are protected by a duty of 61 per cent., cotton by a duty of 39 per cent., iron and steel by a duty of 45 per cent., linen goods by a duty of 35 per cent., and silks by a duty of 59 per cent., the importations of goods of these five classes had increased from \$95,808,000 in 1877, to \$203,000,000 in 1882, or an increase of \$107,000,000 in 1882 as compared with 1877; in other words, an increase of 112 per cent. Here again is illus-

Mr. CHARLTON.

trated the truth that I have laid before this House, that a Protective Tariff does not diminish the importation of goods susceptible of production in a country, for the imposition of enormous duties on these articles in the United States has resulted in an increased importation to the extent of 112 per cent. in these five years, and that in a country where the utmost efforts have been made to secure the exclusion of foreign goods through the operation of protective duties which were intended to be almost prohibitory. And has the American farmer succeeded any better than the Canadian farmer in securing the home market which was promised as the result of this protective system? On the contrary, while the process of increasing the importation of the goods of foreign manufacturers has been going on, the American farmer has been driven further and further away from the realization of his hopes that he might have a home market which would absorb the productions of the soil of that country. Year by year the exportation of the products of the soil of the United States has gone on increasing instead of diminishing, and year by year the hopes of the farmers of that country that through the operations of this Tariff, which was wringing from them hundreds of millions of dollars a year, they would be able to secure the home market has been proved to be delusive. I am sorry that the hon. Finance Minister has left his seat for I wanted to ask him a question. I see, however, that the hon. Minister of Railways is in his place, and he, too, is an authority on this subject. The question I desired to ask was this: whether the change in the Tariff—the increase of duties—was necessary for the purpose of meeting the wants of our revenue? I recollect very distinctly an occasion when my hon. friend the Minister of Railways, in his place in the House, asserted very positively that there was no choice between the adoption of this policy and a resort to direct taxation. I wish to ask him, to-day, whether he is still of the same opinion, that the revenue wants of the country imperatively demanded a change. Well, Sir, the hon. gentleman is evidently non committal on that subject, and while he is considering it I will proceed to show that the change was unnecessary even for the purpose of securing the revenue we desired. Our revenue from Customs, in 1878, was \$12,795,000, and it was inadequate. We were then laboring under depression. The importation of goods was very light, prices were low, and under an *ad valorem* duty they did not yield a great revenue. We should have placed those duties on a scale that would have given us a proper revenue; 20 per cent. would have done it, but we did not do it. Last year we collected, from Customs, \$21,581,000 according to our Public Accounts. Now, that was an increase of 68½ per cent. in the period between 1878 and 1882 in the revenue derived from the Customs. We are able by comparison to show pretty conclusively what would probably have been the ratio of increase without a change of the Tariff, because we have a country lying alongside of us which did not change its Tariff during that period—which made no change of Tariff between 1861 and 1882; and if we take the revenue of that country in 1878, and its revenue in 1882, and see what the increase is, we will be able to arrive with tolerable accuracy at the knowledge we desire as to what the probable percentage of increase of duty would have been in consequence of the improvement of the times, and not as the result of any change in the Tariff. In 1878, the United States derived, from Customs, a revenue of \$138,000,000. In 1882, they derived, from Customs, a revenue of \$220,400,000. Mark, Sir, that there had been no change in the Tariff; that this increase was entirely due to better times—it was entirely due to that prosperity which came to the country from causes entirely aside from and beyond the operation of any Tariff. They realized an increase in that period of 67 per cent. in their revenue from Customs without the change of one iota in the Tariff; and we, with a change in the Tariff, realized an increase of duty 1½ per cent. higher than theirs.

Mr. WHITE (Cardwell). There was no increase of taxation then.

Mr. CHARLTON. There was no need of an increase. I affirm that if the Tariff that was in force in 1878 had continued in operation till to-day, when prosperity has returned to this country, it would have met the revenue requirements of the Government upon a proper and economical scale of expenditure. I maintain that if the United States, without any change in the Tariff, realized an increased revenue of 67 per cent., we might at least have expected, without any change of the Tariff, to have realized an increase of revenue nearly as great, because the circumstances of the two countries were almost identical, both being producing countries, both depending largely upon the products of the soil, and both being blessed during that period with abundant harvests. I might go on to draw inferences as to the efficiency of a Protective Tariff in producing the results which it is desired to arrive at from the example of the United States with reference to the operation of a Revenue Tariff on the one hand in that country, and a high Protective Tariff on the other. I might point out that the United States, in the decade from 1860 to 1870, with a Revenue Tariff imposing duties less than we imposed under the Cartwright Tariff, advanced as rapidly in manufacturing as it has since. I might show that the value of property in that country increased during that decade 126 per cent., or nearly three times as much as in any decade since high protective duties were imposed. If we had time, and it was proper to go into these comparisons, I could prove that even the United States, under a Revenue Tariff, was more prosperous, that its manufacturing industries had more solid prosperity than they have had under the system that has prevailed in that country since 1861.

Mr. BLANCHET. Now read your speech of 1876.

Mr. CHARLTON. The ex-Speaker requests me to take a chapter of my speech of 1876. I might say as Fitz James said to Roderick Dhu: "I thank thee, Roderick, for the word." What was the position I took in 1876? Was it in favor of a duty of 35 per cent.? Was it in favor of duties on coal and upon breadstuffs? Was it in favor of a duty higher even than 17½ per cent.?

Sir LEONARD TILLEY. Yes.

Mr. CHARLTON. Did I not occupy the position of the hon. member for Cardwell, that I believed in a Protection, not of 15 per cent., as he did, but of 17½ per cent.? Take the speech, read it, and see if you can find any conclusion arrived at in that speech that would warrant the assertion that I advocated a duty of more than 17½ per cent.

Sir LEONARD TILLEY. I will read that speech as a perfect answer to the present.

Mr. CHARLTON. I admit that I believed in a slight increase in the duties; I admit that I thought that they ought to be 20 per cent.; but what I did not favor was such a measure as that which the hon. Finance Minister introduced, and which is on the Statute-book to-day. Now, Sir, I come to the question of Protection to farmers. Of course, this Tariff never could have passed but for the votes of the agriculturists of this country—never could have been secured if they had not been deceived, cruelly deceived, by promises which the hon. gentleman knows have not been kept. He has not even had the hardihood to assert in this House that this Tariff has benefited the agriculturists of this country by enhancing the prices of any goods they have to sell. I think my argument would be incomplete if I did not present to the House the case from the agriculturists stand-point. The farming population of the country, under the operation of this Tariff, are taxed, directly and indirectly, to the extent of \$14 a head for every man, woman and child. I do not say that they are taxed that

much more than they were under a Revenue Tariff, but I say that that is the burden of taxation imposed upon them, and that it is very much greater than it would be under a Revenue Tariff. If hon. gentlemen opposite had not promised the farmer that the prices of the articles he had to sell would be enhanced in price, they would not have obtained his vote. I am prepared to prove that that promise was false—that the truth is, that while the goods he has to buy are enhanced in price, he has received no advantage in the price of the goods he has to sell. We produce grain for sale; we have a surplus of it; what we want is a free market. The Corn Laws of England, if re-enacted to-day, would be a damage to us; the Corn Laws of the United States are a damage to us; and Corn Laws here can do us no good, because we do not import for consumption, but have a surplus of all the grains we raise. This protective policy has thus far failed to produce a home market. Some speakers on the opposite side seek to surround the question with fog, in order to perplex the farmers. They make presentations of the case which, if not exactly false, are misleading. I was sorry, the other night, to see so respectable a gentleman as the hon. member for Cardwell making a presentation of this case that was entirely misleading. He told us that the home market had increased because the amount of the American grain entered for consumption was now less than formerly. The hon. member for Lincoln told us that in the year 1878 the value of American grain imported into this country for consumption was \$14,000,000. Well, Sir, does the hon. gentleman not know that every bushel of grain imported into this country was entered for consumption. The importer entered his grain for consumption, and he had his choice whether to sell that grain in Canada, or export it. Let us see how the total imports compare with the imports for consumption, in two years. In 1877, they were as follows:—

	Total Imports.	Imports for Consumption.
Wheat .....	4,589,000 bush.	4,589,000 bush.
Corn .....	7,387,000 "	7,387,000 "

The importation for consumption was exactly the same as the total importation. The figures of 1878 show the same result:

	Total Imports.	Imports for Consumption.
Wheat .....	5,635,000 bush.	5,635,000 bush.
Corn .....	7,387,000 "	7,387,000 "

Do you see how misleading this comparison is? To-day, the importer, if he enters his grain for consumption, must pay a duty, consequently he only enters what he wants to sell here. But before the imposition of that duty every bushel of grain was entered for consumption; and to make a comparison of this kind is very misleading, and is calculated to deceive those who are interested. In this very year 1877, when there was imported for consumption 4,589,000 bushels of wheat, we exported of that very wheat 4,196,000 bushels, and consumed in this country less than 400,000 bushels. In 1878, when we entered for consumption 7,387,000 bushels of corn, and 5,635,000 bushels of wheat, we exported in value—I have not the amount in bushels—\$7,435,000 of American grain. And this is the kind of argument used in the country to mislead the farmers. If that goes to the country uncontradicted, a false impression will be produced, the object of which is to endeavor to induce the farmers to believe that a home market has been created by this Tariff, which is not the case. But the hon. Finance Minister was silent this year upon this question. Last year he had something to say about it. He did not tell us, indeed, that the duty had raised the price of barley to 15 cts. higher than the price in the United States, as the First Minister told the farmers of Strathroy it would. He did not tell us that wheat was raised in price to the extent of the duty, as compared with the prices in the United States market. He was where it would not do to make

such an extravagant assertion, even if he had not, as I am sure he has, conscientious scruples. He claimed, I think, that we at that time were deriving a benefit of 3 cts. per bushel, owing to the National Policy, in the price of wheat. I will quote his exact words:

"Ten years ago wheat was sold in the Toronto market 3 cts. higher per bushel than it was sold for in the Chicago market, and it could not have brought these 3 cts. per bushel in excess had it not been for this Tariff."

You will take notice that the freight between those two points is considerably over 3 cts., a fact which exposes at the outset the absurdity of the allegation. Wheat could not have been transported from Chicago to Toronto for four times the difference in price. So that this difference of 3 cts. was not due to the Tariff. The hon. Minister goes on to say:

"The cost of transmission of that particular class of wheat from Chicago to Liverpool *via* New York, was precisely to a cent what it cost to convey the same description of wheat from Toronto *via* the Grand Trunk Railway and the Allan steamers to Liverpool."

He does not say anything about any other line. What might be true with reference to the Allan line might not be true with reference to others. He should have been able to say, in order to make his point, that the cost of transportation was the same as by any route, and not designate solely a particular route. The hon. gentleman adds:

"Therefore if it depended simply on the English market, that wheat would have had to go down 3 cents in price per bushel in order to compete with the wheat sent from Chicago. But it brought 3 cents more because as we know—after the harvest is in, and a large portion of it has been shipped to England—the quantity of Canadian grain in the country being diminished, Canadian millers have to pay an increased price for the wheat which they require, and this increase naturally goes into the pockets of our farmers, who reap the benefit. The miller, therefore, has either to go to the United States market and pay the duty, or he has to pay the price which the farmer demands for his grain here; consequently, our farmers, ten days ago, received 3 cents more per bushel for their wheat than they would have obtained had our market been open and exposed to the danger of being broken down by shipments from the other side, which without this duty would have been thrown in here and thus brought into competition with the produce of our own agriculturists."

The hon. gentleman tells us that in consequence of the shipment of grain to Europe, and the diminished supply in Canada, our millers had to pay more for grain. That is, our market was not then governed by European, but by local demand. What we have always contended is that the Tariff would only operate to increase the price, if we imported grain for consumption, if we had a short supply—but under no other circumstances. Clearly, the duty here had no influence upon the price of grain, which was but 3 cts. higher here than in Chicago—not one-fourth the cost of freight. In all other points of Western Ontario, the price was less than in Chicago, and the duty had no effect in that instance, at all. The duty was not necessary to prevent Americans bringing in wheat from Chicago, to sell at Toronto at an advance of 3 cts. on the Chicago price, though the cost of freight was 12 cts., making a net loss of 9 cts. per bushel. The whole statement is an absurd one, and we will dismiss it. Can we prove by quotations that the duty upon grain, during the period it has been in operation, has not had the effect of making grain relatively higher in Canada than in the United States? I have made it a practice on every occasion, when addressing public meetings in Canada, to compare the current market quotations, at that time, in the markets of Toronto, Montreal, New York, Buffalo, Chicago, Toledo and Detroit, and I have never found one instance upon any one of these occasions in which the prices of all kinds of grain have not been relatively higher in the United States than in the corresponding markets in Canada. I will not trouble the House with a long list of quotations to-day. I have quotations extending over a period of several years, taken on the third Wednesday of each month in each of these centres of trade—quotations which show in every case that wheat could

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not be sent from any American market to Canada and sold at the prices quoted here, without loss to the shipper or the importer. I have compiled some quotations on the 30th March, from the markets of Toronto, Chicago, Toledo, Buffalo and New York. What are the relative prices on this day of the various commodities of our agriculturists? No. 2 winter wheat was worth on that day in Toronto \$1.02; in Chicago, \$1.08½; in Toledo, \$1.10½; in Buffalo, \$1.14; in New York, \$1.21; in Montreal, \$1.16. Or 6½ cts. higher in Chicago than in Toronto; 8½ cts. higher in Toledo; and 11½ cts. higher in Buffalo. These are the comparisons of No. 2 red winter wheat. Will the hon. Finance Minister tell me that his Tariff has had the effect of preventing importers from buying red winter wheat at \$1.08½ in Chicago and bring it to Toronto to sell at \$1.02? Let us take No. 2 spring wheat. On that day it was quoted at \$1.06 in Toronto, and \$1.07½ in Chicago; and No. 1 spring wheat—I could not find quotations for No. 2—was \$1.30 in Buffalo, or 24 cts. more than No. 2 spring in Toronto. Oats—34 lbs. bear in mind, is the standard in Toronto and 32 lbs. the standard at other points—were quoted on that day at 46 cts. in Toronto and 42 cts. in Chicago, or a trifle higher in the latter per pound than in the former market; in Toledo they were quoted at 44½ cts., in Buffalo at 50 cts., and in New York at 52 cts. No. 1 barley was quoted at 75 cts. in Toronto, 98 cts. in Oswego, \$1 in Buffalo, and \$1.05 in New York; No. 2 barley, 70 cts. Toronto, 88 cts. Oswego, 65 cts. Montreal. Rye, 74 cts. to 78 cts. New York, 59 cts. Chicago, no quotations Toronto. Butter, the extreme price in Toronto, 28 cts.; Chicago, 30 cts.; Montreal, 32 cts.; New York, 36 cts. Cheese 14½ cts. New York, 15 cts. Chicago, 14 cts. Montreal. In this whole list of articles which the Tariff was intended to exclude from this country, there is nothing that was not materially higher in the United States than in the corresponding markets of Canada. The farmers have derived no advantage from the operations of this Tariff. It has had no effect whatever in raising the price of the grain, butter or cheese they have to sell. It has been entirely inoperative in these respects, and the promises made that it would have any effect, were false, and have not been fulfilled. As I said a while ago, duties are not needed to keep grain from coming from a high-priced market to a low-priced market, consequently my hon. friend's duties are not needed. What the farmers of this country need is free access to other markets. If the hon. Finance Minister could devise some scheme by which the duties would be removed from grain imported into the United States, if he could strike off the duty upon barley, for which that country largely furnishes us a market, if he could strike off the duties upon peas, if he could strike off the duty in that country upon live stock, if he could strike off the duty in that country upon Nova Scotia coal, or upon the iron ore from Ontario, he would then confer a benefit upon the people of the Dominion of Canada. But he cannot do that; and, Sir, I call the attention of the House to the fact, demonstrated more clearly this Session than ever before, that the Tariff policy is arrayed against any movement or any attempt to secure the striking off of those duties upon our products entering the markets of the United States. I call attention to the fact that the Tariff policy is arrayed against any scheme for obtaining Reciprocity upon any obtainable terms. While we sell to that country all these articles, and they sell to us none of them, that country, if it ever enters into reciprocal trade negotiations with us, will insist that we shall allow them to sell something to us that they produce in return for our sending to them articles that we produce. We are told distinctly and plainly by the advocates of the National Policy that they will never consent to any reciprocal trade negotiations with the United States, that provide for the free interchange of the mutual productions of the two countries. They did array themselves in enmity to the draft of the Treaty negotiated by the late hon. George Brown; which provided for

the free admission of cottons and many other manufactures. They will array themselves against any Treaty it is possible for us to obtain to-day, and they stand arrayed against any obtainable reciprocal trade relations with the United States which, if we could obtain them, would confer tenfold greater benefit upon this country than it is possible for any Tariff policy to do. Now I come to the consideration of the changes in the Tariff. The hon. gentleman has been pleased to make certain changes. He tells us, as I said a while ago, that the iron question was one which he found it rather difficult to grapple with. I can tell you why. He found that whenever he imposes a duty upon iron to protect the man who produces it, he imposes a tax upon thirty men who use it as a raw material; that whenever he imposes \$1 of protection in favor of one he imposes the tax upon thirty others. That is where the difficulty comes in. He will find with reference to steel that what would be protection to one man, the producer, would be a tax to forty consumers. He has found that to be a characteristic of Protection duties. What is the manufactured production of one is the raw material of another, and consequently the iron question was a difficult one. He had already imposed a specific duty of \$2 per ton. The furnace men claimed that was insufficient protection; the foundry men claimed is that increased the cost of their raw material to as great an extent as they could stand. And how does the hon. gentleman evade this difficulty? Why, he introduces a new feature, a feature that, so far as I am aware of, has never been introduced into the protective system before to so great an extent. He proceeds to furnish the man who produces pig iron with protection, and not by imposing a duty which, as he tells us, raises the price of pig iron, but he affords him protection by giving him a bonus, and taxing all the people of the country to pay that bonus for the benefit of the iron manufacturer. He told us some years ago that his Tariff was an experiment; I should think it was, a very interesting experiment. I do not know what the result of this Tariff may be, but it certainly is an experiment, and we will wait and see what the result of this bonus system will be. Then he makes a change in the duties upon tobacco. He tells us that was what he was waiting for so long, that was why he delayed his Budget Speech until some twenty-six days after the American Congress had adjourned, in order that he might find out what it had been doing. He levies a duty of 12 cts. a pound and keeps it 50 per cent. above the American standard; and I presume by the time the hon. gentleman has got through with his experiments on the Tariff that there will be just about that relative disproportion between the duties in the two countries—about 50 per cent. higher in Canada than in the United States. That is about the limit he thinks it prudent to adopt. He makes certain concessions in the matter of raw material which are quite proper and with which we have no fault to find. He then comes to the question of protection for agricultural implements. By this policy he has increased the cost of producing agricultural implements very considerably. He has made it cost, according to one manufacturer in my county, \$2 per machine more to produce mowers than it did in 1878. A manufacturer in Brantford informed me last year that the effect of the hon. gentleman's policy was to increase the cost of production of the articles that he manufactured some \$7,000 a year. He has put a duty upon iron and increased its cost; he has increased the cost of fuel; he has increased the cost of malleable castings and the various articles of raw material used by those manufacturers. His protection of 25 per cent. is found insufficient, and they ask him now, inasmuch as he has imposed heavy burdens upon them, to afford them relief by granting more protection. I cannot say that their claim is an unreasonable one; I cannot say, looking at it from the hon. gentleman's stand-point, that it ought not to have been given. I think it would have been

better to have removed the burdens imposed upon them; but if he refuses to do that, he could not do less than to give them additional protection. What is the reason for their asking this additional protection? The policy of the Government has been such as is calculated to shut those men out of their natural market in the North-West. Not only has it imposed heavy duties upon their raw material, but the Government have adopted a railway policy that subjects these men to enormous monopoly rates of freight before they can reach that country, and they have to pay these enormous charges for the benefit of the Syndicate. In order to pay these rates, in order to pay the taxes upon the raw material imposed by this Government, it is necessary for my hon. friend to tax the settlers of the North-West 35 per cent. more than the cost of imported implements in order that a great monopoly may go forward and bleed that country with excessive rates, and in order that he may pursue the pernicious policy of imposing duties upon raw material. A few years ago the Government of my hon. friend from East York adopted a policy which, if this country had continued to pursue it, would have made millions upon millions of difference to the country. My hon. friend determined to build a line of railway from Thunder Bay to the Red River, and he determined to extend that line on to the interior as the wants of the country demanded. That line was put under contract and its construction was provided for. That line from Thunder Bay to Red River was the key of the whole position. If the Government had retained control of that line it could have controlled the lines to the North-West. Whatever was reasonable rate of freight from Thunder Bay to Red River would have been the rate of freight that every competing line would have been obliged to adopt. It was, I repeat, the key to the entire position, and when this Government gave that link away it gave away its control of this whole question of freight rates to the North-West; it gave away its ability to confer an estimable boon upon the settlers who are now, or who may be in the future, in that country. They have not only given it away, but they have given millions upon millions more away unnecessarily. They have created a gigantic monopoly which commencing with comparatively nothing two years ago, is to-day able almost to control the entire railway system of this Dominion. In creating that monopoly they have fastened the fetters upon the settlers of the North-West, they have given away the only means in their power to regulate freight rates to the North-West, and to-day they come down with a policy imposing further burdens upon that country, in order to remedy a grievance that somebody else has in the East. Do we want to secure the settlement of that country? I imagine no man can deny it. Those prairies lying there in a state of nature are no source of wealth to us, but when covered with harvests and the homes of yeomen they are a source of wealth and strength. And how do we propose to encourage the settlement of that country? By a land policy that hands over the lands to speculative companies to double the price of it to the settler, by a policy that is not conceived in the interest of the settler, and by a policy that taxes the settler inordinately by enhancing the cost of goods that are sent there. I am told that the stock of implements—reaper, mower, plough and such implements as are absolutely necessary for a settler to carry on operations, cannot be obtained for less than \$700, and probably \$800. We are about to impose a duty on those articles of 35 per cent., and we thereby will increase the cost of a stock of implements by \$245. It is almost as much as the first cost of 160 acres of land. My hon. friend's policy takes from the settler \$245 more than it would be necessary for him to pay to furnish himself with implements necessary to prosecute his business. It is a beautiful commentary on the success of the policy, on the character of the policy, which is one that cannot fail to prove inimical to the interests of that

country and cannot fail to retard its settlement. The next thing I have to notice is the change proposed in the duty on prints. It is now 20 per cent., which it is admitted is insufficient to protect. Producers here cannot compete against foreign manufacturers on those terms, and therefore, it is proposed to add  $7\frac{1}{2}$  per cent., making the duty  $27\frac{1}{2}$  per cent. This increase of duty is necessary in order to render it possible to produce these goods in Canada; and this change is to take place on 1st January next. Do you suppose, Mr. Speaker, there will be an unusual importation of prints about that time? I imagine that an importer will figure in this way: if I import in December I can obtain prints  $7\frac{1}{2}$  per cent. cheaper than in January, and I can afford to import a whole year's stock; interest is 7 per cent., the saving is  $7\frac{1}{2}$  per cent., and I will therefore import a year's stock right out of hand. That will be the result of giving notice in advance of this change in the Tariff to take place on 1st January next. Settlers are given the right to import live stock free. There is no limitation, and probably an inordinate amount of live stock will come in under that provision, presumably for settlers, but really for some other purpose. I next come to the change in the duty on books. We have to return thanks to the hon. Minister of Finance for the small concession made here, but he certainly does not go so far as he should have done. He practically tells us that if we will remain seven years behind the times, and follow his example with respect to obtaining information from Washington, we will have free books, but if we desire to be abreast of the times and happen to desire to read a new book, then we must pay the duty. It is impossible for us to publish in Canada all the books the people want to read. We have no great publishing houses such as Harper's, Appletons, or Sampson & Son of London, and Chambers of Edinburgh. It is impossible, I say, that one-tenth of the books required will be published here, and notwithstanding this concession, which is a very inconsiderable one, the tax as it remains is a very objectionable one. The hon. Minister had better allow books published last year to come in free, instead of providing that we must remain seven years behind the times before we can avail ourselves of the concession. Then the hon. gentleman imposes an additional duty on cordage, and to compensate the ship-builders he grants an additional bonus of 10 cts. per ton on shipping; and again he confesses by the imposition of an additional bonus that the duty on cordage raises the price and that the consumer pays the duty. If not, it would be entirely unnecessary to make an addition of 20 per cent. to the bonus paid to ship-builders. The same with iron. The hon. Minister places a bonus on iron produced in this country, because he knows that the operation of the duty is to raise the price of the article to the consumer; and as the hon. member for West Middlesex said the other day, very properly and very forcibly, why not extend the system of bounties? If it is proper to grant a bonus to the ship-builder because the cost of his raw material is raised, and to the producer of pig iron, why not grant to the lumberman a bounty because the cost of the lumber he produces is increased by the operation of the Tariff? He sends it abroad, and meets the competition of lumbermen in other countries not subjected to the burdens he has to bear, and certainly he has as good a right to claim a bounty as the ship-builder or the blast furnace man. Why not give a bounty to the poor farmer of the North-West, to assist him to bear monopoly rates and a duty of 35 per cent. on his implements, being equivalent to \$250 added to the cost of his outfit to start farm work? There is a wide field to enter upon in this question of bounties. The hon. gentleman could extend it very much further. He might, perhaps, involve himself in difficulties; but it would be just as logical to give bounties in a thousand instances as in the two instances named by him. Another matter to which I wish to direct the notice of the House, is the increased

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complication introduced by the Tariff in the matter of specific and *ad valorem* duties. I see by a report issued from the Bureau of Statistics on 20th February last, that the Chief of that Bureau found great difficulty in obtaining any opinion from the experts in the Custom Houses in the different cities, as to what effect the changes in the Tariff would have, for the reason that the rules and regulations with respect to the collection of duties were constantly being changed by the Collectors of the different ports, and by the Secretary of the Treasury at Washington. Mr. Nimmo, says:

"As to the means within the power of the Secretary of the Treasury for supplying the information called for by the Committee on Ways and Means, I have to state as follows: The Secretary of the Treasury, in the administration of the law relative to the collection of duties, promulgates regulations which are mainly for the guidance of Customs Officers. Such regulations are especially addressed to appraisers of merchandise who, in their capacity as experts, determine all questions in regard to the classification of goods imported."

He goes on to say that the regulations are constantly changing, and that there is no system by which they can arrive at any definite conclusion. The hon. Minister of Finance is introducing that state of things here—all the contention, all the difficulty, incident to a mixed system of specific and *ad valorem* duties which have been found such a source of trouble in the United States.

Mr. BOWELL. That is not the reason of the difficulty; it is owing to the fluctuation of prices.

Mr. CHARLTON. It is greatly enhanced, the hon. gentleman will admit, by the mixed system of specific and *ad valorem* duties.

Mr. BOWELL. No, it is not.

Mr. CHARLTON. The Customs experts in the United States claim that such is the fact. The hon. Minister of Finance tells us that the changes proposed in the Tariff were in consequence of representations made by representatives of different interests in the country. I think this House has a right to demand from the hon. gentleman that it should be made aware of the reasons which he deemed sufficient to warrant those changes. The hon. gentleman listens to representations from delegations and then comes down to the House and proposes changes in the Tariff based upon those representations, but we are left in ignorance of the premises on which he arrived at the conclusion. We have a right to demand full knowledge as to those representations from time to time made to him, representations on which he seems to act in these matters. We have a right to know, I say, what these representations are, and to judge for ourselves what is the character of the conflicting interests leading to these constant changes made year after year in the character of this Tariff policy. So much for the changes made in the Tariff. I now come to consider briefly another point alluded to by the hon. gentleman. He told us in the course of his speech that in consequence of the duty imposed on coal, the export had increased from 500,000 to 600,000 tons. He told us that in consequence of this duty, mainly, the increased consumption of Nova Scotia coal had run up from 1,606,500 in 1877-78 to 2,500,000 tons in 1881-82; and my hon. friend from Cardwell also gave us statistics with regard to the output of coal, and he also claimed that this increase in the output of coal was directly attributable to the operation of the duty on coal. Well, Sir, I felt inclined to doubt the correctness of the inferences which these gentlemen drew, and I proceeded to investigate this matter for myself, and I find that we are hardly warranted in making the claim which they have made, with regard to the operation of the coal duty. I find Sir—I take the year 1878 for the purpose of comparison with the last year, inasmuch as during part of the year 1879, we were under the operation of this Tariff policy from the 15th of March to the 30th of June—that the output

coal in 1878 was 770,000 tons in round numbers; that deducting the consumption at the coal mines, the sales were 693,000 tons; that the export to the United States was 88,000 tons; and that the balance of sales, deducting the exports to the United States, were about 605,000 tons. And I find, Sir, that, in 1882, the output was 1,365,000 tons; that the sales were 1,250,000 tons; that the export to the United States was 111,000 tons, leaving a balance of sales of 1,138,000 tons, or a gain in the period from 1878 to 1882, of 533,000 tons, or 88 per cent. Well, Sir, that shows a very rapid increase in the coal output. It shows that, for some cause, this business had received a great impetus, and that its development had been very considerable; but I turn to the imports of coal, and I find there, too, a very marked increase. While the import of coal to the United States, in 1878, was 863,000 tons, in 1882 it was 1,309,000 tons, a gain during this period of 446,000 tons, or equivalent to 61 per cent. Well, Sir, we have an increase in the first case of 88 per cent. in the output, and an increase in the imports of 61 per cent. Can we account for the disparity in any other way than by attributing it to the operation of the coal duty? I think so, Sir; I think that when we take into consideration the facts, that the consumption of coal in Nova Scotia has been very greatly increased during that period, and that steamers are now calling at Sydney and Pictou for the purpose of coaling to a greater extent than formerly, I believe it can be shown most conclusively that the increase in the consumption of coal in Nova Scotia will more than account for this disparity between 88 per cent., the increase in the output of Nova Scotia, and 61 per cent. the increase in the import from the United States. The duty then, Sir, in my opinion, has not in any material degree affected the relative increase in the output, on the one hand, and in the imports on the other hand; but with regard to the large increase in the consumption of coal, I think, Mr. Speaker, that it is most preposterous to claim that this consumption is due entirely to the starting of large manufacturing interests. I do not believe, Sir, that a tithe of this increase is due to that cause. Those familiar with railway matters in this country are aware of the fact, that the change from wood-burning locomotives to coal-burning locomotives has been largely inaugurated since the coal duties were imposed; and to that change, Sir, is due a vast increase in the consumption of coal in Canada. The change from the use of wood as fuel to the use of coal as fuel on the railways of the country, and the building of lines which have been opened since the coal duty was imposed, will, in my opinion, to a very great extent, account for the increased consumption of coal in the Dominion of Canada. There has been an increase in consumption, too, for domestic purposes. It is used to a very much greater extent, than was the case four years ago, as fuel in the households of this country; and these two causes will almost entirely account for the increase in the consumption of coal in the Dominion of Canada since the 15th of March, 1879. Another claim made by my hon. friend—and I must state, that I am indebted to him for his courtesy in furnishing me with some statistics with which I found it necessary to make the comparison—was, that the trade in the transit of grain through Canadian channels had not been diminished by the operation of the duties on grain. Well, Sir, this is a question concerning which it is perhaps rather difficult to arrive at an accurate conclusion. The fluctuations in the amount of grain which has passed through Canadian channels have been very considerable, from year to year; and I am convinced, after looking over this matter, that for some cause—I do not know whether it is attributable to the present Tariff policy, or not—we have not secured that proportion of this carrying trade, which we would reasonably be led to expect from the operations of this trade from 1874 to 1878. I find, Sir, that there has been a very

marked increase in the volume of the carrying trade of the United States, in the export of these products. I find that in wheat, flour, and corn, the value of the exports of these articles there from 1874 to 1878, five years, was \$670,000,000; and that the value of the exports of the same articles from 1879 to 1882, four years, was \$922,000,000, and nearly 60 per cent. greater in these four years than for the preceding five years, the annual average for that period being \$124,000,000, and for the other period, \$230,000,000, and the average annual increase in the volume of trade being \$96,000,000 a year for the United States, and an annual percentage of increase of 71 per cent. Now, taking this fact into consideration, I think we must come to the conclusion—and I shall treat this question very briefly—that our trade has fallen off. Our exports of American produce in 1874 were 8,611,000 bushels, its value being \$8,652,000; and in 1877, 8,547,000 bushels, value \$8,589,000; while these exports in 1879 were worth \$10,603,000, and in 1882, \$8,579,000. So you see, Mr. Speaker, that in the face of an advance in the volume of this trade in the United States of 71 per cent., there has been a large falling off in Canada—a falling off from \$10,600,000 in 1879 to \$8,579,000 in 1882. The volume of this trade in 1874 was in fact greater than it was even in 1882, so I think I am warranted in saying that the claim made by my hon. friend with reference to this carrying trade is not borne out by the facts, and that the volume of the carrying trade has fallen off, whereas it ought to have increased in volume very materially, if our proportion had been retained from the year 1879 down to the present time. Now, Mr. Speaker, I hope I am not wearying the House. I shall cut my figures as short as possible, but I have a few statements which I consider of prime importance to make yet. I wish to say something now, Sir, with regard to the expenditure, and I desire to point to the fact that it is evident that in the management of our apportionment of taxation we do not do it in a very scientific style. I see, Sir, that last year, by the report just made of the financial year ending the 30th of March, the expenditure for England was £89,086,000 sterling, while the receipts were £89,004,000 sterling showing a difference between the expenditure and the receipts of £82,000 sterling, which difference is less than one-tenth of 1 per cent. This is scientific financing; and when my hon. friend can present estimates as to the receipts of the Treasury of Canada, and as to the expenditure of Canada, and when at the end of the financial year those estimates are found to come out within one-tenth of 1 per cent. as to the difference between the one and the other, or even within 1 per cent., or even within 5 per cent.—then my hon. friend will be able to lay claim to the title of being a scientific financier; but as long as a discrepancy between the expenditure and the receipts of some 25 per cent., swollen up into the millions, exists, I think that we must come to the conclusion, and very fairly too, that the work is done in a kind of haphazard way.

Sir LEONARD TILLEY. Is not that the expenditure?

Mr. CHARLTON. Yes.

Sir LEONARD TILLEY. You refer to expenditure?

Mr. CHARLTON. I refer to expenditure and to receipts; to expenditure on the one hand and to receipts on the other hand, which in England for the last fiscal year came within one-tenth of 1 per cent. of each other, while in my hon. friend's case the difference in excess of receipts was 25 per cent. Well, Sir, I am not aware that any comparison has yet been made based on the figures that the hon. Finance Minister gave us the other day with regard to the expenditure for the current fiscal year. He informed us that that expenditure would be \$28,850,000. If we compare that expenditure with the expenditure of the previous year, which was \$27,067,000, we find that there has been an

increase of \$1,783,000. The hon. gentleman claims in justification of this increase that it was nominal rather than real, and he entered into a very ingenious argument upon that point. But, Sir, the same circumstances would apply in the case of my hon. friend beside me (Mr. Mackenzie). He might with just as much propriety have claimed that the advance in the expenditure during his *regime* was nominal rather than real, and that the real expenditure was less than it appeared to be. But the country will judge of these expenditures by their aggregates, and if the Government expends \$1,783,000 more in one year than in the previous year the people will hold that the expenditure was to that extent greater than that of the previous year. That increase amounts to 6.5 per cent. in one year. Now, the increase in population of this country is about  $1\frac{3}{4}$  per cent. a year, probably less; and I hold that a scale of expenditure which is fourfold greater in its ratio of increase than the increase of population is a dangerous expenditure. I hold that if the hon. Finance Minister goes on increasing the expenditure four times faster than the population increases, the time will come when he will have to stop perforce. He will come to the point ultimately at which the stern inexorable necessities of the country will compel him to retrench. I say that we are entering upon a dangerous tide of extravagance, and that it is high time that the hon. gentleman and his associates should call a halt in the course they are pursuing. The estimated expenditure for the year 1883-84 is \$30,250,000, or an increase of \$1,500,000, and by the time that the Supplementary Estimates are brought down, I have no doubt that the ratio of increase will be fully as great as last year, and that the dangerous rate at which we are progressing in the line of extravagance will not be checked in the slightest in the coming year. Let us contrast this state of things with the state of things under the Mackenzie Administration. That Government commenced, in 1873-74, with an expenditure chargeable to Consolidated Fund of \$23,316,000; it ended, in 1878, with \$23,503,000—a total increase during that period of \$186,000, or an annual increase of \$46,000. The increase during the whole period was equivalent to eight-tenths of 1 per cent., and the annual percentage of increase was two-tenths of 1 per cent.—an increase eight times less than the increase of the population. The increase of population was eight times faster than the increase of expenditure, while in the other case the increase of expenditure was four times faster than the increase of the population. You can make the contrast one with the other, and any man can draw the inevitable inference. Even if we take the year 1878-79, which does not belong to the hon. gentleman's Administration—take that year, with its expenditure of \$24,455,000, and still the gross increase for the whole period is but \$1,149,000, or an average annual increase of \$229,000—a total increase for the period of 5 per cent., or an average annual increase of only 1 per cent., which was an increase one-half as fast as the increase in the population of the country.

Mr. FARROW. What about the deficits?

Mr. CHARLTON. We are not talking about deficits just now, but we are making comparisons. If we take the second period, the period for which hon. gentlemen are responsible and give them the advantage of commencing their expenditure in 1878-79, instead of taking the previous year—as we should for the purpose of comparison—we find there has been a total increase of \$4,395,000, in the four years, or an annual increase of \$1,098,000. The total percentage of increase is 18 per cent., or an average annual increase of  $4\frac{1}{2}$  per cent., which is over two and a-half times faster than the increase of population. If we take the ordinary controllable expenditure for the same periods, we find that my hon. friend the member for East York, decreased his expenditure between 1874 and 1878 to the extent of \$1,781,000, or an average annual decrease of \$445,000. On

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the other hand, the present Government have increased their expenditure by \$4,058,000, if we include the votes for Dominion Lands, as was done under the previous Administration; while if we do not include the Dominion Lands, the increase has been \$3,400,000, or an annual increase of \$850,000, if the Dominion Lands are left out. These figures presented in this broad way, give to the mind a correct impression as to the relative financial administration of the present Government and of the one which preceded it.

It being six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. CHARLTON. I desire to make one or two more comparisons in order to make my statement complete. I wish, first, to call attention to our expenditure per head of the population for the last two years, and compare that expenditure with the expenditure of the United States. I institute these comparisons because the relations of these two countries will be very intimate in the future, and it will be detrimental to the interests of Canada if we allow our public burdens to mount up much in excess of those of the country to the south of us. The expenditure for the year 1881-82, based upon a population of 4,324,000, was \$6.26 per head, and the expenditure of the present year, as given by the Finance Minister, based upon an assumed population of 4,400,000, is \$6.55 per head. Now, when I turn from this statement to the financial statement contained in the report of the Secretary-Treasurer of the United States, I find that the expenditure of that country for the fiscal year ending on the 30th June last, was \$257,981,000, upon an estimated population of 52,186,000 being the assumed increase over the previous year when the Census was taken, making an average expenditure of \$4.94 per head, against an expenditure in Canada for the same year of \$6.26 per head, or an expenditure in the United States of \$1.32 per head, or 26 per cent. less than the expenditure in Canada. When we take into consideration the fact that the United States has an army and navy to maintain, the fact that it has its diplomatic relations with foreign powers to pay for, and the fact that the expenditure of that country has been considered very extravagant, its appropriations for rivers and harbors alone having last year reached \$43,000,000, which was in proportion to a sum of nearly \$4,000,000 for the same purpose in Canada—when we take these things into consideration, the contrast presented by these figures is very unfavorable to Canada; and if we turn from these comparative statements with regard to expenditure, to the actual taxation imposed upon the people of the two countries, we shall find another unfavorable contrast. Our Customs revenues for the year 1881-82 amounted to \$21,581,000, or \$4.99 per head, the Customs revenues of the United States for the same year amounted to \$220,410,000, or \$4.22 per head; or the people of the United States were taxed in Customs duties at the rate of 77 cts. per head less than the people of this Dominion. The people of Canada were taxed, in 1881-82, at the rate of 18 per cent. more than the people of the United States in Customs duties. Now, I understood the hon. Finance Minister to say, in his speech, on Friday last, that the people "required" to be taxed last year only one cent per head more than they did in the period between 1874 and 1878. Well, what the people required to be taxed I will not pretend to say; but I will have something to say as to what the people were taxed by Customs, Excise, and Stamp duties; and I may say, in making this estimate, that I have endeavored to approximate the population of each year. Taking the population of 1871 at 3,602,000, I have added  $1\frac{3}{4}$  per cent. per annum, and I have added besides 10,000 for the years 1874-75, when the exodus was least, and 2,549 for the years 1877-78, when the exodus was greatest; and upon this basis I have arrived at an estimated population, upon which I base my calculation

per head for each of the years named:—For 1877-78, \$4.34 per head; for 1878-79, \$4.42; for 1879-80, \$4.34; for 1880-81, \$5.53; and for 1881-82, \$6.26, or \$1.92 more than in 1877-78. So that whether we required to be taxed only one cent per head more than we were formerly, we certainly have been taxed much more under the present Government than we were under their predecessors. If we come to the matter of interest charged, we will again find that our position, as compared with that of the United States, is unfavorable. Not many years ago the interest charges of the United States were heavy, while those of Canada were light, but year by year those of the United States have been diminishing as ours have been increasing. Last year our interest charges amounted to \$7,740,000, or \$1.56 per head. In this same year the same charges in the United States amounted to \$71,071,000, or \$1.36 per head, or 20 cts. per head less than we were paying. Our interest charges last year were 14½ cts. per head heavier than those of our neighbors. If we go back a term of years, and compare our expenditure during the last decade, with those of the United States, from 1840 to 1850, we shall find that our expenditure to-day is 500 per cent. greater than that of the United States was at that time, with its army and navy and its diplomatic corps. The taxation of the United States in Excise and Customs, from 1840 to 1850, amounted to \$217,411,000 on a mean population of 20,130,000 or on an annual average taxation of \$21,741,000. Our taxation in Customs and Excise for the last ten years has been \$201,000,000, an average of \$20,100,000 a year, on an average mean population of 4,071,569; or we were taxed on an average \$4.93 per head, while the people of the United States were taxed \$1.81 per head during the decade named. We have, to-day, reached a scale of expenditure five times as great as that of the United States during the period from 1840 to 1850. So much for these comparisons with regard to taxation and expenditure. I now wish to refer for a few moments to some statements made by the hon. the Finance Minister with regard to savings bank deposits. It is certainly a matter for congratulation to the Government and the country that the saving deposits indicate a state of prosperity among the small depositors in the country; but I think the hon. gentleman is wrong in attributing this state of things to the cause to which he does attribute it. I attribute it as he does to the fact that the country is prosperous, but that prosperity I hold to be due to other causes than that to which he credits it. I would like to ask the hon. gentleman if, under the increased prosperity this country enjoys, there has been an increase of \$13,000,000 in the savings bank deposit, how much greater he supposes that increase would have been had the people not been subjected to \$7,000,000 or \$8,000,000 a year of useless taxation. I know it will be difficult for the hon. Minister to give the exact figures, but I would like him to give a "guess," as the Yankees say, as to the amount.

Sir LEONARD TILLEY. We would have about the same increase as from 1873 to 1878, \$2,000,000.

Mr. CHARLTON. Then we had bad harvests. Since then Providence has kindly enabled us, by means of good harvests, to export some \$15,000,000 more annually than before. With regard to these savings bank deposits, I think the hon. gentleman felicitates himself on the fact that he will probably be able to get through this year with the surplus and the money furnished by deposits. Yet he does not want to have the country under the impression that this amount is so much clear gain. It is a debt and may possibly become a very dangerous form of debt. The hon. gentleman pays 4 per cent. on deposits and has to pay the cost of management. These deposits bear interest some time before he can use them. He tells us that a portion of the deposits has to be redeposited in banks bearing the same rate of interest, entailing therefore

a loss to the Government of interest from the time they are received until they are deposited, in addition to the cost of management. I assume that in these two points the hon. gentleman sustains a loss of 1 per cent. per annum on the entire amount of savings bank deposits. The hon. gentleman considers those deposits a source of strength to the country; but should a crisis occur, and a run be made on them, it might come at a time most inconvenient to hon. gentlemen. I do not think, although the deposits are an evidence of prosperity, that the hon. gentleman has reason to congratulate himself particularly on the management of this money which costs 1 per cent. in excess of what it brings. The hon. gentleman informed us that the Elections might have been postponed. I suppose he meant that they might have been brought on at the proper time—at the expiration of the five years for which the last Parliament was elected. He did not deign to explain why they were brought on prematurely; but the country, I apprehend, is well aware of the reason. I apprehend the fact that the Government brought on the Elections one year in advance was a confession on the part of the hon. gentleman that he was afraid to allow the fruits of his policy to become more apparent by another year's trial. The fact of his bringing on the Elections prematurely, and of endeavoring to secure a packed jury by gerrymandering Ontario—to say the least, a not very commendable piece of political morality—indicates very clearly that the hon. gentleman and his colleagues have very little faith in the policy they vaunted so loudly, and that they were afraid to allow it to bear its fruits and wait until the proper time came to appeal to the public. They did not dare to wait. They were afraid of a bad harvest. They were perfectly well aware that one bad harvest would dissipate to the winds all their assertions about the blessing conferred by their Tariff policy. We have been accused of making prophecies, but I see that Saul is also among the prophets. I see that the hon. Finance Minister has indulged in the prophetic vein. He tells us, at the closing of his remarks, that the fiat has gone forth and that the National Policy would never be repealed, but must be perpetual. Physicians tell us the human body changes by degrees until there is a total change every seven years. If my hon. friend is permitted to continue changing this Tariff year by year, he will soon not be able to recognize his own progeny. It cannot be perpetual. The hon. gentleman stamps on it the stamp of mutator and changes it every time he comes down to Parliament, and he will change it entirely if left alone. It is a rash policy to predict that any fiscal system will be perpetual, that any measure passed by this House will be perpetual. I would ask the hon. gentleman if he supposes that this policy of his is more strongly entrenched in public favor than was the protective policy of the United States, which has lasted some ten or twenty years. Can he look into the future and predict this policy will be perpetual, with any greater certainty than a Secretary of the United States might have predicted five or ten years ago that the policy of that country would be perpetual? We know that when the protective policy of the United States which had been in vogue for twenty years, went to trial at the last General Elections there, the people pronounced against it by a plurality of 581,970 votes, and pronounced in favor of qualified Free Trade 26 out of 38 States went against it. The politicians of that country recognized the handwriting on the wall, recognized that the time had come when this policy, which was to be perpetual, should be changed at the demand of the people. The protective members of Congress endeavored to draw a herring across the trail to satisfy, in advance, this demand of the people by making changes in the Tariff—those changes my hon. friend had to wait to see how radical they were before he ventured to make his speech.

Sir LEONARD TILLEY. They were not very radical,

Mr. CHARLTON. I agree they were not very radical, and will not satisfy the popular demand; and I take it, the Congress which was elected last fall will not consider them sufficiently radical, and will proceed to enact greater changes. I think the hon. gentleman's prophecies will not be fulfilled. I believe this policy which he has inaugurated will not bear the strain which may yet be put upon it, should we have harvests again such as we had in 1876, when this country's production fell short two or three million bushels of wheat of the quantity required for our own consumption. Do you suppose the National Policy would prevent the evil effects of such a harvest as that? It would aggravate the evil precisely as the American Protective Tariff aggravated their evils in that period of hard times resulting from short harvests and other causes. It would act precisely as that Protective Tariff, which made the depression in the United States so much more severely felt than in Canada, because greater burdens were imposed on the American people than were imposed on ours. I have yet but one or two points to lay before the House which I shall briefly state. It is the function, I suppose, of the Opposition to point out errors of administration, to endeavor to check what it considers extravagance of the Government, to labor in its humble capacity and to the best of its ability for the public good. I am happy to congratulate the hon. Minister on the condition of affairs which exists, so far as the prosperity of the country is concerned. I am perfectly willing to acknowledge we enjoy a fair degree of prosperity, and the hon. Minister has reason to congratulate himself on the fact that he has an abundant revenue, more than sufficient to meet all his wants. But overweening confidence is a thing we ought always to avoid. There is an adage contained in a very good and wise book which tells us—that when we stand we should take heed lest we fall; and in periods of prosperity we ought to exercise a wise discretion, a wise caution, as to the course we should take lest we be ultimately precipitated by that course into difficulties. I hold that a condition of things that leads to an alarming increase in our expenditure, that leads to an expenditure of \$132 per head greater than that of the United States, or 26 per cent., that leads to taxation by Customs, 77 cts. per head greater than that of the United States, that requires for interest on public debt 20 cts. per head more than the United States, that leads to an expenditure of public money in a ratio four times greater than the increase in the population of the country, is an alarming state of things. I hold the Opposition would not discharge their functions as an Opposition if they did not call attention to these things, and warn the country and the Government that in their belief this state of things, if persisted in, is sure to lead to disaster. Having presented the case in this way to the Government, having discharged the duty that devolves upon the Opposition as an Opposition, they are content to wait and see whether their efforts will be futile, or whether those efforts will bear fruit; and it remains for the hon. gentlemen on the Treasury benches to let us see whether they will heed the warning that has been given them.

Mr. FOSTER. If the hon. gentleman who has just taken his seat had occasion to ask the kind indulgence of this House for the remarks which he, an old member of the House, proposed to address to it, on the ground that the debate was well worn, and that the patience of the House had been taxed, I think I may be pardoned if I ask a still greater measure of indulgence, on the ground of my inexperience in dealing with such matters as these, on account of my being a new member of this House, and of having to follow in this debate after the very able speeches delivered on this side of the House, and the lengthy criticisms which have been given on that side of the House. I suppose that as long as we maintain our present system

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we shall be obliged, for a time at least, to conduct our affairs in Parliament by what is known as the machinery of party Government. It is, perhaps, an evil incident, but not essential to party Government, that the country must be divided into two hostile camps, and that in Parliament we must have the generals and leaders of those two hostile camps pitted against each other—often more anxious, I am afraid, to gain an advantage over each other, than to be over careful as to the work which is necessary to be done. I acknowledge, too, that the functions of an Opposition are rather difficult. It will not do for them too much to agree with what has been done by the Government to which they are opposed. Necessarily to their position they must find fault, they must criticise, and after year has passed upon year, it is not to be wondered at that this fault-finding spirit comes to be a chronic complaint, and those who are so fortunate as for a long period of time to sit upon the Government side of the House, ought to have, I think, a great deal of charity and consideration for the unfortunate circumstances I have mentioned, and which are incident to a long service in Opposition. The members on the other side of the House have, as I stated, necessarily to criticise and find fault. I must say that I was somewhat puzzled to know how they would proceed, or what they would find fault about, after the very excellent setting forth of the financial affairs of this country by the hon. Finance Minister, and after the very lucid explanation which he gave of the figures which had appeared in the Public Accounts. After having looked carefully over those Public Accounts, and knowing the condition of the country, I confess that it was difficult for me to imagine what particular grounds the Opposition could take. I have noticed the Budget debates in the British Parliament, I have noticed the Budget debates in the Congress of the United States, and I have found that some great mistake in public policy, some defeat of armies, some disaster which has befallen the country either at home or abroad, is the matter which is chiefly brought up and relied upon with reference to any criticism of the speech from the representative First Minister of the Parliament. But, Sir, in this country we have none of this. Our country is at peace. All over it, from British Columbia to Cape Breton, a peaceful feeling seems dominant and uppermost. Nova Scotia is perfectly happy, enjoying herself upon the proceeds of the better terms which were gained in 1869, and has ceased to grumble. Prince Edward Island is quiet, and is only disturbed in its political horizon by a contested election in the celebrated King's County case. New Brunswick is, as usual, good tempered and steady. Ontario, as the critic of the hon. Finance Minister's speech has stated, is prosperous, and the war cloud which arose there not many months ago, and grew to be, at least, as large as a man's hand, materialized, I think, probably for political purposes, has again been dissipated and no longer appears upon the horizon. In Manitoba, which raised a sort of war cry, or rather reechoed a sort of war cry, which, I think, issued from the *Globe* office in Toronto and reverberated on the distant hill of—what was that? The Turtle Mountain district?—the cry passed away and is completely deadened by the tread of the hundreds and thousands of settlers, and the hum of the steadily increasing business in that Province. British Columbia which, as I know from reading the debates, used to come down here and talk about its being so badly used, now seems to be perfectly quiet, and its able members are philosophically contemplating the problem of the extinction of the Chinese. Even Quebec, that new France, or rather that old France upon new soil, seems to be altogether at peace, with the exception that just now its serenity may be a little bit ruffled by a slight flutter of the Orange and the Green. Our trade has increased in volume, our manufactures are steadily growing, our labor is at a premium, our wages are

given more liberally and more steadily, and, taking it through and through, this is a prosperous year, and this is a prosperous time in the Dominion of Canada, and it is difficult to conceive how hon. gentlemen opposite can find fault in this respect. Then, again, with regard to the position of our country abroad. I suppose Canada never stood better known to the world as a place where immigration may find a large outlet, and where immigrants may find a happy and prosperous home. Entering into relations of cordiality and sympathetic co-operation with the Mother Country greater than ever before, with her credit good, and her position in the money market better than in any preceding year of her history, her position abroad seems to be all that we can desire. And when we think that at home we have no deficits, but that surplus is king—and long may he be crowned as king, say I—when we recollect that, for the first time in the history of the country for eleven years we have reduced the public debt by about \$1,700,000, and for the second time in the history of this Confederation we have reduced the public debt; when we recollect that our revenue shows no sign of decided decrease, that our expenditures are met and our liabilities as they mature are redeemed, all this without finding it necessary to float a public loan—it seems to me that the condition of the country is such that it will be very difficult indeed for hon. gentlemen opposite to criticise it. I find they have peculiar methods of dealing with the finances of the country and with its fiscal policy. I think as the attacks have been very largely made from the Opposition side of the House upon this side of the House, that it will be well for us now to make a counter movement, and direct a little of our attention to hon. gentlemen opposite; and I propose, with the kind permission and indulgence of the House, to criticise very modestly, and very humbly, some of the attitudes which have been taken on the financial question by them. First, then, with respect to our financial condition. The method that has been pursued by the party organs through the country, and has been followed up in this House by leaders of the party, has been this: They have three columns of figures. One is a column of debt from 1868 to 1882—that is kept constantly ready to do service as occasion may require in the papers and in this House; then, again, they have a column of expenditures, running in the same way, from Confederation up to the present time; and they have also a column of revenue which shows, as they say, the burden of taxation which is placed upon the people of the Dominion. The fault I have to find with the method of the Opposition in the country and in Parliament, is that it is their object to keep those three columns of figures, debt, expenditure and revenue which they say shows the taxation wrung from the people, constantly before the people and Parliament, without giving the other three columns of what we have to show for our debt, for our expenditure, and for what we have, in the elasticity and expansion of our trade, to show as receipts which do not bear heavily on the people, and so cannot be called the burden of taxation upon the people. It goes in this way: In 1867 the debt of Canada was \$75,728,641; in 1874, \$108,324,974; in 1879, \$142,990,187; in 1882, \$153,663,650. Now, I wish this to be borne in mind, and I think it cannot be too prominently kept before the country, even though it be patent and plain to hon. members of this House, that the debt of \$75,728,641 is not a debt which is due to, or which was created by this Dominion as a Dominion. It was simply a transference of debt which, before that time, existed in the several Provinces, and which at the time of Confederation was placed in one Consolidated Fund, where it could be better managed and at a lower rate of interest. The impression often obtains abroad and through this country that the seventy-five millions odd, somehow or other came to us because of Confederation. Now, suppose we were to adopt the

method pursued by hon. gentlemen opposite, that the increase of debt should be held to show the extravagance and incapacity of the Government. What conclusion would we arrive at by adopting this method of reasoning? The increase of debt from 1867 to 1874 was \$32,596,323, that from 1874 to 1879 was \$34,665,223—the former representing seven years, while the latter represented only five years; and that from 1879 and 1882 was \$10,671,463. And taking an average—recollect that during the period the debt has been incurred the Conservative party has been in power ten years to the other party being in power five years, and so, though each party increased the debt at the same ratio, a larger portion would appear against the Liberal-Conservative Government than against the Liberal Government—of the amount added during the ten years by the Conservative Government on the same basis as that added by the Reform Government, which during five years added \$34,665,235 to the public debt, the amount added by the Conservatives would have been \$69,330,440 instead of \$43,267,786. That, I say, is according to the reasoning which prevails among hon. gentlemen opposite; but that is a fallacious reasoning, and never can be used as proper, just and legitimate criticism with respect to the finances of the country. Here is the fallacy which underlies such reasoning, viz.: that an increase of debt is necessarily blameworthy, unstatesmanlike, and an index of coming disaster. I say that this is a fallacy; it will not hold water, it will not bear dissection, or the light of investigation. Suppose we were to make a business application of it. Here is a man with three sons. The man owns a farm, and his sons each own a farm; they are all mortgaged. Some fine day the father and sons come to the conclusion to merge the farms in one, to lift the small mortgages existing and go into partnership. They see directly opposite them a large piece of country, which promises to be excellent grass land; and they say: "We will buy it, because it will add to the resources and to the production of what we already possess;" and then they say: "A portion of our land needs trenching and tiling; we must put a barn here, and an out-house there," and so looking around them, they get capital and buy and make these improvements. Now, what I want to say, is that, if in that expenditure of capital, they have increased their resources, and put all these different pieces of land into a condition by which a greater return would be brought to them than before, I say it is no argument against them to foot up the expenses which they have incurred, and assert that they are wasteful and extravagant, and going to ruin. This very extravagance, so-called, is sagacity; and the amount capitally expended, the amount of ordinary expenditure, is a wise expenditure, because it is a guarantee of a return which is to come by-and-bye. Now, Mr. Speaker, I wish to ask the hon. members of this House if that is not a fair application of a business principle; and also if the very same business principle does not apply to countries as well. I take issue entirely with the hon. gentleman who has last spoken, when he intimates that it is only the function of a Government to administer the affairs of a country. I say that a Government is unworthy of being at the head of a country if it is simply to sit down and do nothing but administer the routine business thereof; but that Government must be sagacious and long-sighted, and must have business principles, and put them into execution, and that it must reach forward, and look to what would be best for the development and future growth of the country. Like a business man, a Government must get to work, and expend and bring its undeveloped resources into a condition where wealth can be realized; and that you will find, Mr. Speaker, as the House well knows, is the method pursued now among all younger countries. I hold in my hand a table with reference to the Australian colonies: New South Wales, with a population of 781,000, has a debt of £18,924,019 sterling; Victoria, with a population

of 882,000, has a debt of £22,944,602 sterling; New Zealand, with a population of 500,000, has a debt of £29,946,711 sterling; South Australia, with a population of 295,000, has a debt of £12,481,800 sterling; Queensland, with a population of 227,000, has a debt of £13,125,000 sterling; Tasmania, with a population of 119,000, has a debt of £2,003,000 sterling; West Australia, with a population of 32,000, has a debt of £500,000; and all these Australian colonies, with a population of 2,844,000, have a debt of £99,925,482 sterling. Now, the other fact that I wish to couple with that is this: That in 1860 the debt of all these colonies was only £10,000,000 sterling, and twenty-two years afterwards it is £99,000,000 sterling; that is, there has been an increase of over 900 per cent. in their debt, which is £34 sterling per head, or about \$170. Now, if the hon. gentleman who criticised the financial address given from this side of the House only had the good fortune to be leading the Opposition in the Confederation of the Australian colonies, and could point to a debt which had increased 900 per cent. in twenty years, I think, Mr. Speaker, he would be able to draw a picture before which the dark and gloomy outline foreshadowed here, would be only in comparison as the sombre shadows of Milton's *Paradise Lost* is in contrast with the lurid and ghastly scenery of Dante's *Inferno*. And what do we find in reference to the Australian colonies? That this immense expenditure of money has been an expenditure of money on public works, and that they are already getting in a very large return for that expenditure; and that their credit stands high, as we will see, upon the English money markets. Now, what are the reasons for this? I think that the reasons are easily seen. Countries do not grow as they did one thousand years ago. It may be all very well for a country in an age, and situated as Great Britain was, to take fifteen hundred years to grow from her wildness and barbarism up to the great civilization of to-day; but a new country which hopes to progress by that merely natural method, will remain unknown and undeveloped, while other countries about it will measure themselves with it and vastly surpass it in the race of national development and of real true growth. Things are different now to what they were in the olden time. There is now competition, and what are you going to do with a new country? It has no people, it has no wealth, and it has very large resources, and before the older countries will look at it or send immigrants there, you have to put capital into that country; and as capital is not in the country itself, you are bound to borrow that capital and expend it upon the country; and I hold Mr. Speaker—and I think that it cannot be successfully contradicted—that taking into account this change of affairs, and the competition which takes place between the countries now seeking for immigration from the older countries, as not likely to be misproved, that a judicious and a wise expenditure of money in the shape of capital investment, making the debt of the new country, is not an index of coming disaster, but a sign of businesslike qualities, an index of the wisest statesmanship, and a guarantee for the best prosperity in the future for that country. Now, then, with reference to the increase in the expenditure and in the Public Debt, I wish the House to especially think of what was noticeable all through this debate: that there was not a single item of all that public capital expenditure which was taken exception to by the members from the other side of the House. All they did was simply to point to an aggregation of figures: the debt was so much this year, and so much greater next year; and the debt was so much in 1882. That was the sole comment which they made upon it, and that was what they meant to be an argument against the Government, and the policy of the Government, as supported by this party. I hold that such an argument is altogether inconsequential, and has no force; and that it cannot be used against the Government of this party, unless they

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can support it with this: That the items upon which this capital expenditure was made were items which cannot be defended, and which, therefore, shows waste and extravagance on the part of those who made them. What do we find with reference to this? Has the debt been increased? Yes, it has; but what has been done with this increase? We have dealt liberally with the different Provinces of the Dominion; and would it have been a good thing for the future prosperity, for the unity of this growing nation, between the different Provinces of Canada, that after the Dominion had taken very largely the great sources of income from them, it should keep them ground down under debt, and constantly keep them in disquiet, and that this should be a constant source of anxiety to them? And this Parliament said that such was not the policy, and so it agreed to treat the Provinces of this Dominion liberally and I want you to think with me that the Liberal-Conservative Governments; of all that increase of debt with which they are charged, spent on the debts of the Provinces from 1869 to 1870, \$23,099,096. That is caused by the aggregation of Provincial debts, but it has not added one cent to the indebtedness of the whole country; it has gone towards taking off the heavy burdens from the different parts of the country where they would pay larger interest, where they would not be so easily managed, and it towards massing them in the aggregate where it can be more easily managed, and where the rate of interest will be decreased—where it can be met by the great revenues which come in as an offset to them. We have also built the Intercolonial Railway. No one has appeared in this House to find fault with that expenditure, yet the Conservative Governments of these different periods expended no less than \$21,180,054 on Capital Account for the Intercolonial Railway. Then, again, we have built canals and public works, and on miscellaneous public works by the same party during their different periods of power, there has been added to the debt of the country \$9,750,226. Upon the Canadian Pacific Railway there has been spent on Capital Account \$14,933,724. On North-West Territories—the purchase of the territory and the amount expended from capital for Dominion Lands—we have the sum of \$3,766,563, making altogether, \$72,789,663 which added to the \$77,500,000 assumed at first, makes \$150,299,663. What I say is this: that until the Opposition can find fault with, and charge as extravagant, these different items, it is altogether inconsequential, and it is, I might say, absurd to run up this long list of figures without giving the purposes for which they were expended, and the resources we have on hand to balance that expenditure. The same method is adopted with reference to the expenditure. The expenditure in 1868 was \$13,468,092; in 1882, it was \$27,067,183. The rate of expenditure was small in the period from 1874 to 1879 while the opposite party were in power. They are entitled to all the credit which they can get, and which we and the country cheerfully accord to them for that lessened expenditure, and they will get a larger meed of our praise and of the praises of the country if it can be shown that in that lesser expenditure they did not at the same time starve the public works of the country, retrench where retrenchment could not be properly made, and which afterwards would cause an increased hunger of these public works, and add more than if they had been kept up all the time steadily from one year to another. This is the method which they take of showing an increase of expenditure. If you read carefully, as I have no doubt every true Liberal-Conservative does, the columns of the *Globe*, you will see that a stereotyped set of figures called the expenditure of the Dominion comes out in a column by itself every now and then, but the other side is not put down alongside of it. That same method has been the method of criticism during this debate. The following which underlies this argument is that increase

of expenditure necessarily means extravagance. Is that true? Let us make an application of it to common business principle. Here is a man who sends out a person to another country to sell on commission. The merchant conducts this year a business of about \$10,000, we will say, and incurs an expenditure of \$1,000 or \$2,000 for carrying on that business. The commission merchant sees that he can do better, and the second year after consulting the person who has sent him there he enlarges the business, he opens out on a new line of goods, he sends one agent here, and another there, and so goes on with the business. The person who established the agency sends out a man to look after the business, and at the end of the second year, after a thorough investigation he reports: Why, the expenses last year were only \$1,000 or \$2,000; they have risen this year to \$3,000 or \$4,000; you had better recall that man. Do not you see that he is extravagant; that the expenditures are going right up? What reply would the merchant make? He would say: Before I recall him, I want you to give me something besides a mere list of expenditures; I want you to give me a list of the returns from that expenditure, and if it can be shown that the returns are adequate to, and follow closely after the expenditure, I will say that it is an evidence of business capacity and not of extravagance. Is not that a fair business principle, and should not the same principle be applied to the country as to the individual? Is it not just as unfair simply to run up a long list of expenditures without giving the extra returns and the receipts in the case of the nation as in the case of the individual? What do we find? We find that money was spent. I think we may lay it down as a fair theory that no one here will dissent from, that if money is spent without any adequate return, we may call it waste. If money is spent in the way of capital expenditure with a return equal to a fair interest on the amount expended, and if the ordinary expenditures give back an equivalent in the shape of a return to the expenditure made, we must call those expenditures judicious investments, and those investments will be profitable in proportion as the degree of the return which comes from that expenditure keeps pace *pari passu* with the expenditure made. Are not those fair business propositions? Let us apply them to the expenditure of the Dominion of Canada. It is true that the expenditure has increased, and it is also true that the returns and the receipts have increased as well. Let us take for instance the single item of the Post Office. In 1868 the percentage of expenditure over receipts was 17 per cent. In 1874 it was 57 per cent.—a large increase. In 1879 it was 43 per cent.—a small decrease; but in 1882 it has dropped to 6½ per cent. Now, from the year 1868 to 1882 the Post Office expenditure over receipts has decreased from 17 per cent. to 6½ per cent., while taking the middle period it has decreased from 57 to 6½ per cent.; and on the business principle we have laid down, the Post Office expenditure cannot be criticised simply on the ground of expenditure, because the receipts have been steadily creeping up, and within a few years at this rate they will have overtaken it, and I hope the Post Office will before long come to be a source of revenue instead of a cause of expenditure. Let us look again at the question of Revenue and Expenditure. From 1867 to 1874 the receipts or the revenue increased 76 per cent.; the expenditure had increased 73 per cent. From 1874 to 1879 the receipts decreased 7 per cent. and the expenditure increased 5 per cent. From 1879 to 1882 the receipts increased 48 per cent. and the expenditure increased only 10 per cent. Between 1863 and 1882 the receipts increased 143 per cent.; while the expenditures increased only 100 per cent., there again showing that the expenditures have diminished while the receipts are constantly increasing and justifying the rule we have laid down. Let us take again the question of Customs. From 1867 to

1874, the increase in the receipts was 67 per cent., while the increase in the cost of collection was only 37 per cent. From 1874 to 1879 there was that ominous decrease in the receipts of 10 per cent., but an increase in the cost of collection of 9 per cent. From 1879 to 1882, there was an increase in the receipts of 66 per cent., and an increase in the cost of collection of only ½ per cent. In 1868 the annual percentage of expenditure for the collection of revenue was 5·99; in 1874 it was 4·55; in 1879 it rose to 5·56; and in 1882 it fell to 3·33. The business principle we laid down has been fairly met in every one of these instances; and so I say that, although the expenditure has increased, yet we find that along with that increase, we have had more than a corresponding increase in receipts. There has been an increase in public works and public services given to the people of Canada, and we have felt the beneficial result of this expenditure all over the country; and unless the Opposition find fault with the items of the expenditures, I think it cannot be controverted that the expenditure has been increased on business principles, and that there has kept up with it an accretion of receipts largely preponderating over the augmentation of the expenditure. I wish to refer to another of these columns. There are three columns, a sort of trinity of figure lists. There is a debt column, an expenditure column, and what is called a taxation column. The taxation column, translated into plain English, means nothing more than this—that it is the column of the receipts of revenue from all sources, and to which is applied the name of taxation. Our revenue, fortunately, has been almost always on the up grade, and if you call that by the name of taxation, it is easy to prove that the taxation of this country is continually increasing. In 1878, we are told, the revenue was \$22,375,011, and in 1882, \$33,383,452, an increase of \$11,008,441. Hon. gentlemen opposite point to that increase, and they say that the whole of this is extra taxation wrung out of the hard earnings of the people of Canada. Now, it cannot be successfully held that the larger part of that \$11,008,441 is an increased burden of taxation. There is a *quid pro quo*. If I hire a man and give him a dollar for a piece of work, I cannot truthfully say that that dollar is a burden of taxation upon me; for the man has given me labor in return. We have a Post Office service in this country which charges 3 cts. per letter for carrying our letters; are we, then, to turn round and say that this Post Office revenue is taxation wrung out of the hard earnings of the people? Would we take our own letters and deliver them at 3 cts. apiece? Do we not consider that we are getting service for the money we pay? Then, I want to say that there is a difference between the amount of taxation and the burden of taxation. For instance, here is a man with a small business. It requires correspondence to carry it on. This year he writes five hundred letters in the course of that business, and pays \$15. You may call that, if you please, the burden of taxation for that year. The next year his business requires the writing of double the number of letters, and so he pays \$30 in postage instead of \$15. He has paid double, but he has received service for every one of the letters carried. So I want to make this point—that of that \$11,003,441 increase of revenue, there is a large share which is not to be attributed to the Tariff, and not to be called taxation, but simply to the growth and expansion of the revenue, due to the increased business and the increased services in the country. For instance, from 1878 to 1882, there has been an increase in the Post Office revenue of \$330,098. Is that wrung out of the people? There has been an increase in Excise of \$963,812; has the Tariff anything to do with the Excise? There has been an increase in Public Works dues of \$676,651, but this has been from tolls and railways, freights, and these have not been heightened but lowered. That must

show that this increased revenue is not taxation in the proper sense of the word, but that for every cent of it a service has been rendered, the country rendering service to the people, and getting pay from the people in return for it. Now, hon. gentlemen opposite are persistently drilling into the minds of the people that the whole increase of the Customs duties from 1878 to 1882 has been due to the increase in the Tariff. I remember a summer or two ago, when I was in the city of Fredericton, having the pleasure of listening to the hon. leader of the Opposition. It was on the occasion of that celebrated tour that he made to the Maritime Provinces, in which he gained a great many acquaintances and made a great many friends, even though he did not secure a very large increase of votes. I had the pleasure of listening to that hon. gentleman; and to the farmers, who were all about him looking up into his face, he used this argument: "Now," said he, "when you farmers go into a store and buy a number of yards of shirting, I want you to recollect that you must cut off so many yards, and send them up to the Government at Ottawa;" and in my simple-mindedness, I began to imagine what an astounding wardrobe the hon. Finance Minister must have, and what a plethoric larder these members of the Government must keep. Now, there are two ideas in that that are erroneous. The first is this, and although it may not appear of much importance to some, I think it is very important, and the principle underlying it is very important. I say there should not be any question of antagonism raised between the Government and the country. It should never be represented that the payments which come from the country in the shape of revenue are going into the hands of another and totally distinct party, the Government of the country. But the Government of the country is a part of it, doing its business for the individuals in the aggregate, and that kind of representation has just this influence, that it produces an antagonism between the people and the Government. The people are led to look upon the Government as something foreign and hence arises the jealous idea the Government are using the people's money for their own purposes, while the expenditure by the Government is only the expenditure of the people's money by persons who are selected to do that business for them. Then there is the *suppressio veri*—is that not the right term? the concealment of the truth. They tell the people that when they buy so many yards of shirting they have to cut off a proportion and send it to the Government at Ottawa. But the people are never told that under the former *regime* if they bought so many yards they had to cut any off. They are led to believe that all they were obliged to cut off was due to the National Policy. But what do we find when we examine into the question? We find that in 1878, \$91,199,577 worth of goods were entered for home consumption, and that the duty paid was \$12,795,693. In 1882, \$112,648,927 worth of goods were imported, on which \$21,708,837 duty was paid, being an increase of duty of \$8,913,144. Now, all that duty was not due to the Tariff which was brought in with the National Policy. If we look at 1878, we find that the average duty was 14 per cent, and if we look at 1882 we find that the average was 19 per cent.; so that the Tariff simply caused an extra collection of 5 per cent. If we apply that, we will find that 14 per cent. of the home consumption entries of 1882 would amount to \$15,770,849, the difference between that amount and what was collected being \$5,937,988—that is, there was an expansion of the revenue, and if the duty had only been 14 per cent. for the year 1882, there would have been still several million dollars more collected than was collected in 1878, because the volume of imports was greater. Therefore, when we come to look at the whole revenue of \$33,383,452, and contrast its increase over that of 1878, we must not look at it in the light of more taxes on importation, but we have

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to show that such was the expansion of business and prosperity, that a very large accumulation to our revenue resulted.

Mr. PATERSON, (Brant). Hear, hear.

Mr. FOSTER. Hon. gentlemen opposite say "hear, hear," because they think I have very effectually stated an argument of their own, that if there had been no extra duty put on at all in 1878, the natural expansion and growth of the business of the country and the revenue consequent on that growth, would have given us sufficient to carry on the whole affairs of the country. I do not make that statement, but I state two considerations which go against it. First, I do not believe this growth and expansion would have taken place to any great degree if it had not been for the impetus given to the business of this country by the policy of the Government. I think that the effect of the National Policy, and the effect of what arose out of that in the increase of manufactures and consequent increase of importation of machinery and the consequent greater ability of the people to buy, through the wages paid—all these things and others I might mention, have made the expansion of the revenue greater than it would otherwise have been. The other point I want to make is this, that the legitimate expenses of this country, as I have explained before, have increased, and we require more revenue in order to meet them.

Mr. PATERSON. The National Policy was designed to decrease imports and to restrict trade.

Mr. McCALLUM. Hear, hear.

Mr. PATERSON. The hon. Finance Minister said so.

Mr. FOSTER. Who has the floor? The next point I wish to make is this: I want to bind the Opposition down to the position which they have made inevitable to themselves. What is their whole argument? It is this: Here is this trinity of figures—the increase in debt, the increase in expenditure, and the increase in revenue, which we call taxation. All these increases show, or ought to show, the incapacity of the present Government, and their unworthiness of the confidence of the country—that they ought to be put out and that we should be put in. Is not that the argument, if there is any truth or honesty, or candor in the Opposition, and there is? Here is the inevitable position into which they are forced, that if to-day we could go backwards and put them at the beginning, if they are true to this argument which they make, they would not increase the debt or the expenditure of the country. In what condition then would we be? We would be stagnant and stationary. Where would have been our public improvements which could not have been carried on without increased expenditure? Where would have been our consequent increase of revenue? The inevitable position they are driven to is this: that if they had been in power, they would either not have incurred this expenditure or else increased it in a vastly less degree. And so all the great lines of public policy which have been inaugurated and carried out, and which have made Canada as great as it is, and given it such a future, would not have been for this country and for this people. I want to know if such a position as that, and such an alternative as that, if put to the people of the country, would not stamp any party as inefficient and incapable? If the country believes—and the country has reason to believe, and it is a just and legitimate belief—that for a new land like Canada, with such immense resources, so few people, such comparatively small wealth, it is of prime necessity that great expenditures should take place in the way of public works and means of intercommunication in order that people may avail themselves to the greatest degree of the heritage which we have. I have stated that there has been no serious criticism with reference to the items of the debt or the expenditure. At first sight it may seem that that is a rash statement to

make after the long hours of speeches by the ablest critics on the Opposition benches, and yet I leave it to the good sense of this House if, from the time this debate opened until now, there has been anything brought up on the other side to impugn one single item of the capital expenditure which goes into our public debts. I leave it to any competent person to decide whether, in any of the talk which we have heard about increased expenditures, there has been one serious effort made to get down to the bottom of any large expenditure and show that it is extravagant, unwarranted or uncalled for. The critic of the speech of the hon. Finance Minister approved distinctly of a number of expenditures, he slightly touched with no great reprobation one or two others, and then swiftly descended into the region of cab hire and contingencies—two items which, I think, might very well come up for criticism when the Estimates come before the House, but the quick resort to which proved to me that there could not have been much to criticise in the great items of expenditure. Now, the hon. member for South Brant know well enough that that was not a legitimate way to criticise the financial policy of this House, and he admitted as much. His conscience, I think, from his courteous disposition and his pleasant manner, is still tender, and rather pricked him at first. He stated what the hon. member for North Norfolk has stated to-day, but in a little different way: he said the Finance Minister went into explanations. He was bound to admit that many of the explanations had weight, but did not the people of the country know, and were not the Public Accounts before the people? And that was all that was necessary. The people had the figures in the Public Accounts, and they did not want any explanations. And yet for days and hours before that same hon. gentleman looked anxiously and longingly for the time to come when the Finance Minister, notwithstanding that these Public Accounts had been before this House almost from the first of the Session, should come down and make the necessary and needed explanation of those Public Accounts to the people. Why are they not needed? Mr. Speaker, every young member in this House who gets the ponderous tome which my hon. friend the Minister of Customs issues each year, and sits down to his table to look that over and pick out some figures which will just suit himself, knows that there is almost a technical education needed to get at the bottom of even the best regulated Public Accounts, and that to give that volume simply to a man who is not used to the Public Accounts is almost like putting so much Greek and Latin before him. And so it is necessary that explanations should be given. But the hon. member for South Brant said that these explanations were not necessary; he was not going to give them their weight, he was just simply going to take the items of expenditure in the Public Accounts. He knew it was not the proper method of criticism, and he simply justified himself on the ground that "others did it." Here is what he said:

"The hon. gentleman knew that the Public Accounts were in the hands of members; he knew they showed that there had been a very great increase of expenditure; and he did what it was only natural he should do, he sought to break the force of that, by attempting to explain and justify each item, in order, if possible, to save himself and the Administration of which he is one of the ablest members, from blame and censure in that regard. I will be able to charge back upon those hon. gentlemen, and it will not be for them to resent anything in this direction, they themselves having adopted that line of criticism when they occupied this side of the House."

Now, all I have to say is, that if, when this Government occupied the Opposition benches, they took that wrong method of criticising the Public Accounts, then when the Government then in power took the Opposition benches and became a better and purer party, it ought to have left its old and wrong methods back in oblivion, and stood upon higher grounds and taken a proper method of criticism. When the hon. member for South Brant went through with

his criticism, he impugned no items of the debt or expenditure, but struck away upon the National Policy. I wish to say one word with reference to his criticism of the National Policy. If I recollect aright, the Elections were carried on and ended in the autumn of 1878. Parliament met here in 1879, it got through with its operations in April or May, and this policy went into operation, I believe, about the first day of May, 1879. The Public Accounts closed on the last day of June, 1879, and yet the hon. member for South Brant criticised the National Policy because in a month or a month and a-half, it did not do that which its exponents said that in the course of time it would do. I put it to the hon. member if he considers that is a fair method of criticism.

Mr. PATERSON. I did not say so.

Mr. FOSTER. I think if the hon. gentleman will refresh his memory, he will find that he took the ground that the National Policy, in 1879, had not done that which his friends and supporters had claimed that it would do, and went on to talk about a long list of bank failures, and read a long column of prices, in one of which he stated that "oats had fallen from 28 to 31 cts.," and I think that it is in the memory of this House.

Mr. PATERSON. What month, June or September? One year after the Mackenzie Administration, or one month?

Sir JOHN A. MACDONALD. Not one year after the passage of the resolutions.

Mr. FOSTER. The unfairness is there all the same. Suppose that a man has been sick for a month, and a physician is called in to prescribe for him; after a long time the physician strikes the seat of the disease, he diagnoses the complaint exactly, and supplies a remedy on a certain date. You go in three weeks afterwards, and find that the man is still confined to the lounge, that he is not walking around, that he is not strong and able to do his work—do you say that that physician's skill has been useless, and that he has not touched the disease and virtually healed it? No; but you say, as any reasonable man would, the man has been sick, the disease has only just lately been diagnosed; it will take months for him to recuperate and get back to his normal condition. We must give him time. It is exactly the same with reference to this National Policy. I never heard the hon. First Minister state that if the National Policy were adopted and this new line were carried out, that immediately, like waving of the wand of the magician, all these good things would spring up and flourish. That statement has been made by the Opposition. They put up a man of straw, in order that they might amuse themselves in knocking him down.

Mr. PATERSON. The hon. Prime Minister said it.

Mr. BOWELL. I do not think the hon. Prime Minister ever said any such thing.

Mr. PATERSON. Yes, he will tell you so.

Mr. FOSTER. I would like to see you bring to me anything containing any such statement—

Mr. PATERSON. Well, he will not deny it.

Mr. FOSTER. And I have yet to find out that any such statement was made. The Government by any policy which it introduces, brings down and inaugurates, and by this the National Policy which it brought down, never promised to build factories, never promised to put up tall chimnies, to establish refineries, while the people sat idly by with their capital in their pockets, or in their banks. Government does not do that thing any more than it makes the rain fall or takes the place of Providence, as the same hon. gentleman opposite is in the habit of representing. But the Government does not take, and should not take, at least the

opposite extreme that they are nothing more than a "fly on the wheel," and no matter what the position of the country is, or what are its requirements, all the Government can do is to go on administering the Post Office and collecting taxes, and is powerless to aid industries by legislation. This statement has been made often and often with respect to the growth of our exports and with respect to this great prosperity. A simile occurs to me, and I think it is a true one. Government cannot create the water that flows in a mighty river, but the Government can take the water out of the mighty river and by appliances and machinery can carry it through acres and acres of arid soil, and by a proper system of irrigation, can make the desert bloom like a rose, and cover the sands with fertility and an abundant harvest. There is this distinction: that which causes this fertility is the gift of Nature, but the duty of utilizing it rests with man, and it is the same thing with the prosperity of a country. The great river in a country's prosperity is that which comes out of the soil, the sea, the mine; but that is powerless to do what it may do unless the Government provide proper conditions and unless they foster and care for and direct the energies to be applied to it. That is the distinction I would make, and it is one which, if carried in our minds would very much lighten up that often muddling and perplexing assertion that the Government cannot make good crops and cannot cause the fish to multiply in the sea. Well, the hon. member for Brant (Mr. Paterson) finding he had not any chance of criticising the items of capital expenditure and ordinary expenditure, after a time forgets the calm way in which he commenced and launches out into hyperbole. He says that this Government has embarked on an era of extravagance. Did he prove it? He simply read a long line of figures. He says they have put a blight upon Manitoba. Manitoba still exists and is wonderfully prosperous so far as I can hear. He states that the people there have been bound hand and foot. I have heard of no manacles or chains being sent to that country. This is intemperate language—language which, coming from the prospective Finance Minister of this country, makes people pause and think whether or not they should entrust such important affairs to a man who will make use of such intemperate language when he is speaking about his own country. I am sorry that this language has been used. I am sorry he has thus copied the ex-Finance Minister who formerly criticised the Budget Speech in this House, and who stated upon one occasion that Canada was a country to which no person could go, and in which no person could move without meeting at every turn the usurer and tax collector. These statements are not for the health of the country; they are not true statements; they go abroad and affect our immigration; they are caught up by those with whom we are competing, and they are made to do duty to keep people away from this country. The hon. member for South Brant, seeing how weak and comparatively futile his criticism of the public finances have been, got up a rolling fire of light artillery under which he retreated into safe and sure cover. He talked about the Finance Minister acting in the place of Providence, about the Finance Minister making crops grow and the sun shine. It was all a little piece of subterfuge to deceive the eye, while he gathered up his shattered forces and retired under cover. It was like the bivouac fires which sometimes are made to burn very brightly all night long, and lead to the belief that hostile forces are getting ready for the attack in the morning; but when morning comes it is found that the bivouac fires were kept burning all night, but the opposing army had safely and quietly taken itself away. I now come to the hon. member for West Middlesex (Mr. Ross). That hon. gentleman dealt largely in implication. I want to emphasize that fact before the House. The hon. member for West Middlesex did not take up a single item of

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public debt and criticise it. He, however, thought something should be done in the direction of criticising items of expenditure in the Public Accounts, and he commenced. What were his criticisms? He took up Public Works. He found the expenditure had increased; he asked the question why it had increased, and insinuated that it had increased for patronage purposes, and that a public building was placed here and there for the sake of making patronage and strengthening the party for the coming elections. That was the whole extent of his criticism of the Public Works Department. Did he state it had been so? Did he show a single instance where it had been so? If I had been an independent person, perfectly unbiassed, and had been waiting until the hon. gentleman made out a case against the Government, I would not have accepted his statements as making out a true bill against the Administration. The hon. gentleman took up the Department of Indian Affairs, and pointed to the great increase in expenditure, and then made the statement that he thought gross mismanagement occurred somewhere in the Department. But did the hon. gentleman show a single instance of that mismanagement? Not one. The hon. member for West Middlesex is, I think, a lawyer. We will suppose a case before a Judge and jury. He charges a man with murder, and the man is put in the dock, and, on coming before the court, the Judge asks what the charge was. The hon. gentleman would reply: I charge the prisoner with murder. The Judge would thereupon say: What is your evidence against the man? The hon. gentleman would reply: Well, your Honor, I have a person here who will say he thinks the prisoner looks as if he were a man who might have committed murder; but I do not say he has done so. The Judge would ask if any further evidence is forthcoming. The hon. gentleman would reply: Yes, I have another man who states he thinks that a murder has been committed. The Judge would ask if there is any further evidence, and on receiving a reply in the negative would say that the case was out of court. What Judge or jury, I ask, would condemn a man for murder on such evidence? Now this is the High Court of Parliament and tries public charges. There are charges made against the Public Works Department and the Indian Department, but when examined they are found to consist simply of insinuations and intimations of what might have been. Does that establish anything? Not a bit of it. Again, the hon. gentleman finds fault with the Post Office Department, and points out that expenditure has increased largely, although increased service has been given. Now, what is meant by that? Did not the hon. gentleman know that the increase of salaries is fixed by law? He does not mean to say that a bonus was given to this one and a bonus given to that one. As I understand it, the postmasters outside of the cities get 40 per cent. of the income of the office; and if this income increases, their salary must necessarily increase; and so it is, not a thing which is under the control of the Department. The only thing that the Department can do, is to listen to the wishes of the people, and to establish post offices where they think they are needed. Then as the revenue increases, and more postage is paid, of course, the salaries of these postmasters increase in proportion. Then, again, he says that the sum of \$500,000 was hidden away for Dominion Land Surveys and charged to Capital. Well, I think the hon. gentleman knows—and I think it is time—that these expenses which were formerly charged to revenue and ordinary expenses, are now charged to Capital; that there is a sort of separate account kept for Dominion Lands; and that although it was placed there, this was done intentionally, in accordance with the rule under which these things are done in that Department, and of which this House was cognizant. But I wish, Mr. Speaker, to direct the attention of the House—and I am sorry that the hon. member for West Middlesex is not present—to that hon. gentleman's criticism of the immigration

question. Now, why is he opposed to the item for Immigration? The hon. member for South Brant was entirely in accord with this expenditure on Immigration

Mr. PATERSON. No; no.

Mr. FOSTER. Well, at least, he did not criticise it; at least I think I am within bounds when I say that he did not criticise it harshly, but held out the idea that immigration was necessary to this country, and the increase in the appropriation for immigration purposes was not an improper increase. Well, the hon. member for Middlesex finds fault with it very much. A summary way of dealing with this matter would be to allow the hon. member for Middlesex and the hon. member for Brant, to settle this matter between them; but I think I see why the hon. member for Middlesex took strong exception to this idea of immigration. In turning up an old copy of the *Hansard* of 1876, I find that the hon. member for Middlesex, was then indulging in what has grown to be an almost chronic pastime with himself—making a prophecy. He was talking about the United States, and the way they built railroads, and immigrants followed; and then he ventures upon this prophecy:

“Anyone, who has watched the flow of immigration for the last four or five years, must admit, it was beyond the range of probability, that anything like the number of immigrants would settle in America, during the next ten years as in the last decade. The immigration of the last year was not one-third of what it was the preceding twelve months, and it was unlikely to increase in the future. The wages of the working classes in Great Britain and other European countries having largely increased of late, and their condition being much improved, the inducements for the people of the Old World to immigrate were therefore not so great as they had been in the past.”

That was the utterance of the hon. gentleman from Middlesex in 1876; it was one of his forecasts; he cast, as it were, the horoscope of the coming decade. He looked over the condition of affairs in the Old Country and in the New; and from his high position of vantage ground, coming up pretty nearly to the approaching election, and with a strong prospect, and in the hope, that he would be one of the governing body during the next few years, he ventured on his prophecy—that immigration must decrease; and that there is no possibility that it can increase after this. Now, a little bit of fact alongside of that prophecy. The hon. member for Cardwell said the other day, that Time was the worst enemy which these gentlemen had to contend with; and time has unravelled and uprooted this prophecy. That was in 1876; and there was to be no great increase of immigration. Now, in 1876, 169,986 immigrants came to the United States; in 1877, 141,857; in 1879, 177,826; in 1880, 457,257; in 1881, 669,431; and in 1882, 788,992. That is the way in which time and fact play havoc with the elaborate prophecy of the hon. gentleman from Middlesex; and perhaps it was because he was a little vexed with Time, because it did not carry out his prophecy, that he undertook to find fault with and criticise this expenditure on immigration. Well, I think that no expenditure that this country goes to, or may go to, is an expenditure which is so well warranted and which will so richly repay this country, as is and will be the expenditure for immigration. I am willing to back up this Government in the widest possible immigration agency that it will put to work, to bring settlers into this country at a moderate rate of cost. Why, Sir? Because I find that in 1882, 112,000 persons settled in this country of ours; 100,000 of these were probably white men and the others Chinamen; and we find that these 100,000 who were brought in cost only \$3.20 per head. Now, I say, bring all the people you possibly can into this country at \$3.20 per head. Why? Because, Sir, take the average, and they will, from the first year that they are here, pay back some \$5 or so into the Customs of this country, and they will therefore pay for the expense of bringing them here; and they will do more than that. Every one of them brings a certain amount of wealth into the country,

and that becomes to us a stock-in-trade, from which wealth grows and increases; and more, Sir, every one of them brings labor to this country and work for the period of his lifetime, and this will be an increasing quantity to this country. More than that, Sir, every one of them becomes an immigration agent, and writes to friends at home, praises up the country, and brings a greater or less number of his friends into this country; so, I say, put down just as much for this item of Immigration as you like, so long as you bring immigrants into the country at the rate of \$3.20 per head, and there is no person in this country but would say to that Government: Go on with your policy and we will back you up in it.

Sir JOHN A. MACDONALD. And go forty-five cents better.

Mr. FOSTER. Now, the next criticism of the hon. member from Middlesex was with reference to the commerce of the country. He says that the commerce of the country was to be promoted by this National Policy, and simply intimates that this has not been the result. Now, Mr. Speaker, no array of figures, dug from all the archives of this country, is going to make me lose the operation of my eyesight and observation. No ingenious mass of figures, or transposition of figures, is going, in the face of my own eyes and observation, and what I know of this country, to make me believe that the commerce of this country has not increased, and is not increasing. Why, if we want figures for it here is the set which settles the matter immediately. The volume of trade has grown. Is there any doubt about that? It has grown. You can turn to the Trade Reports and find that it has grown. In 1868 it was \$131,000,000; in 1874, \$217,000,000; in 1879—an ominous decrease—\$153,000,000; and in 1882, it was higher than ever it was in the history of this country before, and our aggregate trade was, during this year, \$221,556,705. Now, in the face of that will any hon. gentleman get up and attempt by any array of figures to prove that the commerce of the country has not increased. But that is only one part of our commerce. It is the external commerce of the country, but there is an internal commerce of the country, which no man can get at. We have not a system of statistics, and we have not the power to grasp what is meant by the internal trade of the country, but there are some pointers which tell us that it has increased. One of these is the decrease of the imports of the Maritime Provinces. We do not believe that they eat or wear less than before, and we must conclude, that if they do not import from the United States or other countries, that there must be going on an interchange of commodities between them and the Upper Provinces, and I think it is a fact beyond all dispute that Nova Scotia has sent her coal in increasing quantities; that cottons have been sent from our factories; that sugar has been sent from our refineries; that manufactures have been sent from our manufactories, up to this western country, and that there have come down to us in return the goods which these Provinces can supply. Can any man tell me who has lived along the line of the Intercolonial Railway, or has travelled upon it now and again and seen the increasing lines of freight which are carried, and looked at the immense amount of stuff that goes and comes upon that road, and yet say that the internal traffic has not increased. It has increased, it is increasing. Here is another pointer which gives us additional proof of that. Take the Manitoba trade. The imports into Manitoba in 1878, were \$1,122,744; in 1882; they were \$5,144,493, in other words the imports had increased 350 per cent. Is it not according to the rule of reason as well as to our observation and experience, that if this immense volume of imports has taken place, there has taken place a corresponding increase in the internal trade between the Eastern

Provinces and Manitoba and the North-West? We get at the import trade because we have the figures; we get at the other by a process of induction and by our own observation and experience. So as we stand by the Intercolonial, as we look at the canals, as we go into our refineries, and stand in the midst of our cotton factories and see all that is going on and know of the interchange of commodities, we must conclude that the volume of internal commerce is increasing in this country. Then with regard to our carrying trade there is a strong point in our favor. Hon. gentlemen opposite have stated that the shipping interest is declining, but let us look at the carrying trade as another indication. In 1878 there were, in arrivals and departures of vessels (exclusive of coasting vessels) 48,027; in 1882 there were 55,620. In 1878 the number of tons registered was 12,054,690; in 1882 the number of tons registered was 13,379,882. In 1878 freights were 3,296,391 tons; in 1882 they were 3,998,459. The crews employed in 1878 were 465,776; in 1882 they were 512,728. Does not the extra employment of men show the extra trade which is taking place in the matter of sea-going vessels; and if we take the coasting trade we find it equally favorable. In 1878 the number of these vessels was 61,046; in 1882 it was 75,620. The tonnage in 1878 was 11,047,661; in 1882 it was 14,791,064. The crews in 1878 numbered 585,415; in 1882, 734,926. I am aware that these figures do not show the number of vessels engaged in the trade, but as they show in both cases the arrivals and departures of vessels at our ports the comparative statement cannot be impugned. I think I have effectually disposed of the statement that the commerce of the country has decreased, and you will not make it any more clear to the House or the country if you gather from now to doomsday all the figures to be found in every book in all the Departments. The hon. gentleman, unfortunately for himself, declared that our shipping interests had fallen off, and that this showed the failure of the National Policy which was to help our shipping interests. I find that, from 1875 to 1879, under the former policy, there was a decrease of 44 per cent. in the shipping built in Canada, while from 1879 to 1882 there was a decrease of but 34 per cent. Now, if that decrease was due in this latter case to the National Policy, to what was the decrease due in the preceding series of years under the old policy; and, if we take this as an infallible test—which it is not—we find that the old policy was more disastrous to the ship-building interests by 10 per cent. than the new policy was. How is it with reference to the registered vessels? We find that, from 1875 to 1879, under the old regime, there was a decrease of 53 per cent., while, under the new, from 1879 to 1882, there was only 17 per cent. of a decrease. Again, if you take this as a rule, the present policy gives a less decrease than the preceding one. But it will be apparent that this is not a fair line of argument—that it is not indubitable proof, for wooden sailing vessels are fast going out of date. Let me put a fact alongside of this. Shipping has declined in Canada, but it has also declined in the United States. Hon. gentlemen say that that is due to a Protective Policy as well. Then we will go to Great Britain, and the sailing vessels have decreased continuously for the past few years. The only place where the hon. gentleman could show an increase was the little country of Norway with its immense shipping. I would like to ask the hon. gentleman if the extra increase in that country does not arise from this fact, that while other nations are doing away with their old vessels the Norwegians are buying the hulks and using them as they can. If he looks at the tonnage he will find that Norway is no exception, and that sailing vessels are going out of the trade. So much for that argument. I thank the House for the kind and indulgent attention it has given to me. I know there are other things which I might answer, but there are other hon. gentlemen who can answer them far better, and at this time I will notice only one or two points.

Mr. FOSTER.

I suppose the hon. member for South Norfolk will not object to my reading from any report which comes from the Province of Ontario, with the imprimatur of the Mowat Government upon it. He has stated, in substance, that our manufacturers were as prosperous in the old period about 1871, 1872 or 1873, as they are now, that there has been no great increase of manufactures as a result of the National Policy—in fact, that there has been very little increase at all. Well, they have a Bureau of Statistics in Ontario, a very excellent thing, which I would like to see in every Province; and this Bureau has made some enquiries as to the manufactures of the Province in the year 1882. The report says:

"But fragmentary as are the statistics of manufacturing industries furnished to the Bureau, they afford evidence of great progress having been made during the past twelve years."

And when we come to look at the table, we find, taking for instance agricultural implements, that they get returns from forty-four factories. The Census of 1871 gives returns from 173 factories; and we find that the forty-four factories returned to the Bureau, employed 2,397 hands, while the whole 173 in 1871, employed but 2,143; that the forty-four paid \$954,586 of wages, while the 173 in 1871, paid but \$745,693; that the total product of the forty-four factories was \$3,883,018, while the total product of the 173 factories in 1871, was only \$2,291,989. The Bureau also got returns from three cotton factories. In 1871, there were five in operation. The three employed 1,139 hands, while the five employed only 495 hands; the three paid in wages, \$256,960, while the five paid but \$87,400. The product of the three was valued at \$683,400, while the product of the five was worth \$192,200; and so on throughout the whole list. But just let me sum up. The hon. gentleman opposite has stated that wages are no better, and that there is no more employment now than formerly. Taking the aggregate of wages, and dividing it by the number of hands employed in these factories in 1882, and applying the same test to 1871, we find that the average wages paid in 1882, were \$336, while the average wages in 1871, were \$251, an increase in 1882, of 33½ per cent. So much for the tables. Now let us see what the compilers state:

"This statement requires no analysis. It is manifest that there has been a large increase of manufactured products, as well as of hands employed and wages paid. The 41 agricultural implement works giving returns for 1882, for example, make a better exhibit than the 173 giving returns for 1871. \* \* \* The returns of agricultural implement works to which reference has already been made, give a good indication of the progress of the Province agriculturally, even had we no other evidence of it. The total number of these establishments as appears by the table, is 122, but there is a large number of foundries doing a mixed business, which might properly be included in the same class. An idea of the extent to which improved implements of husbandry are used by the farmers of the Province may be obtained from figures given in a few of the complete returns. In fifteen establishments—8,786 single reapers were made last year; in sixteen, 6,979 single mowers; in four, 425 combined reapers and mowers; in three, 800 self-binding harvesters; in five, 2,880 seed drills; in six, 8,140 sulky rakes; in one, 120 threshing machines, and in four, 8,000 ploughs. The total number of those implements made for last year's market must consequently be large."

I leave the hon. gentleman to settle his account with the Report of the Bureau of Industries for the year 1882. The hon. gentleman devoted the latter part of his time to making a comparison between this country and the United States. He compared the expenditure per head of a young country just commencing its national life and with a sparse population of 4,000,000, with that of an old country of centuries standing, with a population of 50,000,000. He says the expenditure per head is less there than in Canada. Why, I can show that the expenditure per head in China is much less. All you have to do is to double the population in order to make our expenditure just half of what it is. Is there any justice in comparing the expenditure of a young country, straining every nerve to attract immigrants to its shores, with an old country to which the stream of emigration has long been established, and with which we have to

compete? We are in competition with both Australia and the United States, and if we do not make strong and constant efforts to turn the current of emigration from the old track and to make it come into the new track, we shall get the go-by. The comparison of an expenditure with that of the United States is not, I think, a fair one, and will not stand with the country. But the hon. gentleman must be answered out of his own mouth. He has made several statements that Protection is not necessary in order to establish manufactories, that it does not help our manufactures, that it has nothing to do with the bringing of wealth into the country, that it is a burden on the people, that it does nothing for the laborer, and is against the agricultural classes. What did this same oracle put forth as confidently in 1876 as he put forth his present opinion to night. In 1876 he said:

"Arts and manufactures do not spring up readily on a virgin soil."

If they do not spring up readily they must be planted; they cannot be planted without capital; and if they are planted they will not grow without protecting care. The hon. gentleman's statement is one of the bases on which the Protective policy is essentially and rightly founded. In the first place there is a tendency, as the hon. gentleman says, for "trade to remain in the beaten track." How can we get it out of the rut and induce trade to take a new course, unless we offer some inducement to turn the current, and this current must be turned if turned at all, by something we must do to foster, protect, and direct that trade? He goes on again to say:

"The advantage is on the side of a nation in which manufactures are established because money is always more easily obtained there than in a new country. Then again the possession of organized and skilled labor is an advantage that the manufacturers in a country where manufactures are established for a long time possess over a new country."

That was the strongest argument in inducing me to support a protective policy—that all along our border there was an old country, rich with manufactures long established, with home and foreign markets at its disposal, possessing an immense amount of skill and organized labor in its midst; and I saw that unless we could counterbalance those advantages they would flood our markets with their productions and destroy all prospect of our ever having any great manufactures of our own. The hon. gentleman proceeds to say that it must be shown that agriculturists are to be benefited, otherwise all these arguments fall to the ground. If it could not be shown that the agricultural interests would be helped he could not give his support to any policy of Protection. But he said:

"I believe that the interests of the nation at large would be promoted by judicious Protection; I believe that the agricultural interests of the Dominion would be promoted by Protection, and that the manufactures, being brought to the door of the farmer, would afford a market for a great many articles of produce that would not be saleable if the market were 3,000 miles away."

I commend that last sentence as in a few words furnishing a complete answer to the argument of the hon. member for Middlesex, who stated that Liverpool was the market and ruled the prices of this country. Aye it is in some respects and rules the prices of certain commodities; but does the hon. gentleman mean to say that when a farmer comes to town from two or three miles distance with a load of chickens, the Liverpool market fixes the price he obtains? What rules the market is what is stated here: When the manufacturer with his employed labor is brought to the door of the farmer, the latter has a ready market for that class of produce, perishable you may call it, which he has to sell. That is what the National Policy promised and what it has given—"A home market of this kind established by protection to manufactures." That is the way to establish a home market by which "the agriculturist can benefit his soil by producing

a rotation of crops." Then the hon. gentleman flies off again to the United States for illustration. He says:

"We have at our own doors all the illustrations and experience of Protection and its benefits required for our government and guidance. The United States have adopted a protective policy under which their manufactures have been fostered and promoted until in 1870 their products reached the sum of \$4,253,000,000, giving employment to 2,000,000 and disbursing over \$775,500,000 in wages."

He goes on further into the very essence of this business of a Protective policy:

"British manufactures crushed out all efforts to establish factories in the Republic,"

Just the same as American manufacturers crushed out all efforts to start manufactures in the Dominion.

"And the imposition of 25 per cent. duty on foreign cottons had the effect, in a few years, not only of building up manufactories, but led to the production of an article better in quality and lower in price than the Americans received from British manufactories before their own industries were established."

Following in the lead of this, I beg to state—not in the way of parody—that the imposition of a judicious duty on foreign goods would have the effect, in a few years, not only of building up manufactories in this country, but lead to the production of articles better in quality and lower in price than we received from the Americans. The hon. gentleman continued:

"The same way with the iron trade. All attempts to establish iron industries were crushed out by foreign competition, and high prices were maintained at intervals—higher on the average than the percentage necessary to produce them in the United States at a profit. But when a protective duty was imposed, iron manufactories were established, and in a short time the price of iron was brought down several dollars per ton, and it is now sold cheaper than the British iron ever was offered for on that market."

And so on. I have simply quoted from a speech delivered in this House in 1876 by the hon. member for South Norfolk.

Mr. CHARLTON. The hon. gentleman will allow me, as a matter of fairness, to read the conclusion of that speech, the qualifying portion of all the things he has stated. Unless he does that, he will make a false impression.

Mr. FOSTER. The hon. gentleman seems to have the faculty of wearing a double shield. One side has been turned out to us, and remains turned out to us until the last paragraph is reached. Then he turns out the other side, and qualifies what he has said by stating that he only goes for a little increase; but it is really too much for me to read the balance of his speech to the House, and if the House chooses, and the Speaker will allow it, I will consider it as read and hand it to the official reporters.

Mr. CHARLTON. I must protest against the unfairness of the hon. gentleman and ask to be allowed, at the close of his remarks, to make personal explanations.

Mr. FOSTER. I cannot conclude without referring to one objection made by the hon. gentleman from Middlesex. His last objection to the Tariff was that we were always tinkering at it. He wanted something to be laid down on principle and objected to this Tariff because there was no principle in it, because it was subject to no end of changes. I would call attention to this fact. There is such a thing as a plan upon which a thing is modelled, and there is an infinite diversity of detail by which it is carried out. Take, for instance, the electric light. The principle is to give a light of a certain intensity for certain uses. What would you think of the argument of a man who should go to Menlo Park and look at this lump built in one way and that lump built in another way, at this one discarded and another one taken, and should say: I don't believe in electric lighting at all; I want something founded on principle, you are always tinkering at this. That is just the very distinction that exists here. A principle underlies the policy, viz.: Protection to home

industry, building up the trade and manufactures of this country. These things that the hon. gentleman objects to are simply the infinite variety of details by which that principle is carried out; and I say that it would be one of the most infinite pieces of absurdity and folly to attempt to put down in one year a cast-iron scale of duties for everything that came into the country, and never take one mould out and run the duties into another. Circumstances change; the conditions of trade change; and that Government is recreant to the duty imposed upon it, which does not keep a sharp eye on every one of these changes, and when something can be introduced that would better the condition of the country to have that introduced at once. Mr. Speaker, whatever we may have heard with reference to disasters that are impending, and that great disaster that is to come in about the space of two years, whatever we may have heard in the way of prophecy, I am fully convinced that there is in this country a spirit of hopefulness and confidence which bids all croakers take a back seat, which sets its face firmly towards the future and grows impatient of hearing this continual grumbling and depreciation. I say, to-day, that nothing inclined me to this policy more than the fact that I felt growing up within me the spirit of our wider nationality. I saw its boundless resources; its undeveloped wealth, and its magnificent future, and I could not brook that the country should be depreciated, that its great resources should be minimized, or that any influence should go forth which should be as a damper on the spirit of the people. I believe that Canada taking into account her increased resources, which she is just beginning to develop, taking into account her fisheries, which now amount to \$16,000,000 per year, and which may increase almost indefinitely, has a broad and splendid future before her. She is the fourth shipping power in the world; she stands high in comparative freedom from debt—for, whatever may be said as to her debt per head, if you take the nations of Europe or the Australian colonies, you will find that Canada has less debt than any of them—you will find that her credit is strong and continually increasing, and she is becoming more and more known to the world. We have being breathed into us a subtle influence which cannot be stayed, which cannot be measured or weighed, but which goes farther to build up a country and give an impetus to its people than anything else—the strong, subtle influence of material growth, of intellectual expansion, of a something before us greater far than anything behind us. A review of the past gives us courage to look upon the future, to turn the present to our advantage, and to go forward in the race of developing our young nationality, which is destined some time to be as great as any that the sun shines on.

Mr. CHARLTON. I desire to make a personal explanation—or at least to read a quotation from a speech, a garbled quotation of which has been made. Any quotation can be made in a way to convey a meaning quite contrary to that which is intended by the speaker. I asked the hon. gentleman, as a matter of common fairness, to read the conclusion of that speech, and in a most unfair manner he declined to do so. With the permission of the House I will read the concluding portion of that speech:

"In conclusion I may state that I am desirous of doing everything calculated to promote the manufacturing interests of this country. But looking from my stand-point, I believe that the present Tariff is adequate; that at all events to demonstrate its inadequacy will require more time. I heartily endorse the policy of the hon. Finance Minister in declining to advance the rate beyond 17½ per cent."

That is the concluding and the qualifying in that speech, and that is the portion which the hon. gentleman most unfairly declined to quote when I asked him to do so.

Mr. BOWELL. Does that affect the principle of Protection, as advocated in the whole speech from the beginning?

Mr. FOSTER.

Mr. CHARLTON. Not at all. I held that was an adequate amount of Protection.

Sir JOHN A. MACDONALD. I rise to a matter of some importance. The hon. gentleman, of course, had a right to read that passage, but I think he had no right to state that the last speaker, my hon. friend who has made that able and magnificent speech, that he garbled the speech of the hon. gentleman opposite—that was the expression. Now, I would ask the hon. gentleman if my hon. friend inserted a single word? If he did not read exactly what is reported? If he did so, then the hon. gentleman has committed a Parliamentary breach in saying it was garbled. I would like to ask that hon. gentleman, too, if the first part of the speech was not made before six o'clock and the last part after six o'clock? Did not the hon. gentleman whip in that clause he has read between six o'clock and eight o'clock?

Mr. CHARLTON. I beg to inform the hon. First Minister that, in my estimation this was a garbled extract, because the hon. gentleman refused to read that portion of the speech which I called his attention to. I informed the hon. gentleman that he was reading from that speech in such a way as conveyed a false impression, and requested him to read the last portion of it, which he refused to do. Consequently I am justified in saying it was a garbled extract. In answer to the enquiry of the hon. First Minister: if I did not make a portion of that speech after recess? I beg to say that I made the whole of that speech before six o'clock; and when I rose to make that speech I never took my seat till the last word of it was uttered.

Mr. FOSTER. I did not wish to misrepresent the hon. gentleman from North Norfolk. I would have gladly read the last two paragraphs. I stated if the House would allow me, I would consider them as read, and hand them to the *Hansard* reporter. I believe that is allowable. I had before heard hon. gentlemen simply make mention of long tables which they had, but which were not read to the House, and then had been printed in the *Hansard*. I was quite willing that the whole of the two paragraphs should go to the country, and be in possession of members along with the others, but I was tired, and I did not think it necessary to read the whole speech, because I read whole sentences of the speech as I found it. You garble a speech when you pick out part of a sentence, a clause which gives a wrong meaning, but when you give whole sentences and whole paragraphs I do not think it can be called garbling.

Mr. KING. Mr. Speaker: I have listened with a good deal of attention to the speech delivered by the hon. member for King's (Mr. Foster), and I must confess I have probably been as much disappointed with that speech as with any speech to which I have ever listened to in this House. I have had pleasure, in other places, and on other occasions, in listening to the hon. member for King's. I have been pleased while listening to his remarks on another subject, and to-night I expected to have something from the hon. gentleman which would be new on this subject. In that I am disappointed. Hon. members will recollect that a few evenings ago, when the subject of Chinese immigration was under discussion, the hon. member for King's, rising in his place in this House, and holding up a very large volume containing perhaps, a thousand pages, said he would not inflict upon the House the reading of the whole of that volume, but he had read it completely through, and would give the conclusions which he had drawn therefrom in respect to the Chinese question. I find that the book to which the hon. member was then referring was a work prepared by a Commission appointed by the United States Government to investigate that subject, and so I fancy it contains the opinions of disinterested gentlemen on both sides of the question, and therefore I must concede that it was perfectly right for the hon. member to deal with the question.

from that stand-point and in the manner in which he did deal with it; but to-night it must be plain to every hon. gentleman who has listened to the speech just delivered that the hon. member for King's, while having had access to a book has not had access to a book of the same description. I might say that I think, although I am not Professor Cumberland, that I do not need to cross the floor and take the hon. gentleman by the hand or place my hand on his brow in order to define where his inspiration comes from. It must be patent to the House that the hon. gentleman has simply read the Budget Speeches of the Finance Minister, with, perhaps, a few extracts thrown in from speeches by the hon. member for Lincoln. In the hon. gentleman's opening remarks he alluded to our prosperity existing at the present time in the different Provinces which go to make up this Dominion. But there was one thing which I remarked particularly, that while the hon. gentleman thought it worth while to name Nova Scotia, Quebec, Ontario, British Columbia, Manitoba and Prince Edward Island, he omitted to name the Province of which he is a representative in this House. I make no apology to-night for any remarks I may make on this subject in dealing with it from the stand-point of my own Province; that has been my custom in years past when speaking on this question, and I intend to follow the same line to-night. I think I am justified, more fully, in taking the course I now propose to adopt, on account of the action of the hon. member for King's, who represents the county adjoining my own. There are particulars connected with the National Policy and Tariff which bear, perhaps, more heavily upon that Province than upon any other Province in the Dominion, and it is to those features which, I think, bear especially heavy upon our Province that I propose to call attention. The hon. member for King's has said something with respect to the National Policy. He has gone so far as to endorse what has been said in its favor by hon. gentlemen opposite. I am not to-night prepared—notwithstanding that the hon. gentleman has not alluded to it—to deny that New Brunswick is in a somewhat more prosperous condition than it was some three or four years ago, but I deny that the increased prosperity in that Province is in a large measure due to the National Policy. I should have liked the hon. gentleman, while addressing himself to the subject, to have pointed out what the National Policy has done for that Province during the last year. I recollect, in the three or four Budget Speeches to which I have had the pleasure of listening, it has been customary on three of the above occasions, at least, for the hon. Finance Minister to dwell largely on the benefit it was doing his native Province, and referred to the tall chimnies going up in all directions—or rather in prospective. But no such allusion was made in the Budget Speech to which we have listened this Session; the only fair inference is that no very great increase has taken place in the manufacturing interests in New Brunswick. Since we last met I am aware a cotton factory has been started at St. Stephen, or rather near the St. Croix, and in that connection I may say that, sitting on my right is a pronounced opponent of the Government on the trade question, and one who was strenuously opposed by the Dominion Government, and yet he carried the county and polled a majority of votes in a parish in the vicinity of the cotton factory. It is true that some changes have taken place in the representatives from New Brunswick since we last met, but to say that the question of the National Policy has in any way influenced the change that has taken place in any county save perhaps Westmoreland, would be saying too much. I am not going to allude to other causes which I believe has had as much to do with effecting the change as the advocacy of the National Policy in those counties, but I said that New Brunswick was more prosperous than she had been three or four years ago, and I think I can show very clear,

good and sufficient reasons why such is the case. I have taken the trouble within the last day or two to prepare a table showing the exports of New Brunswick before the National Policy was inaugurated, taking 1879, as they claim that in 1879 the effect of the policy had not been felt, and I show how the exports of farm produce from that Province in that year compare with those in 1882. In 1879, 138 horses were exported, of the value of \$13,762; in 1882, 511 were exported, of the value of \$55,315. Of sheep in 1879, 12,301 were exported, of the value of \$24,154; in 1882, 27,130 were exported, of the value of \$70,510; or, to put it in another way, the sheep exported in 1879 realized only \$2 per head, while those in 1882 realized \$2.60. The value of poultry exported in 1879 was \$1,936, while in 1882 it was \$6,023. Then, Sir, I find that butter—of course it is true, that no additional duty is placed on butter—in 1878, New Brunswick exported 2,727 lbs., realizing \$537; but for the last year in the Trade and Navigation Returns, I find that the export of this article increased to 64,185 lbs., just twenty times the quantity exported in 1879. Then, Sir, in eggs we find that 579,432 were exported in 1879, realizing \$66,249, at an average of 11 cts. a dozen, while in 1882 our farmers in New Brunswick exported 727,616 dozen, realizing \$123,076, or an average of 17 cts. a dozen, and this in face of the fact that there was a largely increased home market, as hon. gentlemen opposite claim due to the National Policy. Of hides and skins in 1879 we exported \$15,000 worth in round numbers, while in 1882 we exported \$20,000 worth. Then, of mutton, in 1879 the farmers of New Brunswick exported 6,706 lbs., for which they received only \$33, while in 1882 they exported 193,785 lbs., for which they received \$11,190. Of hay, in 1879 they exported 476 tons, realizing \$5,046, and in 1882, 2,311 tons, valued at \$21,440. Then, of potatoes—which is the principal crop, I may say, of the farmers of New Brunswick—in 1878-79, the whole quantity exported was 47,161 bushels, for which they obtained \$18,948, or an average of 40 cts. a bushel; but what do we find last year? They have exported to the United States market, 323,894 bushels, for which they obtained an average of 70 cts. a bushel, or a total of \$218,084, an increase in this article alone, as compared with 1879 for 1882, of from \$18,009 to \$218,000. Then we come to vegetables. Now, it would be supposed that the largely increased home market which was to be created by the National Policy, in New Brunswick, would certainly afford a market for all the vegetables we could produce; but I find that the exports of vegetables increased 100 per cent., in 1882, as compared with 1879; or taking the whole of the exports of farming produce from New Brunswick, in 1879, we find that they amount in value to \$189,000, as compared with \$578,476, in 1882. Now, it does occur to me, that if the hon. member for King's, who represents a farming constituency, took the trouble to look up the figures, he would have ascertained beyond all manner of doubt, that this has had more to do with the increased prosperity of the county which he has the honor of representing, than has the National Policy; because, I say this, that if the hon. gentleman were now in his place, I would challenge him to show that any more manufacturing is done in his county to-day, than before the introduction of the National Policy. I go further. Before the introduction of the National Policy in the town of Sussex, which is the principal town in his county, they had a shoe factory, which was then, I think, in a flourishing condition. Sir, I am sorry to say, I regret very much to say, that since the introduction of this National Policy—I do not say that this is by any means due to it—this factory has gone down, and the capital invested in it, has not realized fifty cents on the dollar. It has changed hands since, and I hope and trust that it may make progress in the future, and prove a good investment for the stockholders; but I do assert, that there is no more manufacturing done in the hon. gentleman's

county to-day than before the introduction of the National Policy. I have not yet come to what I believe to be the true cause of the prosperity which has come to the people of New Brunswick during these last two years. Any gentleman who will take the trouble to look at the Trade Returns, will find that, taking one year with another, lumber forms four-fifths of the exports of our Province; and this being the case, it must be admitted that any considerable increase in the price of it affects us favorably, and that any serious decline in the price of it affects us unfavorably. Now, it is the fact, that, during the last year or two, the price of lumber has gone up in foreign markets. It has not affected the export of it very much, which is not much larger than it was heretofore; but taking the article of lumber for 1879-80, what do we find? That the whole of the products of the forest exported from New Brunswick, during that year, amounted to \$4,031,000, while, taking the year 1882, the quantity was not largely in excess, but the amount realized was \$5,444,000, leaving a clear balance in favor of the Province, on this article alone, of nearly \$1,500,000 in round numbers. Now, I think that this, above all other things, has had to do with the increased prosperity of the Province; but, Sir, we will look a little further, and take the total exports of the Province of New Brunswick for 1879-80, during that time of depression, and compare the exports with last year: \$5,371,401 are put down as the value of our exports for 1879-80, and \$7,474,407 for 1882, or a difference of \$2,102,000 in favor of 1882, showing a large gain in our exports, which has most certainly gone into the pockets of the people, and this has had much more to do with our increased prosperity than the National Policy. There is another feature connected with the Tariff which I think it would have been well for the hon. member for King's to have addressed himself to—that is the unfairness of the Tariff. Admitting that it has been adopted for the good of the country, that the manufacturers have pronounced favorably upon it, and that it has been accepted by the people, nevertheless it remains that these manufacturers are coming here continually and asking to have the Tariff readjusted; and it is also the fact that the demands made upon the Government by the manufacturers are being acceded to every Session by the Finance Minister. Suppose we consider how this Tariff affects the farming interests which is represented by the hon. member for King's, as compared with the manufacturers. By way of illustration I will give another item or two from the Trade Returns as they apply to my own Province. In 1882, the last year to which these Returns refer, I find that New Brunswick imported 302,759 lbs. of lard, valued at \$34,620, of pork 1,904,279 lbs., valued at \$168,405, and of beef 80,803 lbs., entered for consumption—and a very much larger quantity was imported for ship stores, I imagine—valued at \$4,959; and on this an average duty was collected of 12½ per cent. It does seem to me that if the hon. gentleman were to look into this matter, as I have suggested, he would agree with me, that in the readjustment of the Tariff, a change could be made that would be in the interest of his constituents, and which, I think, is asked for by the farmers of the country: and that is, if the high Tariff which has existed up to the present time and which applies to all the articles that they consume, is to be maintained, a change is absolutely necessary in the duties which are imposed on these articles that are produced by the farmers of the country. What are the facts? The hon. gentleman to-night has alluded to struggling industries which needed building up by Protection. I want to know if the farming industry of a Province which does not produce a sufficient quantity of pork to supply the wants of its people, is not a struggling industry, and whether our farmers are not entitled to as much Protection as are the manufacturers of this country. Of course I may be told that the increased duty on pork would affect the lumbermen. I admit it would; but if hon.

Mr. KING.

gentlemen opposite are to be believed it would not affect them, as the producer pays the duty, and what I wish, is that in that case that duty may be put on pork, which would come out of the Yankees, because we get our pork from them. I desire next to call attention to the promises which were made to the people of the Maritime Provinces, that this policy was a retaliatory policy, that its object was to compel the Americans to give us Reciprocity. I am satisfied that if our people could be convinced of the fact that Reciprocity could be promoted by a continuation of this policy, they would not hesitate very much to consent to it. But our hopes in that respect have been dispelled, for the hon. Finance Minister has told us that this Tariff is to be perpetual that it is to last as long as Canada lasts. It may be said that there are resolutions in the Tariff which provide for the free exchange of the natural products of the country. I admit that they are there, but I think no one will assert that they are likely ever to effect anything in the way of Reciprocity, or will deny that something more must be offered to the people of the United States before they will trade with us on reciprocal terms. I was sorry that the hon. member for King's (Mr. Foster) did not make some points on this question, to which I might have replied, but I failed to see any. It is true the hon. gentleman alluded to the increase of debt under the Mackenzie Administration; but he might have stated, in all fairness, that a very large amount of that increase was due to the obligations imposed upon his Government by the Government which preceded them. I was much amused with another idea of the hon. gentleman, and that was, that an increase of the Tariff which increased the revenue did not impose taxation. I would like to bring that point home to him in a homely way, but in a way which, if he could not understand, many of his constituents would. In 1867, and even later, after the Province of New Brunswick had entered into Confederation, the whole amount of Customs and Excise duty did not exceed \$3 a head, and at all events we were assured before we went into Confederation that it would not exceed \$2.75 per head for many years after we came in. No one will deny that at the present time it has increased to \$6 a head. The hon. gentleman's county ten years ago contained in round numbers about 25,000 inhabitants, and I think I am safe in stating that it has not increased much during that time. Now, if 25,000 people paid \$3 ten years ago, it would make \$75,000; but this amount has been increased to \$150,000, and as the hon. gentleman has told us that the Post Office Department has become a source of revenue, he will not claim that the money expended in his county for carrying the mails is a fair charge against that \$150,000. Nor do I think he will claim that any portion of \$150,000 goes towards the running of the line of railway which passes through his county. I would like to ask him to point out to me what his county gets for this increase of \$75,000 of taxes imposed upon it during the last ten years over and above what was imposed before. The hon. gentleman tells us that an increased revenue does not mean an increase of taxation; but I think as applied to his county that this is the case—I know it is in mine. It is true that there is a difference in counties along the coast which have been provided with lights and harbors, but in the inland counties the return is far less for the money expended than it was some years ago. The hon. Finance Minister in closing his financial statement the other night, said he had been taunted last year with not having a following from his own Province, and that this year he had a majority. Perhaps the hon. gentleman can, as things stand at present, claim a majority, but he owes that not to the votes of the electors of Albert county, but to the decision of a Judge. The courts will settle the question of whether he has a majority or not. In Restigouche the hon. member who has the honor to occupy the seat formerly held by my

friend Mr. Haddow was not, I think, the gentleman whom the hon. Minister of Finance was anxious to see returned. He may support the hon. gentleman's policy, or he may not, but I believe he was not the candidate whom the hon. Finance Minister desired to see elected. The hon. member for Northumberland, judging by the expressions on the floor of this House and by his speeches elsewhere, does not fully agree with the hon. Minister of Finance with regard to this policy. I think I have heard him complain bitterly of the imposition of the tax on the lumbermen, and that he hoped to see these wrongs redressed. In fact that hon. gentleman stooped so low as to mention cornmeal—something which would not be tolerated on the part of myself and others of this side of the House, though the hon. member for Northumberland was allowed to refer to it. We come next to the county of Westmoreland which is so ably represented by the hon. gentleman who defeated the late member, but it is not unknown, in fact it is currently believed, that that hon. gentleman while representing Westmoreland, and dealing with the National Policy, represents at the same time investments he has made in manufacturing in that county. I am glad he thought proper to invest his means in that way, but at the same time he cannot be called quite disinterested in his views upon that question. I shall say little with regard to the hon. member for King's, for everybody knows that while the late hon. member for that county was prepared to swallow the National Policy, as well as the Canadian Pacific Railway bargain, fully as much may be expected from the hon. gentleman who succeeds him. Before taking my seat I wish to allude a moment to two notable predictions which have emanated from the Finance Department during the past year. Everybody on the floor of this House and throughout the country remembers the prediction of a gentleman calling himself the Astronomer to the Finance Department, that a great storm would sweep over the continent in the month of March.

Sir LEONARD TILLEY. The only regret of hon. gentlemen on the other side is that the storm did not come.

Mr. KING. I am glad it did not come; and there is just this difference between the prediction made by the astronomer of this Department and that made by the head of the Department—that the prediction of the astronomer, if it did no good, did no harm; it at least made the newspapers sell. But the prediction the hon. the Finance Minister made the other night is calculated to do more harm, if the hon. gentleman fails in his prediction, than the prediction made by the gentleman to whom I refer. He predicted that we are going to have seven years of plenty. I hope we may; but it strikes me that the hon. gentleman has not much of a foundation on which to rest that prediction. If he could look into the future, and foresee that for seven years to come the Province which he represents would be able to obtain good prices in foreign markets for its exports of lumber, he might claim that that Province, for that time at least, would be prosperous; but I think he will not claim that our lumber can maintain its price in those countries, and therefore I think he is going out of his way to predict prosperity for that Province. I think he is equally astray with reference to the other Provinces of the Dominion. If he could predict that we should have seven years of good crops, he might predict seven years of plenty; but as it is impossible for him to know what is going to take place, he is not certain that his prediction will be borne out. I will not take up the time of the House any longer. I am only sorry that the hon. member for King's did not address himself to the question of the Tariff in the interest of the constituency he represents.

Mr. JAMIESON. It was not my intention, until a few minutes ago, to take any part in the debate, and at this late hour I will not detain the House at any great length. I have been a little surprised at the tone of the debate, and

the matter which has been introduced into it. I do not know how it may have been in other constituencies during the last Election, but my opponent, who represented the Liberal interest, stated publicly at the meetings that were held, that the National Policy was not an issue in that contest. I judge, however, from the speeches that have been delivered in this House by hon. gentlemen on the Opposition benches, that the National Policy is still an issue in Canadian politics. I am here to represent a constituency composed largely of two classes, the agricultural class and the manufacturing class. It may not be known, perhaps, that in that constituency there are at present some fourteen woollen mills, some of them of large capacity, employing a large number of people. Now, I think, I would not be true to my constituents, I would be recreant to my duty as a public man and a representative of the people, if upon the floor of this House I either advocated or supported a policy which would bear heavily upon one class of my constituents for the advantage of another class. I am of opinion that the policy which was so auspiciously inaugurated in 1879, has been for the benefit of all classes in the Dominion. I have a few figures in my possession which, I think, will be sufficient to satisfy this House that, so far as the manufacturing industries in my own riding are concerned, it has been a very great advantage. I apprehend we shall have to judge of the effects of this policy largely from personal experience, because it is utterly impossible, in many instances, to find statistics that will enlighten us upon this question. Some time ago I called upon a man engaged in a manufacturing industry in the town in which I reside, and asked for some figures which would enable me to point out in some significant way any benefit the town had derived from the operation of this policy. I found that in 1878 the number of hands employed in the woollen industry of that town was 386. When I say employed, I mean only partially employed, for at that time they were working scarcely more than half time—or three-quarters time. That town was in anything but a prosperous condition at that time. I think there were something over 100 tenantless houses which were erected for the accommodation of those engaged in the factories; but owing to the depression which existed in that industry it was impossible for the employers of labor to increase the industry to any extent. At the present time the number of hands employed in these woollen mills alone is 690, against 386 in 1878. Now, a good deal has been said in the discussion of the National Policy on the results predicted by the hon. Finance Minister with reference to keeping Canada for the Canadians. I have heard the statement made with a good deal of stress cast upon it by the hon. member for South Middlesex, that the policy in that respect had been fruitless; that it had not secured Canada for the Canadians. I believe the hon. member for South Middlesex is not in a position to sustain that statement by facts. I would simply ask what is the test of keeping Canada for the Canadians. I apprehend that if the people of this country are employed, that is keeping Canada for the Canadians. I would ask any hon. gentleman if there are any unemployed people at present in this country? Every man who is disposed to work, and is capable of working, can secure employment and at higher wages than he could under the late Administration. That is what I understand to be keeping Canada for the Canadians. The hon. member for South Middlesex did not proceed very far until he told us that labor was so scarce, the farmers of his section were contemplating the introduction of labor-saving machines, such as self-binders. I think that demonstrates to a certainty that the laboring classes of the country are now fully employed. I may say in addition to what I have said in reference to the number of hands employed in the industries of my town, that since 1878, wages have increased 25 per cent. on an average. This policy has been very beneficial so far as the laboring classes are concerned,

and, I believe, has also largely benefited all classes of the community. The result of the last General Election shows that the people of the Dominion are thoroughly satisfied with that policy, and that, so far as they are concerned, they will endorse the statement of the hon. Finance Minister that it must be perpetual. I should hesitate to advocate the permanence of a policy of that kind if I believed for a moment that any single class of the community would be injured by it. But I have failed to find any data in the discussion on this subject from which a deduction could reasonably be made that this policy was prejudicial to any interest in the Dominion at large. If it gives employment to the people, as no doubt it does, at least so far as my constituency is concerned, and if the laboring classes receive higher wages, I think they have been largely benefited, and can afford to pay higher for the necessaries of life. A remark was made by the hon. member for South Norfolk in reference to the duty on wool, to the effect that the hon. the Finance Minister was not legislating in the interest of the farmer because he had not imposed a duty on all grades of wool. Well, I have no doubt that, if our farmers cultivated the grade of wool required by manufacturers, it would be only a pleasure to the manufacturers to purchase that wool; but I understand from skilled men, that it is impossible in this country to produce the class of wool required by the large majority of our manufacturers. If that is the case, I do not see what great benefit it would be to the farmers to have a duty imposed upon fine wool. In the town in which I reside, all the mills, except one employing twenty-five hands, run upon fine wool which they cannot procure in the Dominion, and if a duty were imposed on this wool, it would only cripple them without aiding our farmers. I recollect in my election campaign, I was brought to task on this question. I was asked if I would advocate the imposition of a duty on fine wool. I replied without hesitation that I would not, because I thought it was against the interests of the people to put a duty on the raw material which entered into manufactures. I was frequently told by those politically opposed to me that I was not acting in the interest of farmers by not advocating this duty. They said that the low price of Canadian wool was largely due to the fact that the manufacturers of this country imported their wool from abroad. In every instance where parties took that position I found they themselves wore clothes produced from fine wool and would not wear the class of goods produced from Canadian wool. Thus it is that as the country becomes more prosperous, employment and money more plentiful, people wear finer clothes than they would if the contrary were the case. I will not detain the House at greater length. I have treated this question, perhaps, from a local stand-point, for it seemed to me such was the proper course to pursue; for, if I except a few figures given by the hon. gentleman who preceded me, all the speeches on this question, so far as I can recollect, were from a general stand-point; and I hope I have not wearied the House in my statement of the few facts I have given. I have strong faith in that policy, in developing the industries of this country. I do not believe it is inimical to any class of people in the Dominion; and I have no doubt that, with the experience we have had of that policy in the past, the people of this country will hesitate before they place any gentlemen on the Treasury benches, who will go for reversing a policy which has been so advantageous to the people of the whole Dominion.

Mr. WIGLE moved the adjournment of the debate.

Motion agreed to; and (at 11:35 o'clock p.m.) the House adjourned.

Mr. JAMIESON.

## HOUSE OF COMMONS,

FRIDAY, 6th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### WAYS AND MEANS—THE BUDGET.

The House resumed the adjourned debate on the proposed motion of Sir Leonard Tilley: That the House go into Committee to consider of the Ways and Means for raising a Supply to be granted to Her Majesty.

Mr. WIGLE. Mr. Speaker: I do not rise for the purpose of making any very lengthened remarks to-day, in this debate on the Budget Speech, which was brought down by the hon. Finance Minister a week ago; but, representing as I do, Sir, a constituency which is largely interested in the growing of raw leaf tobacco, and having had some experience in the purchase and shipment of tobacco, I feel that I would not be doing my duty to my constituents if I did not make a few remarks upon this question. I wish, however, before making any remarks on this particular question, to make a few observations with reference to what has been said by hon. gentlemen opposite. If we took everything they said to be true, we would be led to believe that times were better from 1873 to 1878, when they were in power, than they have been since the National Policy was in force. I always understood, before I came to this House, that the hon. member for Brant (Mr. Paterson), the hon. member for West Middlesex (Mr. Ross), and the hon. member for North Norfolk (Mr. Charlton), were good debaters, but after hearing them make their speeches, I have come to the conclusion that they are either not good debaters, or that they have a very poor subject. I think it must be hard for them, when the Government which they supported from 1873 to 1878, was compelled to come down to the House, year after year, with a deficit, amounting in the five years to \$7,000,000—I say after such a record it must be hard for them to stand up and criticise the speech of the hon. Finance Minister, who showed a surplus of \$8,000,000 in one year. For that reason I do not wonder that they seem to feel dissatisfied themselves with the speeches they have made. I think, Sir, that the business of the country should be carried on upon the same principle as a successful man would carry on a private business. I am a general merchant, and we will suppose I hire an accountant or overseer of my business for five years. At the end of the five years he shows that it has cost me to run the business, \$5,000 a year, but he has a surplus for the five years of \$10,000. Another gentleman comes along and says he can run my business better and more economically than the other, and believing him I engage him to do my business for the next five years. At the end of the next five years he shows that he has conducted my business for \$1,000 less a year than the other; but when I ask him to deduct liabilities from assets, he shows me that instead of being \$10,000 ahead I am \$7,000 behind. When we ask these hon. gentlemen to explain why they had a deficit of \$7,000,000, they say that they carried on the affairs of the country better than hon. gentlemen on this side, because their expenditure was less than that of the Conservative Government. I say that the same principle applies as in the case I have mentioned. One hon. gentleman on the other side, who spoke in French, but whose remarks were translated to me, said that if they went to the country to-day the people would send supporters of the Opposition to take the places of the Government. That must be very consoling to these hon. gentlemen. But there has been a little calculation of this matter showing that if in

future General Elections the Reformers gain at the same rate as they gained at the last, they will be able to come into power in just fifty-five years from the present time. I think that it is right that they should be in power once every fifty-five years; it is right that each generation should have five years' experience of their government in order that they should appreciate good government from those on this side of the House. I have had five years' experience of their government in my lifetime, and goodness knows I do not want any more of it. The only thing that troubles me now is the thought that my children will have to have five years' experience of it. The hon. member who criticised the speech of the hon. Finance Minister, read an article from the *Mail* newspaper, proving that wheat was worth less in 1879, after the National Policy, than it was in 1878, before the National Policy; and the argument of this hon. gentleman, from beginning to end, is that the National Policy has done the farmers no good. I propose to show that the National Policy has done the farmers good—that it has done them good in many instances, and that in none has it done them harm. With reference to the price of wheat. We always said that we knew that the markets of the Old Country governed the markets of Canada; but if the price of wheat ever happens to be lower in the United States than in Canada then the National Policy would do the farmers good, but if it is dearer we did not pretend to say that it would do them good. I propose to show that it has been dearer in Canada than in the United States since the National Policy. The hon. member for Brant quoted from the *Mail* newspaper, and he compared the 12th September, 1878, with the 11th September, 1879. On the 12th September, 1878, the price of fall wheat in Toronto was \$1.06 to \$1.10; No. 2, \$1.02 to \$1.03; spring No. 1, \$1.02 to \$1.02; No. 2, 97 cts. to 98 cts.; oats, 27 cts. to 28 cts.; barley, No. 1, \$1.05; and peas, 60 cts. to 70 cts. On the 11th September, 1879, the price, in Toronto, of fall wheat was \$1.02 to \$1.04; No. 2, \$1 to \$1.02; spring No. 1, 98 cts. to \$1; No. 2, 96 cts. to 97 cts.; oats, 31 cts. to 32 cts.; barley, 60 cts.; peas, 63 cts. to 65 cts. We find in the very same number of the *Mail*, that of the 11th September, 1879, after the National Policy was in force, that wheat, in the city of Toronto, was worth from \$1 to \$1.02, while the same kind was worth, in Chicago, 89 cts. Going farther back, and taking August the 11th, 1879, we find that wheat, in Toronto, was worth 98 cts., while the same kind was worth, in Chicago, 84½ cts. to 84¾ cts. Taking July 11th, 1879, we find that fall wheat was worth, in Toronto, \$1 to \$1.10, while, in Chicago, it was worth 90½ cts. to 90¾ cts., and in Detroit, \$1.02½. I know of my own knowledge that a company owning a mill in Windsor, opposite Detroit, would have gone to Detroit to buy wheat for the mill, but on account of the 15 cts. duty they had to stay at home; and they went down the lake thirty or forty miles and bought wheat for \$1.05 and paid the freight. I ask if that miller would not have gone to Detroit and paid out our money to the people of the United States, and allowed our farmers to either keep their wheat at home or take less for it if we had not had the National Policy. Suppose we had no National Policy, and wheat was down to 80 cts. a bushel; the farmer would sell his 100 bushels of wheat for \$80; he would take that money and pay it to the retail merchant, the retail merchant would send it to the wholesale merchant in the United States, the wholesale merchant in the United States would pay it to the United States manufacturer, the manufacturer would pay it out to the workingmen in his employ, and the workingmen would pay it to the farmers of the United States. So that but for the National Policy, the money would go to the United States, while we would be using American manufactured goods. But under this policy, if the farmer sells a 100 bushels of wheat for \$80, he pays the money to the retailer here, the retailer pays it to the wholesaler, the wholesaler pays it to

the manufacturer, the manufacturer pays it to the laboring men, and the laboring men pay it back again to the farmers of this country. That is the effect of the National Policy, and these hon. gentlemen cannot deny it. The hon. member for North Norfolk, last night, stated that he had looked carefully over the price of wheat since the National Policy had been in force, and that not in a single instance did he find that wheat was cheaper in the United States than it was in Canada. I say that five or six months after the National Policy came into force, wheat was cheaper in the United States than it was in Canada. There is another thing I happen to know something about, and that is dressed There is a duty of a \$1 per hundred on them. A little hogs, more than a year ago I sold hogs in Essex Centre, sixteen miles from Detroit, for from \$8.10 to \$8.15 per hundred, and sent them to the pork packers in Montreal, while at the same time the price in Detroit was from \$7.30 to \$7.40 per hundred. I would ask hon. gentlemen if that duty of a \$1 a hundred had not existed on dressed hogs, do they think the pork packers of Montreal would stop at a small village like Essex Centre and pay \$8.10 or \$8.15 per hundred, when they could go to Detroit, six miles further, and get them for \$7.30 or \$7.40? So we find that the Canadian farmer gets 60 cts. or 70 cts. per hundred more for his hogs than he would have got without the National Policy. The whole drift of the hon. gentleman's speech is that the National Policy has not been a benefit to the farmers. Has it not given the farmers of this country a market in Manitoba? The effect of this policy has been to bring money back into the same channels that it originally leaves. Suppose a man in Ontario sells his farm for \$5,000, and goes to the North-West and pays \$3,000 for the land; when he comes to stock that land, he takes \$2,000 and sends it back into the same channels that it comes from at first. What hon. gentlemen opposite want, is, that he should take his money to Manitoba, and that when he wants to stock his farm he should send his money into the United States; but that is not the policy of the Conservative party. Suppose a man buys a horse in this country, and pays \$100 for it, that \$100 circulates in the Province of Ontario. Suppose he takes that horse to Manitoba and sells it for \$150, and, after paying expenses, has a profit of \$20 or \$25. If we had not that policy, instead of coming to this country for their horses, the farmers of Manitoba would go to Minnesota or Dakota. That would satisfy hon. gentlemen opposite. So the National Policy is not only a benefit to the farmer, but the man who makes his profit of \$20 or \$25 pays that to a tailor for a suit of clothes; the tailor pays his butcher's bills; the butcher pays his blacksmith, and so the money is circulated throughout the country. But hon. gentlemen opposite want the money to go to the United States and circulate it amongst the tailors and manufacturers of that country. The National Policy has also done this country a great deal of good in reference to harness, and so forth. I was in Toronto last winter, and I went to a harness manufacturer to get a bridle. He did not know who I was, and I did not know who he was. He said to me: "My Reform leaders told me that the National Policy would not be a good thing for this country; but I did not know them then as well as I do now, and I voted for the Reform party; but since then I have found that I was mistaken. This very day a gentleman from Manitoba came in and left an order for harness, for which he paid me \$1,200 in cash." This gentleman employed some thirty hands, and he paid that money to them in wages, and they boarded on the farmers of this country. Is not that a benefit to the country? Hon. gentlemen opposite would prefer to have that \$1,200 paid to the United States to circulate among the farmers there, instead of among our own farmers. I was going along a road a short time ago, and I saw a sign-board on which was painted: "Cash paid for wheat," and a hand was pointing down the road. I looked down, and I saw the

burnt ruins of a mill that had been there about fifteen years before; but that sign-board remained, although not a bushel had been purchased during that period, and the mill had been burnt down for fifteen years. Such, I thought, was the Reform party. They have been advocating reforms since Confederation, but, like the old finger-board, they are pointing to the reforms without carrying them out. The people of this country have also been benefited by the National Policy in the article of nails. On the 18th of February, 1880, nails in the city of Detroit were worth \$5.35 a keg, less 2 per cent. for cash, which made the price \$5.24 per keg for cash. On the 9th of the same month they were quoted by Benny, MacPherson & Co., Montreal, at \$3.50 per keg, less 5 per cent. for cash, which made the price \$3.33 for cash. So we find that, in February, 1880, nails were \$3.30 per keg in this country, under the National Policy, and \$5.24 per keg in the United States. Now, suppose we had no National Policy, we would have been compelled to depend upon the United States for our nails, as we did before, and would have had to pay \$5.24 per keg, and 17½ per cent. duty in addition, which would amount to \$6.16 per keg. That would make a difference to us of \$2.62 per keg. Now, why was it that nails were \$5.24 in the United States and only \$3.33 in this country? Because the manufacturer of nails in the United States made a corner in nails, and put up the price. Well, Sir, the manufacturers of nails in the United States can corner the Yankees, but not the Canadians any more, for we are making our own nails. That is the answer to that. I have been in the general mercantile business for the last eighteen years, dealing in all kinds of goods manufactured in this country, and I defy any hon. gentleman in this House, whether a merchant or not, to prove that a single article used by the mass of the people here is any dearer than it was before the National Policy. Ready-made clothing is cheaper to-day than at any time since Confederation, so are boots and shoes—and the farmers get as much for the hides as they ever did—so are clothes, and better as well; and we have the fact that in our own country we manufacture our wool which we grow in the country. These facts account for some of the success under the National Policy. Hon. gentlemen opposite say that because 30 or 40 per cent. duty is charged on cloth imported from the United States, we have to pay that much more for it. Such is not the case. The duty was put on, not for the purpose of making our people pay it, but for the purpose of keeping American shoddy out of the country and giving our own manufacturers a chance to manufacture our own wool. A man can buy 100 lbs. of our own wool for \$25, take it to the manufacturer and have it made up for 40 cts., making a total of 65 cts. for a yard of cloth containing a pound of good long wool in it. I believe to-day that if party were left out of the question there would not be 500 people in this Dominion who would not be Protectionists. These gentlemen got on the wrong string of the bow, and the people told them to skip out of office, that they wanted men who would look after their interests. They saw that the Liberal Conservative party was the party which looked after the interests of the country. They adopted the principles of that party, and are bound to keep them up for at least the next fifty-five years. I do not propose to take up the time of this House any longer than necessary; but, before I speak on the tobacco question, I wish to refer to a statement made by the hon. member for West Middlesex the other day. That hon. gentleman said that the hon. Finance Minister, in replying to some remarks about 40 per cent. duty on blankets going into the North-West, said: "Oh, but we allow sausage skins to come in free;" and the hon. member for Middlesex proceeded to say that the people of the North-West had to pay 40 per cent. more for blankets on account of the National Policy. No business man would argue in that way. The wool is grown, manufactured, and sold here. Forty per cent. on a blanket

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that costs 50 cts. per lb., means 20 cts. per lb. Does the hon. gentleman mean to say that the people pay 20 cts. per lb. more for blankets than they did previous to the National Policy? They can buy blankets for 52½ cts. per lb., not of the best quality, and pure wool blankets at 60 cts. per lb.; the wool is grown and manufactured in our own country without a single cent of duty being paid on it, while the blankets imported from the Old Country are made out of short poor shoddy wool. Gentlemen in the riding I represent, have told the farmers that they had to pay 40 per cent. more for shirting than before. Well, when one large merchant, who was a strong Reformer, was telling that at a meeting in South Essex, one of the farmers present said: "You can tell that, but you cannot make me believe it. I used to pay 22 cts. per yard for the kind of shirting I have on, before the National Policy, but now I get it for 18 cts. You cannot make me believe that I pay 10 cts. per yard more for it now, because I buy and pay for it myself, and know exactly what I pay for it." These hon. gentlemen argue that the poor man has to pay more on account of the National Policy. I say he does not, and can prove what I say. The more factories we have the less we will have to pay for our manufactured goods. These hon. gentlemen point at the United States, and say: "Look at the manufactured goods we bring from there." What better evidence could you have to prove that the National Policy is a good thing, than to refer to a country where they have had a National Policy for years—a policy which has brought them to where they are. When hon. gentlemen opposite were in power, they sent the hon. George Brown to Washington, at an expense to the country of \$6,000, in order to bring about a Reciprocity Treaty with the United States. What was the reply? The people there replied, in so many words: We had a Reciprocity Treaty with you at one time but we abrogated it, and we do not want any more Reciprocity Treaty, because we have adopted a Protective policy, and are looking out for our own people and our own manufacturers. Tell the Reform party we are looking out for ourselves, and when we want a Reciprocity Treaty we will let you know. The right hon. leader of the Government, who was then in Opposition, tried to induce hon. gentlemen opposite to bring down a Protective policy, but what was their answer? They said: "We are only flies on the wheel," and if we attempted to bring one down, the people of the United States would retaliate. They were flies on the wheel, and were like all other flies. You have a small sore on the end of your little finger, let a fly light on your hand, and he will find out the sore spot, and others will follow, not for the purpose of assisting to cure it, but to make it a larger sore—exactly like the flies on the other side. If they find a sore spot on the National Policy, they pounce on it, not for the purpose of assisting to heal it, but to make it worse. The people of this country, however, have found out the tactics of hon. gentlemen opposite, and every time they come before them, say: We will elect you to take your seat in the Opposition; you are natural born Oppositionists, and not meant naturally to take the reins of Government. And the people will carry that plan out at least for the next fifty-five years. I wish now to make a few remarks with reference to tobacco. According to the Census Returns, 399,870 lbs. were grown in Ontario in 1871, and 169,280 lbs. in 1881—a decrease of over 100 per cent. In the Province of Quebec, 1,195,345 lbs. were grown in 1871, and 2,356,581 lbs. in 1881, an increase of 100 per cent. If in Ontario the growth of tobacco decreased on an average of 10 per cent. a year, while in Quebec in the same period it increased 10 per cent., there must be some reason for it. In Ontario, especially in the south-western portion where we grow grapes and peaches equal to any grown in the Southern States, and corn as much to the acre and better, there must have been something wrong, or the growth of tobacco would

not have decreased in Ontario and increased in Quebec. How do we account for it? We find there was a duty put on tobacco of 4 cts. per lb. In Ontario the Inland Revenue officer followed the seed to the field where it was sown, and then followed the plant from the field to the bonded warehouse, where the purchaser could only look at it through the cracks from outside. There was too much red-tapeism about it, so the farmers made up their minds it was not worth the trouble to raise it. That was the cause of the decrease in growth in Ontario. But it will be asked how came the growth to be increased 100 per cent. in Quebec, where the law was the same. There, however, the law was not carried out, and I do not blame the farmers for evading it, nor the officers for not seeing that it was carried out, because otherwise they would have had to stop the growth in Quebec as they did in Ontario. We find that, in Quebec, 2,000,000 lbs. were grown in 1831, and that the duty collected amounted only to \$15,128, or a little over the duty on 300,000 lbs., so that about 2,000,000 lbs. in 1882, and the same amount in 1881, paid no duty at all. I would then draw the attention of the Minister to this point: that when this new law is brought down, it should be simplified, so that the people of Ontario and Quebec will be able to grow tobacco, and I am satisfied the country then will be in a better shape in five years from now. I think I could propose a change which would be better than that proposed by the hon. Finance Minister. In 1879, there was a duty in the United States of 24 cts. per lb., which was reduced to 16 cts. Our Government reduced the Excise duty to 20 cts. on American leaf and 8 cts. on Canadian leaf manufactured, making a difference of 12 cts. between the two. In 1882, an Act was passed imposing a duty of 8 cts. per lb. for two years on Canadian leaf manufactured, and after that 10 cts., so that there would be a difference of 12 cts. for the first two years and 10 cts. after that. It was also made law that Canada leaf tobacco could not be manufactured in a factory where American leaf was manufactured, in order that factories might be established for the manufacture of Canadian leaf only. Under that law only one factory was established in the Dominion. It would have been better if the duty had been 12 cts. per lb. on American leaf tobacco, with Canada leaf allowed to go free, at least for one year from next July, in order that the difference of 12 cts. might be kept up until the time those gentlemen supposed it would be equivalent to 12 cts. per lb. Protection, and after that charge the Excise at 10 cts. I believe it would be better if a duty of 10 cts. per lb. were charged on American leaf tobacco brought into this country, and 2 cts. on all manufactured tobacco, and allow Canada leaf to be manufactured in the same factories with American leaf. Instead, then, of having only one factory to take Canadian leaf, all the factories would use it. But I am perfectly willing a trial should be given to the law as it stands. I believe we can grow as good tobacco in Western Ontario—especially in the county of Essex, where we have such a good climate, and where the frosts leaves the ground at least two weeks earlier in the spring and returns two weeks later than in any other part—as that grown in the Southern States. In the course of two or three years, protected as we are now, I believe we shall be able to show as good tobacco grown in Essex, as that grown in the Southern States. I believe that the desire of the Government is to do what they think best for the people of our own country with reference to the growing of it, and I hope that the regulations will be simplified so that the farmer can grow it without so much restriction. I have now, on the strength of this change, got seed which is particularly adapted to this climate, and enough of it to plant 300 acres in the part of the country which I represent; and I hope that in less than five years from now, before my time will have expired in this House, I can bring tobacco here and show to the hon. members here in this House something that cannot be excelled

even in the United States. I have nothing more to say on this question. I hope everything will come out as we expect; and I would just say that, so long as the hon. gentlemen at present sitting on the Treasury benches carry on the affairs of the country in the future as they have done in the past, I believe the youngest child on the earth will never live to be old enough to see them out of power.

Mr. McMILLAN (South Huron). I cannot allow this opportunity to pass without making a few remarks on this question, and what I shall say will be partly from a farmer's stand-point. I am convinced that the farmers of Canada have suffered more than any other class from this National Policy, and that they have paid the greatest amount of taxes without receiving any corresponding benefit. I cannot allow the remarks of the hon. gentleman who has just taken his seat to pass entirely without remark. We are told that a great many hon. members of the Opposition are prophets in their own way; the hon. gentleman ventured to indulge in prophecy, and the last thing he said was that the National Policy was such a great blessing to Canada that the present Government would remain in office for fifty years to come. Well, Sir, we read in that good book which we all revere, that in these latter times many false prophets will arise. The hon. gentleman also referred to the respective prices of wheat in Chicago and Toronto. I have also a few remarks to make on that point, as I have prepared a table of prices in those two cities. The quotations which the hon. gentleman made did not include the whole period of the Government of the hon. Alexander Mackenzie, neither does it take in the whole period of the present Government. I shall now proceed to read the prices, in Toronto, of several articles grown in the Province of Ontario, taken from the *Toronto Mail* on the 20th October, for the years 1874, 1875, 1876, 1877 and 1878. I find that the average price of wheat during those years was \$1.08 per bushel, that is during the rule of the Reform Government. I find that oats was 38 cts. per bushel, on an average during those five years; barley was 88 cts. per bushel; a ton of hay, \$17.75; straw, per ton, \$13.50; wool, per lb., 27 cents; hogs dressed, per 100 lbs., \$1.75; eggs per dozen, 20½ cents, making on the whole for these several articles in the market of Toronto during the rule of the hon. Alexander Mackenzie, \$10.87. Now, let us see what was paid during the four years of the rule of the present Government, in the same market in Toronto, and on the same days of the same month. We find that in the years 1879, 1880, 1881 and 1882, the average price of a bushel of wheat was \$1.27; a bushel of oats, 38½ cts.; a bushel of barley, 77 cts.; a ton of hay, \$13; a ton of straw, \$9; wool per lb., 2½ cts.; dressed hogs, per 100 lbs., \$7.44; eggs, per dozen, 21 cts., making a total of \$32.20, or the sum of \$8.57 less received by the farmers of Canada in the Toronto markets during the last four years of the present Government, than they received during the five years of the hon. Alexander Mackenzie's Administration. Yet they tell us that the farmers have been benefited by the National Policy. Then let us take it during the summer months in the same manner, and you will find that on the 20th June, in each of these years, 1874, 1875, 1876, 1877 and 1878, a bushel of wheat in Toronto cost \$1.21; a bushel of oats, 45 cts.; a bushel of barley, 62½ cts.; a ton of hay, \$17.30; a ton of straw, \$11.40; a pound of wool, 32½ cts., making in all \$30.31 for those articles that the farmer received during the rule of the hon. Alexander Mackenzie. Then we find that in 1879, 1880, 1881 and 1882 also on the 20th June, the price of wheat was \$1.15; oats, 42½ cts.; barley, 62½ cts.; a ton of hay, \$12.66; a ton of straw, \$7.44; a pound of wool, 25½ cts. giving in all \$22.55, during the four years that hon. gentlemen opposite have held the reins of power, or a difference in favor of the Government of the hon. Alexander Mackenzie, upon these six articles, of \$8.76. Yet the hon. gentleman tells us that the farmer has

been benefited by the National Policy. Now, let me attempt to make another comparison. Let me take the year 1877, and see what wheat was worth in Chicago and in Toronto on the 24th September. We find that in Chicago on that day wheat was worth \$1.13 per bushel, while in Toronto on the same day, it was \$1.23, or 10 cts. more in Toronto than in Chicago. Then we will take the price of wheat on the 17th March, 1883—and that is coming down almost as close to the present as I could get the record—we find that, in Chicago it was worth \$1.06, while in Toronto it was \$1.05, making a difference again of 11 cts. per bushel in favor of the Mackenzie Government as compared with the present Government. We also find that oats in Chicago, on the 24th September, 1877, were worth 24 cts. a bushel; in Toronto, on the same day, the price was 35 cts., a difference of 11 cts. in favor of Toronto. We find that, in March, 1877, oats were worth 43 cts. in Chicago, and in Toronto 46 cts., making a rise in oats of 8 cts. per bushel as between Chicago and Toronto during the time that hon. gentlemen opposite have held the reins of power. That is the way the farmers of this country have been benefited by the National Policy. I, as a farmer, ask if it is not the National Policy that has brought about this difference in prices between Chicago and Toronto. What is it? I hold that it is the policy of hon. gentlemen opposite that has made the difference; and I will again attempt to prove it by arguments from another source. We were told that, if it was not for the National Policy, the Canadian farmer would be selling his wheat to the American buyer for a less price than he can get for it in the English market to-day. Let us examine, for a moment, what are the facts. I will take the year 1877. We find there was exported from the Dominion of Canada 1,697,968 bushels of oats at 36 cts., we imported 3,996,156 bushels at 41½ cts., and that was a gain on oats brought into the Dominion from the United States of \$93,388. There was of corn imported 8,260,039 bushels at 51½ cts. per bushel; there was exported 4,833,174 bushels at 63 cts. per bushel, leaving a gain of \$465,565. There was of barley imported 3,684,260 bushels, at 50½ cts.; there was exported 6,587,180 bushels, realizing a gain of \$78,290. There was imported of barrels of flour 549,063 barrels, at \$5.39; there were exported 276,439 barrels, at \$5.51½, leaving a gain of \$34,554. When all the different articles are considered it will be found that there was a gain of over \$1,000,000 to the trade of Canada. But what do we find was the case in 1881 and 1882? We find that over 2,000,000 bushels of wheat were imported into Canada, for which \$1.14 was paid, and for which we received only \$1.11 per bushel, when exported, thereby showing that our business had been destroyed by the National Policy. I desire to refer briefly to some remarks made by the hon. member who preceded me. He went on to show that in Ontario we had entered into the manufacture of tobacco, and pointed out that the condition of the business in Ontario was not satisfactory, because the Excise officers strictly carried out the law, while the business was prosperous in the Province of Quebec, because the officers there did not carry out the law and collect the duty, and the hon. gentleman did not blame them for it. These are the tactics of hon. gentlemen opposite; when it serves their purpose to invoke the law they do it, but when it does not do so, they think it proper to set the law at defiance. The hon. Finance Minister, in his speech the other day, admitted that wherever the duties were excessive it was incumbent upon the Government to watch very carefully the different countries, thereby conceding that we were not able to have an independent policy,\* but were obliged to be guided by the policy of the United States. In this connection I desire to read a statement made by Secretary Blaine at a Conference in 1881, in regard to cotton goods. He said:

"In one year 24,000,000 yards of cotton were exported from the United States into Canada, and that 19,000,000 yards was smuggled, and that on only 5,000,000 yards duty was paid."

Mr. McMILLAN (Huron).

Such is the effect of the National Policy; and while the consuming community has to pay an increased price the duty collectable does not go into the Treasury, or into the hands of the manufacturers, but into the pockets of a band of men who set the laws at defiance. I wish to say a few words with regard to what the farmers of the country were led to expect from the National Policy; and before doing so I will refer to what has been said by those in power, especially by the hon. leader of the present Government while leader of the Opposition before the Election of 1878. At Parkhill he said:

"If the Conservative party carried out the policy laid down in this resolution the present state of depression would disappear. Instead of having to send to a foreign country for so many of our goods, we would have our clothing made out of wool of our own production, and our shoes out of our own leather. \* \* \* Returning to the trade question he expressed the opinion if the Conservatives gained a majority there would be a return of confidence at once, and even before a new Tariff could be introduced, the manufacturers would have such hopes for the future that they would be employing more men, circulating money and increasing their business, all of which would reflect beneficially on the farming community."

It was proved, the other day, by the hon. member for Brant, that within a few days of one year after the Elections of 1878 had been in force the price of almost all kinds of farm produce had fallen in Canada, and the predictions of the hon. First Minister had therefore not been realized. I was very much surprised yesterday at hearing an hon. gentleman opposite, who occupies a leading position in the party, declaring that within a month after the policy had been adopted, times improved. The hon. gentleman drew a very good comparison from his stand-point, and I will draw a comparison from my stand-point. If you call in a doctor to attend a member of your family, said the hon. gentleman, you would not expect the sick man to be relieved of his trouble at once. But if a medical man tells a member of your family, who is sick, that he knows the disease from which he is suffering, and that he has a medicine which acts as a specific, and that even before the sick person partakes of it, but simply smells it, he will improve—if, after not only smelling that medicine, but taking it for a long period, the disease is not removed but is increased, then, I say, you would declare the doctor to be a quack. I heard the same hon. gentleman congratulate the hon. Finance Minister on his being able to go to a foreign country and obtain a loan. That hon. and learned gentleman passed high eulogiums on the hon. Finance Minister; and yet, Sir, I was astonished when I found him passing such high eulogiums on the hon. Finance Minister for the manner in which he handled the finances of this country. Then, Sir, what do we find? How is this large amount of money paid? Why, we find that, in 1881-82, more money was taken out of the pockets of the people of the Dominion of Canada in taxation, to the extent of \$9,707,108.26, than 1877-78. That, Sir, is an easy way of raising the revenue of the country—imposing a Tariff which places in the hands of the hon. Finance Minister \$6,300,000 of a surplus. What do we find again, Sir? That one important factor in preventing him going to a foreign market for money was the very large amount of money which had been placed in the savings banks of Canada by the free will of the people, who deposited this money in the hands of the Government. The very large amount of \$13,271,648 was placed in the savings banks from 1877-78 down to 1881-82; and what is the difference, if the hon. Finance Minister does not go into a foreign market to effect a loan, so long as this country is indebted to its own people. This only shows, Sir, that the Government is taking credit to themselves for funds which really belonged to our own people, and which they may be called upon within a week at any time to refund to the people. Then, Sir, I was just as much surprised to hear that gentleman go on and criticise the actions of the Government of the hon. Alexander Mackenzie during the five years they held the reins of power. He said he was willing to give

them credit for a reduction in the expenditure, provided that they had nursed our infant industries and properly fostered those interests; but, Sir, the hon. gentleman admitted that with the present increase in importation of goods the Tariff of 17½ per cent. would have very largely increased the revenue, and he did not venture to assert that 17½ per cent. would not have been sufficient for all the requirements of the country in 1831-82. He forgot, however, in that connection, to tell us that after the harvest of 1876, when the farmers throughout the length and breadth of Canada had threshed their grain, and had begun to see what was to be the result, we would have had an actual famine if we had not had the United States market to go across to and purchase breadstuffs to the amount of \$3,430,426. He forgot to tell us that this was one of the great causes of that depression which swept over the country. He certainly did not mean, by fostering our industries, that the Government was to take money out of the public chest and put it in the pockets of the farmers of the Dominion of Canada, to enable them to go ahead, and our merchants to purchase goods in order that the revenue might be increased. At this point, I will just take the opportunity of saying that this National Policy is one of the strangest policies that was ever inaugurated in any country. We also find that hon. gentlemen opposite considered a lowering of the Tariff to be a great blessing to the people. Do you all remember when the mouthpiece of the party opposite, the *Mail*, came out and boasted we were getting cheap breakfast tea and coffee, and said that it was a national blessing; and yet we are told, on the other hand, that it was a national blessing to the Dominion of Canada that the National Policy was introduced. But I would ask every farmer in this Chamber, and in the Dominion of Canada, whether it is really a great blessing to the country? What are the blessings which we receive from it? Under the Government of the hon. Alexander Mackenzie, farming implements came into the country free; and the present Government has imposed a duty of 35 per cent. on this class of goods. In one instance, the hon. Finance Minister, when laying his scheme before the House, stated that agents who were accustomed to sell Canadian goods, had left their employment because the Americans were offering the same description of goods at the same prices, showing conclusively that it was the consumer who paid the duty in this case. I ask, what benefit has been conferred on the farmer, to repay him for the large amount of duty which he has to pay on his agricultural implements? I hold, Sir, as agriculture lies at the foundation of the prosperity of this nation, as well as of every other nation, that this is one of the industries which ought particularly to be protected, and to be placed on an equal footing—and that is all we ask—with every other industry in the country. I hold that as the hon. Finance Minister has a very large amount of money on hand—\$6,300,000—and as he has introduced the system of bounties, giving a bounty to the manufacturer of iron of \$1.50 a ton for the first three years, and \$1 a ton after the expiration of that period, it is certainly his duty, in justice to the farmers of the Dominion of Canada, seeing that their promises have not been fulfilled to us, to give a bounty of 10 cts. on every bushel of wheat brought into the market, and 10 per cent. on every article that our farmers sell. But there is one element wanting, and that is that the farmers are not sufficiently importunate. I find that all the changes in the Tariff are brought about by individuals who feel themselves interested, and who send delegations to Ottawa to wait on the hon. Finance Minister in the rooms andobbies of the House, and get the changes they want effected. I hope, Sir, that the farmers of the Dominion of Canada will see their way clear next year to do this also. I hold that after the last harvest, when wheat came down from \$1.25 to 83 cts. a bushel, the farmers of Canada found that

this Tariff or no other Tariff which could be imposed would keep up the price of goods; and I say that more than one good Conservative stated that they had been deceived by the present Government, as to the effects of the National Policy upon the farmers, and that the statements made by the leaders of the Reform party, and its rank and file, during the campaigns of 1878 and 1882, had been verified. But why should wheat go down in Canada? Because all the wheat growing countries of the world had wheat to sell, and whenever this takes place, wheat will be cheap in Canada. We have shown that our farmers have not received as much for their hay, straw, pork, eggs and other commodities under the rule of the present Government as under the rule of the hon. Alexander Mackenzie. Now, let us enquire whether or not other lines of goods are unduly taxed for the farmer by the policy of the present Government than the goods consumed by the more wealthy classes. We will take the article of cloth, such as coarse tweeds and blankets, coarse woollens, which pay a duty of 45 per cent. I was astonished at the hon. gentleman opposite, when he stated that this class of goods was not increased in price by the present Tariff. I have a near relation who is in business, and who goes to the Old Country to purchase these goods; and I have a letter from him, written since I came to Ottawa, in reply to my enquiries. He tells me that the duty he pays upon coarse fabrics is 45 to 46 per cent., while the finest broadcloths imported pay only 23 per cent., and I hold that it is the duty of the Government, in imposing a Tariff—if it be a high Tariff—to impose the duties at least in the same proportion on the different classes of goods, according to the abilities of purchasers to pay. Will he tell me that laborers and farmers are more able to pay 46 per cent. than the wealthy man, who wears broadcloth, is able to pay the same duty? In this connection I will just say that the hon. Finance Minister informed us that, on this description of goods, the increase in the revenue was some \$1,890,000, and that this class of goods might fairly be considered luxuries, not necessaries of life. I just thought to myself, Sir, that if hon. gentlemen had been going to increase the Tariff in any direction, they should certainly have put it on the class of goods which the wealthy classes eat and wear, and that they would not impose them upon the goods consumed by the working man and the farmer, who has, by the sweat of his brow, to extract his living from mother earth. But I find that he has to pay 46 per cent. as compared with the wealthy gentlemen who wear broadcloth and who pay only 23 per cent. Then, Sir, we have flannels, plain and checked, which pay 30 per cent. That is a class of goods largely worn both by workmen and farmers, and what do we find? We find that the workmen and the farmers have to pay exactly the same as my lady who buys a silk dress; and I would ask if that is a Tariff which does justice to all classes of the community? Hon. gentlemen may ask why find fault because the working man and the farmer pay the same rate of duties on his flannels that the lady does for her silks. But the reason I find fault is, that as there is no real wealth but what is taken out of the field, the forest, the mine, and the sea, I hold that the men who really create this wealth should not be discriminated against in any Tariff, but if there is to be discrimination at all it should be in favor of the class who perform the manual labor of the country. One hon. gentleman opposite asked what benefit would the farmers derive if a duty were imposed on wool of the class which comes into the country. I answer that of the class of wool which the farmers produce here there are 1,053,305 lbs. exported from Canada—a fact which is certainly of interest to the farmers, who produce the wool. I would ask if the Government is fulfilling the promise which was made by the hon. First Minister in his famous speech in Parkhill on the 3rd of June, 1878, when he said that if hon. gentlemen opposite came in power,

not only would all the industries be in a thriving condition, but all our own wool would be manufactured in our own country. We, as the farmers of the Dominion, hold that that promise has not been fulfilled; and I ask in what position does that place the hon. gentleman who made that statement? Taking him on his own line of argument, I find in *Hansard* of 1879, vol. i. page 23, that the hon. member who now leads the Government made the following statement:—

"Nobody more agrees with the hon. member for Lambton than myself in the statement he made on a celebrated occasion, that the man who makes a promise and propounds a policy, and fails to act upon it when in the Government, is little better than a demagogue. I will accept the name if we do not carry out, while in office, the pledges and promises we held out to the country in Opposition."

I hold that those promises and pledges have not been carried out to the agriculturists of the country; and although we have heard many assertions, we have not heard a plain statement by hon. gentlemen opposite showing where farmers have derived any benefit from this policy. I hold that the Tariff bears more heavily upon the agricultural community than upon any other class, and that they, as a class, have more reason to feel aggrieved than any other. Hon. gentlemen opposite say that this policy has raised the price of labor. We will grant for the sake of argument that it does, though I do not admit it; but if it has raised the price of labor it has also raised the price of agricultural implements, which are used by the farmer, and it has raised the price of all we consume apart from what we produce on our farms. It has also raised the price of labor, and cheap labor is one of the elements of a farmer's success. I contend that the hon. the First Minister announced his own doom when he used the epithet I have quoted; and all that that epithet implies may be applied to him on the present occasion. The only wealth which can be raised is that which comes from the forest, the mine, the fisheries, and the field; and a Government which would impose a duty on the first necessities of the farmer, who extracts his wealth from the soil, is a Government which does not attend to the first interests of the country. We were told by the hon. Finance Minister that \$550,000 was to be set apart during the present year for the purpose of immigration and colonization; and while we are paying out this money with the one hand, we are, with the other, increasing the duty 10 per cent. on agricultural implements which go into that North-West, and which will be so largely required by the farmers and settlers. The hon. gentleman, while he is paying a large bonus to get settlers into that country, is putting on such a high rate of taxation that he is driving them out, and in many cases driving them into another country where they can get cheap land and cheap goods. Let me tell him that his policy is already bearing fruit in the Province of Ontario. During the last Recess of Parliament, I went home to my county, and while I was there I met the assessor of my own township, who has assessed it for the last six years. We went all over the old assessment rolls for the last five years, and we found that no less than 220 individuals had left that township with a view of settling in the North-West. Why do not hon. gentlemen opposite lift up their voices and tell the Government that if they wish to settle that country, which is said to be the finest country that ever the sun shone on, we must foster, not only the industries of that country, but the settlers of that country. It is said that 70,000 yards of duck were brought into the Lower Provinces, at a 5 per cent. duty, to make sails for vessels, but it found its way up to the North-West to make tents, and the settlers there, instead of getting it for 5 per cent., had to pay 20 per cent. duty upon it. The whole policy of the Government tends to take the money out of the hands of the people and to drive people out of the country; and I tell them that the time is close at hand when the farmers of this country will rise in their might

Mr. McMILLAN (Huron).

and demand justice. They know very well that the promises made to them with regard to the price of grain have not been realized, and that we had higher prices for our grain before the policy of the Government was introduced than we have had since. What caused our prosperity? It was not the Government, but a benign Providence that caused the sun to shine, the genial shower to descend, and the earth to bear her fruits in abundance in this Dominion of Canada. It was also Providence that, in His wisdom withheld that sunshine on the other side of the Atlantic, and instead of genial showers, gave the British farmers torrents of rain, causing a failure in their crops, to the advantage of the people of Canada, although we cannot help sympathizing with the people of that country in the hardships they have suffered under the unfavorable circumstances in which they have been placed. I did not intend saying anything on the National Policy, but I could not let this opportunity pass of showing its real effects on the farming community. I will now close by repeating a conversation that took place between a merchant and a farmer. The farmer called on the merchant and asked to be shown some Canadian tweeds. The merchant showed them to him. The farmer then asked to be shown some Scotch tweed, which the merchant went to buy in Scotland every year. He was shown them, and asked: "Do you sell many of these tweeds?" "Yes," "How does that come?" asked the farmer. "Sir John and the other members of the Government tell us that the duty is not paid by the people of Canada. Now, you go to the Old Country, and, besides incurring an amount of expenses, you have to pay a duty of 34 or 35 per cent. on the goods you import." "Yes," said the merchant, "that is true." "Well, who pays that duty?" asked the farmer. The merchant replied: "You, sir, and everybody who buys my goods." Here are American goods and Canadian goods, and the farmer—who, after all, is not a bad judge of goods—takes that class which is the cheapest and most suitable for him. "Well," said the farmer, "I cannot understand that. We have been told that the goods are no dearer because of the duty." "Do you know," said the merchant, "that there is a man in the United States named Barnum, who said that the American people were willing to be humbugged and to pay for it? He showed them a woolly horse, and the people of the United States were humbugged by that woolly horse, and they liked it. Well, the woolly horse in Canada is the National Policy, and no people have been more humbugged by any fraud than the people of Canada have been humbugged by that National Policy."

Mr. WOOD (Westmoreland). Mr. Speaker: I intend to occupy the time of the House but a very short time, and I shall not make any reference to that particular branch of subject which has just been under discussion. The influence of the present Tariff upon many of our articles of commerce has been very fully discussed. The policy of the Government has been considered from various stand-points. This afternoon it was considered from the Ontario stand-point. In my present remarks I propose to view it from the New Brunswick stand-point. In that connection I regard it as of the first importance to bear in mind the relations of the Maritime Provinces to the other Provinces of the Dominion, and certain prominent facts regarding some of the principal interests of the Maritime Provinces. It is well known that, in the past, one of the most important industries of those Provinces has been the shipbuilding industry. The hon. member for West Middlesex called our attention to the fact that the number and tonnage of the vessels registered in this Dominion had decreased since the year 1879, and also to the fact that previous to that year there had been some slight increase; and I assumed that he intended to convey the impression to the House that the decrease was due to the operation of the National Policy. I understand that the hon. member for King's, in his

speech last night, although I was not present to hear it, explained the circumstances under which this decrease took place—that the decrease in the number and tonnage of the vessels owned in the Dominion was due to the decrease of shipbuilding in the Dominion, and that the decrease of shipbuilding took place principally between the years 1874 and 1879, and that the decrease has since continued, but in a much less rapid ratio. A reference to the report of the Minister of Marine and Fisheries will show that, in 1874, the vessels built in the Provinces of Nova Scotia and New Brunswick numbered 274, with a tonnage of 126,507 tons; that, in 1875, the vessels built numbered 242, with a tonnage of 100,589 tons; and so on down to 1879, when there were 169 vessels built, with a tonnage of 58,275 tons, and to 1882, when there were 183 vessels built, with a tonnage of 43,531 tons; a decrease in those eight years of upwards of 65 per cent. Now, in connection with this subject, I wish to draw attention, not merely to the fact that a decrease has taken place, but to the fact that we may expect that decrease to be of a permanent character. It is evident to any one at all familiar with the shipbuilding interest, that the swift steamers of the present time are fast superseding the slow sailing ships of former years. The great improvements which have been made in recent years in steam navigation, the great saving of time, effected the greater security of goods in transit, and the enormous reduction in freights, place steamers to-day almost beyond the reach of sailing vessels as competitors for the traffic of the ocean. It is true that there are certain services, such as the coasting trade and long ocean voyages, in which sailing vessels have still some advantages. It is true also that there are some classes of freight which are at present, and must be for some time to come, largely carried by sailing vessels. There are, moreover, certain ports from which, for special reasons, steamers are largely or entirely excluded. But any one who has given the subject even a superficial study must be convinced that the time is coming, and is not far distant, when ocean steamships will as fully monopolize the freight traffic between all principal sea-ports as they now monopolize the passenger traffic of the western ocean. Then, in reference to another great interest, the lumbering interests of the Maritime Provinces. What do we find? On referring to the Trade and Navigation Returns, that, although there has been some increase in the export of lumber for the last year, yet for several years preceding there was no marked or material change. It is well known this industry is at present one of the most important of the Maritime Provinces, and that it will continue to hold that position for some years to come; but I wish to draw the attention of the House to this point in connection with this subject. The timber lands in the Provinces of New Brunswick and Nova Scotia are now nearly all taken up, and that the manufacturers of lumber in those Provinces find the area of their operations circumscribed. That this industry affords no more room for expansion, and that its power to attract capital and labor must, in the future, gradually diminish. With these facts before us, realizing, as we must, that the great shipbuilding industry of the past is rapidly declining; that the lumbering industry has reached or nearly reached the full measure of its development, and that these have been the industries upon which our people have principally depended in the past, this question presents itself for our consideration: how are we to supply the want which the decline of these industries must create? Where are we to turn in the future to look for investment for accumulating capital, and for employment for our increasing population? You may point to our agricultural resources; to the wealth of our mines and minerals, to our extensive and valuable fisheries; but will any hon. gentleman presume to assert that these industries, rich though they be, afford sufficient room for future growth and development to enable us to keep pace with the rest of the

Dominion? It is evident such cannot be the case. It is evident that if we are obliged to confine our energies to these alone, we may well look forward to the future with anxiety, and distrust and fear for those coming days of depression that now disturb the dreams and haunt the lives of hon. gentlemen opposite. But when we can look forward to the establishment and growth of manufacturing industries the scene changes and the prospect brightens, and it is here we find the true relation that should exist between the people of the Eastern Provinces and those of the great agricultural districts of the West. We are now in a position which indicates we should become a manufacturing people. Situated upon the sea shore, we are enabled to procure raw material from foreign countries on the most favorable terms. We have in our great coal fields an unlimited supply of cheap fuel; we have a healthy climate and an industrious population, ready and willing to work if they can receive fair remuneration for their labor; and we have in the West a great growing market for manufactured goods. It is when we are placed in a position in which we can avail ourselves of these advantages and make the most of the resources under our control, that we feel our growth will be commensurate with the growth of the rest of the Dominion. How will the establishment of factories affect the other great interests of the country to which I have referred. It is clear they must give rise to manufacturing towns and villages, and these must aid in the development of our coal mines by increasing the consumption of coal. It is clear that the people who labor in those factories and work those mines must create an increased demand for products of the garden, the dairy, and the field, and to some extent at least, to enhance the value of the agricultural districts of those Provinces. But, Sir, there is something more than this. The development of all these interests together must create and foster the growth of a great inter-provincial trade, and exert an important influence in attracting to our shores the commerce of other countries and in making our magnificent harbors scenes of business life and activity, and building upon our sea-board commercial cities to become the homes of the merchant princes of this Dominion. I am aware that many hon. gentlemen in this House take exception to the manner in which we speak of the present prosperity and the future prospects of this country. I am aware they consider our language sometimes extravagant and our views somewhat visionary. As the hon. leader of the Opposition very aptly expressed it near the opening of the Session, our pictures are too bright, our skies are too clear, something is needed to shade them from the force of the solar rays. Now, Sir, I can quite understand that feeling. It has become fashionable of late years, to predict approaching storms, and hon. gentlemen, I have no doubt, influenced by this prevailing fashion, have in the past been predicting stormy weather, and if I mistake not the time has about arrived when this storm was to be expected, yet it has not come. Now, I can quite understand a person having predicted a magnificent storm, and going out on the day it was anticipated and finding the sky clear and the sun shining bright and warm, that he would complain of the heat a little more than he would under other circumstances. For myself, I not only rejoice in the present prosperity of this Dominion, but I have faith in its future growth and greatness. I do not claim to be gifted with the spirit of prophecy, but if I have learned anything from the experience of the past, it is this lesson: that while the great political parties occupy the relative position they do at the present time, the heavenly bodies are in wrong position for any very disastrous or protracted storms. It is because the present Government have recognized the true relationship which exists between the different parts of this Dominion; it is because they have sought to strengthen that relationship; it is because they have adopted a policy which meets the demands of this country at the present time, and adapts

itself to our changed and changing circumstances, that they may fairly claim the support of the people of the Maritime Provinces, as well as that of the rest of this Dominion; it is for these reasons that they are receiving that support to-day as they have never done before. There is one other point to which I wish to refer before I resume my seat, and that is a theory which has been advanced during the course of this debate. I assume that we may take the views expressed by the hon. member for South Brant, as expressing the general views and policy of the party to which he belongs. That gentleman acknowledged, and he was proud to be able to acknowledge, that this country was at the present time enjoying exceptional prosperity, but he took exception to the claim set up by the hon. Minister of Finance that this prosperity was in a measure due to the operation of the policy of the present Administration, and he ventured the assertion that the good harvests which had prevailed, the high prices in other countries, and the increased quantity and value of our exports, were the only causes of this exceptional prosperity. In support of that view he directed our attention to the fact that in 1880 we exported from this country some \$10,000,000, I think, more than the exports of 1879, that that amount had come back in gold into the country and had been circulated among the people, and that was the measure of our prosperity for that year, that a similar increase had taken place in 1881 and again in 1882; so that in these three years our imports had increased by some \$60,000,000 over the average of exports the preceding years, and that that was the source and measure of our present prosperity. It is to that view that I wish to take except on, for I cannot endorse a doctrine which gives no credit whatever to the hon. Minister of Finance for the good times that we are enjoying. I feel that doctrine takes the national welfare and the national success too much out of the control of the Government and people of the country, and makes it too largely dependent upon the operations of Nature and the smiles and frowns of Providence. Now, Sir, we all admit that good harvests and high prices contribute largely to the prosperity of any people; we all also recognize the great truth that there is a power above and ruling over all, that years of prosperity and years of depression will come, due to causes beyond the control of any human power. But yet it is still true that nations as well as individuals have the power, subject to the higher power and in obedience to its laws, to mould for themselves their destiny. The husbandman, it is true, cannot bring the sunshine and the rain, but he can use them and make barren fields yield him a livelihood. Governments cannot bring good harvests nor control at will the market prices of the products of the people, but they can by legislation contribute largely to their prosperity. They can open new channels for trade and commerce, or direct the course in which they are to run. They can clothe capital and labor with power to create new industries and develop the material resources of the country. They can infuse increased vitality and vigor into the national life, and increase the wealth of the State by increasing the wealth-producing power of the people of the State. They have power to make prosperous times more prosperous still, and periods of depression less burdensome to bear. They have this power, and for its right use they are, and should be, held responsible. Now, if you will pardon me for a few moments, I will briefly refer to some figures which have already been presented to the House in the course of this debate. In 1878 we imported into this country some 75,000,000 lbs. of refined sugar, and in the same year 1,000,000 lbs. of raw, and upwards of 14,000,000 lbs. of partly refined sugar. In 1882 the trade is changed, the imports of refined sugar in the latter year being less than 10,000,000 lbs., while the imports of raw and partly refined reached some 129,000,000 lbs. Now, I wish to call atten-

Mr. Wood (Westmoreland).

tion to the fact that in 1878 we sent gold out of this country to buy that refined sugar in markets where hostile tariffs were imposed to exclude our imports, and that we buy raw sugar at the present time in markets where our products are wanted and can be sold, and the fact we enter those markets as customers increases the foreign demand for those very products, upon the export of which the hon. gentleman himself contends, and we all admit, our prosperity as a people greatly depends. In addition to this, our attention has been directed to the fact that we have imported in 1882 upwards of 19,000,000 lbs. of raw cotton, an increase of 175 per cent. over 1878; that we have imported upwards of 9,500,000 lbs. of wool, an increase of over 50 per cent. over 1878; and without detaining the House with further figures, it has already been shown that a corresponding increase has taken place in the imports of raw hides and many other raw materials. Those articles have been brought into this country; they have been manufactured in this country; their manufacture has aided in developing the resources of this country; that manufacture has occupied a large amount of capital, and it has given employment to hundreds and thousands of working people, and furnished them with the means of subsistence for their families. Can it be affirmed that Canada derives no advantage from this changed state of her trade, that the employment of all this capital and labor confers no benefit upon the people of this Dominion; or will it be affirmed that these can be classed among the blessings of Providence? The hon. gentleman, in the course of his remarks, asked the hon. Finance Minister whether he had the power to make the sun shine, the harvest ripen, and hens lay. May I ask him whether these elements of our prosperity can fairly be attributed to the intervention of an over-ruling Providence. I have listened to the remarks made during this debate, but I have found these important items omitted from the list of Providential blessings; and yet these are elements, and important elements, in contributing to the prosperity that now prevails throughout this country; these are factors, and not unimportant factors, in promoting the present increased activity which characterizes our trade and commerce. They have established new relations between capital and labor, and have enabled them to furnish each other with steady employment to their mutual advantage. They have added to the wealth of this country and increased the wealth-producing power of the people. And this is not all. These features of Canadian trade and industry have a prominence to-day which they have never had before in the history of this country. We have passed another mile stone in the march of national progress, we have entered upon a new era in our history as a people, and this is an era to which Canadians, for all future time, can point, and not only date its advent, but trace its origin to the introduction and operation of the fiscal policy of the present Administration.

Mr. SPROULE. At this late stage of the debate it seems scarcely necessary to continue the discussion; but we still find some persons affirming that no substantial benefit has been secured from the policy introduced some four years ago. We are told that eternal vigilance is the price of liberty, and if that be so it is as much our duty to-day as it was four years ago to give close attention to this fiscal question, because while we find persons willing to spread broadcast throughout the country the statement that we receive no benefit from that policy, we will find those who are ready to accept that assertion on the bare statement of the party who makes it. I am pleased to find in respect to this debate a very great change in the tone and manner in which it is carried on now, as compared with the debate four years ago. Hon. members of the Opposition, on the Tariff being introduced, took their line of argument against it, and pronounced denunciations against the men who introduced it, and indulged in prophecy respecting

what would be the result to the country; but, strange to say, after a lapse of four years, those same members, at all events the few who have come back again, have entirely changed their tactics, and those who are the foremost in denouncing the National Policy are young members who have given comparatively little attention to the subject. The hon. member for Huron made the remark that farmers give very little attention to the subject, and he as a farmer could not be expected to know much about it. Almost every person will be inclined to admit the truth of that statement after hearing the hon. member deal with the subject as he did, especially remembering that it is one in which he is directly interested, and one affecting the occupation in which he is engaged. I was much amused at an argument directed against the National Policy, to the effect that the farmers were burdened by the additional amount they were compelled to pay for everything they used, because a short time before the same hon. gentleman had found fault, in very strong terms, with the hon. Finance Minister, because he had refused to place a duty on wool. Yet, almost in the same breath, the hon. gentleman had tried to prove that, because there was a duty of 40 per cent. on woollen goods, it enhanced the price of the goods which the farmer had to buy. If I know anything about farmers, and I think I do, because I was raised a farmer, and lived all my life with them, they make, themselves, the cloth they wear; they make their own fulled cloth, and their own flannel, and in every instance, as far as possible, make their own wearing apparel from the products of their farms. I could never understand why a duty of 40 per cent. on cloth could affect the farmer, when he made his own cloth, and was able to card and spin the wool which he produced. The object of the duty was to keep out foreign woollens. The hon. member for Huron also referred to farming implements, and contended that the effect of imposing an additional duty was to increase the price. The hon. gentleman must know very little about farming implements, or he would be aware that they are cheaper to-day than they were in 1878. During my canvass last summer I was flatly contradicted as to the statement I make now. I went to agents for implements, in my own riding, and obtained from them a statement to this effect, that agricultural implements were 20 per cent. cheaper than three years before. Some of these agents were Conservatives and others Reformers, and in one instance an agent voluntarily signed an affidavit that his statement was substantially correct. This man, I say, was selling them for several years; and in face of this fact, am I to believe, that farming implements are dearer to-day than they were four years ago. The hon. member for Huron made a very lamentable reference to the poor farmer in Manitoba, who had gone up to stock his farm; and another hon. gentleman some time previously, made a calculation as to how much additional it would cost him to buy his farming implements and carry on operations there. I would like to ask the hon. gentlemen, if they have been there? If not, I can tell them, that I have; and my enquiries lead me to this conclusion. I have a friend or relation engaged there, in the sale of farming implements, and I was there last fall. Seeing that he had done a very extensive business during the summer, I asked him what implements he was selling. He said: Late last season, I was selling Ontario implements, but now a great many of American implements are brought in; and we are selling perhaps an equal number of both. I asked him how he was able to sell American implements? and he replied in this way: When a duty was put upon these articles, and they were brought up from Ontario, the Americans found that they could not compete. The first stratagem which they adopted to secure the trade of the country again was to offer a bribe to the agents, by giving them a large per cent. of their sales, if they would only sell their implements; and after trying this for a time,

the agents, although selfish enough to make money in this manner and to endeavor to introduce the American implements,—found it up-hill work, because they had to sell the American article at a higher figure than those which came from Ontario, and so they reported that they could not dispose of the American goods. Then finding themselves frustrated in this direction, the Americans made another effort. Having held a caucus amongst themselves, I presume, they finally decided to sell their implements as cheaply as the Ontario goods were placed on that market. Now I would like to ask these hon. gentlemen who—as the hon. gentleman who sat down some time ago—calculate that it costs the farmer in Manitoba from \$200 to \$400 more than it should, to provide himself with agricultural implements, whether they know anything about this? The result was, that after the Americans agreed to take that much off the price of the implements, and offering an additional amount for selling their goods, they were able to sell more in Manitoba than was previously the case. I do not wonder, under these circumstances, that to-day the manufacturers of this country are coming down here and asking for the imposition of an additional duty on this line of goods; and I do know one thing in connection with this matter, that notwithstanding what an hon. gentleman said the other night—if 10 per cent. more is put on agricultural implements, it will not mean adding 10 per cent. to the price of these articles. It will mean no such thing; because I know for a fact, that some of these same men offered to pledge themselves to the hon. First Minister in the event of a higher duty being placed on these articles, to supply these implements as cheaply as before. Is that evidence that an increase in the duty is going to increase the price? I think, that it is quite the contrary. Now, Mr. Speaker, I said with reference to the tone of the debate, I was very much surprised to find the altered tactics of the Opposition as exhibited in their speeches. Four years ago, when this Tariff was introduced, what were the objections which were then made to it? What were the prophecies of these hon. gentlemen then? The first objection was that this Tariff might be imposed, but it would not raise sufficient revenue. The hon. ex-Finance Minister, who has not now the honor of a seat in this House, warned the hon. Finance Minister, that although we imposed these additional duties, we could not raise enough revenue. Now, I would like to ask how far he has been justified in that statement; in the light of our present experience, how far has that prophecy been fulfilled? It has been fulfilled this far: instead of raising a revenue under the old Tariff of 1878, of \$12,500,000, we have obtained \$21,581,000. I say, what is the judgment of such a man worth, or what is his integrity worth, provided that his judgment tells him he was wrong in making that statement? When the country sees, as it does to-day, that this statement made, or said to be made, on the strength of that gentleman's intelligence as being his forecast of the future, how much must it respect that intelligence to-day; or, if his intelligence was at fault, how much must it respect his integrity, seeing that this prophecy was not fulfilled at all? Again, he stated that if this Tariff were imposed, and it did raise sufficient revenue, it would kill out every industry in the country; be a burden to the farmer, and instead of improving his condition, make it worse; kill out the laboring man by putting additional taxation on everything he wore, without advancing his wages; kill out the lumberman, because everything that he required to carry on his operations would be very heavily taxed, while his sales of lumber would not be increased; kill out the commercial man and the trade of the country, because the trade of the United States would not go through this country; and destroy every industry in this country. If we believed the assertions of the hon. gentlemen—those who are now in this House—when they were made, we must

have believed that the country was going very rapidly to the bad. But has this been accomplished? Do these men come back to-day and say that this is the condition of the country? No; but they come back, one after another, and quietly and tacitly admit that the condition of the country is to-day improved. They say that the farmers are better off, and are prosperous; they admit that the laboring man is better engaged, and is receiving higher wages for his work; that the shipping interests of the country have not been effectually killed out, that the lumberman is making money; and that there is every evidence of peace and prosperity in the country, which has been unparalleled in our history during the last ten years; and what do they say to-day with reference to this matter? Do they admit that they were wrong; that their forecast of the future was bad; that their intelligence was defective; that their integrity was defective? Not a bit of it. They have not the honesty to come here to-day and admit to the people of this country that they were wrong in their forecast of the future, and they were defective in their judgments, or else dishonest in their representations; but they now try to press into their service every argument which they can find to prove that these results have been brought about by other influences entirely outside of the National Policy. Only last year hon. gentlemen travelled over the whole continent of America and the continents of Europe, to try and find arguments to prove that this prosperity was due to other causes. One after another they get up and say that it is due to a beneficent Providence, to better crops, to a failure in the crops of Europe, to increased markets for our lumber, and to anything and everything but the National Policy. They will not give it credit for anything at all. Four years ago when this policy was introduced the hon. ex-Finance Minister said that he believed that the people had been misled into voting for the Government and had done a great injustice to themselves; that everything had been misrepresented, and that when from the effluxion of time, another opportunity was presented for giving a verdict, he could assure the hon. Minister of Finance that the people would drive these incompetent men from power, because their policy was detrimental and did a wrong to the country. But where are these hon. gentlemen—the Government—to-day; they sit in the same seats which they occupied four years ago, they stand to-day as high in the confidence of the country as they did four years ago, and a great deal higher, and they made predictions and introduced this policy; they carried it out, and in accordance with the statements which they then made, the country has been progressing rapidly ever since in a measure quite commensurate with the predictions which these hon. gentlemen then placed before the people. I do not know that it is necessary to touch on any of the lines of argument which have been treated with reference to the criticisms of the Opposition, but it seems to me so altered and so changed to-day that I believe it is deserving of a few words. The hon. gentleman who was put up as the financial critic of the Opposition adopted a line of criticism which amused me very much; I thought that, after the verdict which was rendered at the polls, and in view of the decision of the people of this country, he would have dropped the National Policy as a child does a hot potato, and that we would hear no more of the arguments which they kept up for four years in this House. But I see that the natural instincts of this party crop out on almost every occasion when they have a chance of expressing their deep antipathy to the National Policy. Notwithstanding the fact, that at the elections, many of them declared—because I have heard them on the stump in many instances do so—that they were not antagonistic to the National Policy, that they were willing to abide by it, and that they believed it had done great good to the country, still they are opposing it to-day as fiercely as ever.

Mr. SPROULE.

But what did their financial critic say? Did he criticise the actions of the hon. Finance Minister, and the management of the Departments by the Government, as the representative of the Opposition might be expected to do? Strange to say, he merely quoted a few figures, took exception to a few items, making in all some \$400 or \$500. Then the hon. gentleman turns round on his old hobby, the National Policy. The *Globe* said in reference to the question in the Provincial Legislature, that the best evidence that the financial affairs of the country were well administered was that the closest scrutiny by the Opposition failed to reveal anything objectionable; and as the Opposition here object only to a few items amounting to some \$400 or \$500, I contend that this is an evidence that there is nothing far wrong in the state of Denmark. We must conclude either that there is nothing to criticise or that the critic is defective, and hon. gentleman must take either one horn of the dilemma or the other. The hon. gentleman said that too large a sum was spent on surveys in the North-West, and in the Post Office service—that though the country was prosperous the expenditure was too large in proportion to the revenue. What is the expenditure for? It is for developing the country so that it will give us back a large return for every dollar we spend. He went on to show that the expenditure under the Mackenzie Administration was not so large as it is to-day, but the fact is that there was no need for this expenditure at that time. I find that in the Report of the hon. Minister of the Interior for 1873 it is stated that the requirements of settlement would not necessitate the opening up and surveying of more than ten townships, and he did not think that even they would be settled. Let us contrast that condition of things with that which exists at the present time, when the development of the country is so rapid that we must survey some 500 townships instead of only ten. Surely that is the best evidence that is required to show that the policy of the Government is a correct one, and that the expenditure was judiciously incurred. One hon. gentleman last night took exception to the expenditure on immigration, but the hon. member for King's answered him very ably. He said that he thought that an expenditure by which 126,000 people, who brought over \$1,000,000 worth of goods with them, which cost us \$3.60 per head and brought in over \$10 per head, was an expenditure which certainly was judicious; and I agree with him. To my mind it is a policy which will give us a return one hundred-fold for the money we have spent, and, so long as we pursue that policy, the country will not object. The hon. gentleman also objected to the expenditure on the postal service—he said it was too large. But, I ask, how can you open up a new country, extending over 1,000 miles, without additional expenditure? If only ten townships were required to meet the purposes of settlement in 1878, and we now require that 500 townships should be surveyed to keep pace with the incoming population, must it not also follow that the postal service of that country must be very largely increased? Some of these people come from other countries, and many of them go from these Provinces, and when they go up there they expect to retain some of the conveniences and comforts of life—they expect to communicate with their friends, and they are entitled to have these conveniences so far as we can possibly give them. I was much amused at some of the figures given by the hon. member for Brant (Mr. Paterson) for the purpose of proving that the farmers of this country had not been benefited by the National Policy. He took some figures for September, 1879, on a particular day in that month, a few months after the adoption of this policy, and he drew a comparison between the figures of that day and those for another particular day in a previous year. I ask the House if that is a fair way of arguing? There may be many incidental circumstances which affect the comparison. The fact is, that the figures

he gave prove nothing except that he is willing to resort to unfair means in the endeavor to convince the people of the country. In my campaign I endeavored to put this matter before the farmers, as fairly as possible, and to have them judge by the evidence whether or not they had benefited by this policy.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

#### THIRD READINGS.

The following Bill was read the third time and passed :—

Bill (No. 20) to empower the National Insurance Company to wind up its affairs and to relinquish its charter, and to provide for the dissolution of the said Company.—(Mr. Coursol.)

The following Bills were severally considered in Committee, reported, and read the third time and passed :—

Bill (No. 48) to incorporate The Wood Mountain, Qu'Appelle and Prince Albert Railway Company.—(Mr. Beaty.)

Bill (No. 73) respecting the Montreal, Ottawa and Western Railway Company, and to change the name thereof to the Montreal and Western Railway Company of Canada.—(Mr. Abbott.)

Bill (No. 50) to amend an Act respecting the Credit Valley Railway Company.—(Mr. Cameron, Victoria.)

Bill (No. 26) to incorporate a Company under the name of H. B. Rathbun & Sons.—(Mr. White, Hastings.)

Bill (No. 37) to incorporate the Royal Society of Canada.—(Mr. Tassé.)

Bill (No. 43) to amend An Act to incorporate the Missionary Society of the Wesleyan Methodist Church in Canada.—(Mr. McCarthy.)

#### BILL IN COMMITTEE.

The following Bill was considered in Committee and reported :—

Bill (No. 42) to amend and continue in force the Act incorporating the Grafton Harbor Company and for other purposes.—(Mr. Guillet.)

#### WAYS AND MEANS—THE BUDGET.

Mr. SPROULE. Mr. Speaker: When you left the Chair at six o'clock I was endeavoring to explain why the line of argument adopted by the Opposition in the House to-day was different from that which they pursued four years ago. I was endeavoring to show that their prophecies and predictions at that time were that disaster would naturally follow the introduction of this Tariff, that it would create ruin, that it would impose taxation on the people and yet make them no better off; and that the Government were doing this in the face of opinions that such would result to the disadvantage of the people and to their own ruin at the next Elections. In the light of experience we find that to-day the tone is entirely altered. Instead of trying to prove to the country that disaster has followed the introduction of that policy, that the people are worse off than they were before, and that there is less contentment and less prosperity, they are satisfied with endeavoring to show that the prosperity existing is not due to the fiscal policy of the present Government, or any other policy they introduced. A great deal of the argument used during the present debate has been levelled directly at the farmers, because as one hon. member said they are the foundation of the whole

fabric of society, and are the bulwark of the country; and if we can prove to the farmers that they are being ruined by this policy, then, he said, we will be able to accomplish something, and satisfy ourselves and our party that we shall be able to secure a change of position in this House. For that reason it is attempted to prove that everything the farmer wears, eats and uses, is raised in price, and that everything he has to sell has been reduced. Figures have been arranged for that purpose by hon. gentlemen of considerable note and considerable ability. The hon. member for North Norfolk (Mr. Charlton), a man of very extensive experience, and an able man in that line, has arranged figures in almost every way for the purpose of proving this point. The hon. member for West Middlesex (Mr. Ross) followed in the same direction, and the hon. member for Brant (Mr. Paterson) has spent night after night during the last four years in endeavoring to prove the same thing; and, after an experience of four years, they find the people have not agreed to think as they think. They were standing at the last Election in the same position as a boy about to receive correction. A schoolmaster had cultivated a vine until it produced fruit. The boys were warned not to take the grapes, and told that if they did so, severe punishment would follow. One day at noon, when lying on the ground looking upward, the master saw one of the boys take a cluster. The boy said: "If anyone knows any just cause or reason why these two should not be joined together, let him now declare it, or forever after hold his peace." There was no answer given and no objection made, and the boy ate the grapes. After the schoolmaster saw the grapes had disappeared, he asked several of the boys if they knew who the culprit was. He soon discovered him by his downcast looks, and before proceeding to administer punishment, the master said: "If any one knows any just cause or reason why these two shall not be joined together let him declare it." "I object," said the boy. "Why," asked the master. "Because the parties are not agreed," answered the boy. That was the position of the Opposition in this country at the late Elections. When they appealed to the people they found they were not agreed to send them back to occupy places on the Treasury benches. I have already said that much argument was used to convince the farmers that the National Policy was ruining them. The hon. member for North Norfolk, four months after the introduction of the Tariff, took the quotations of Toronto for one day in that and for one day in the previous year, and thought he had effectually settled the question to the satisfaction of the farmers, because he was able to show that the price had not increased. Another hon. member took one month in one year during the four years the policy had been in force, and one month selected from the five years before that time, and compared the average price of grain, and because he was able to prove that the average price of the former period was higher, he thought he had satisfied the farmers that this policy was of no benefit. Another hon. member endeavored to prove, that because the exports were higher during the last four years than during the previous four years, he had satisfied the farmers that the National Policy was of no use to them. During my election campaign last summer I endeavored to arrive at some conclusion which I might lay before the farmers of my riding, which is an agricultural riding. I took this method of arriving at results; and the fairness of the test will commend itself to the better judgment of every hon. member. I went to gentlemen who had been buying grain for the last ten or fifteen years, and obtained from their books the prices for every day in the year during the past three years, and the same for the three years previous to the introduction of the National Policy; and I thought if I could, on striking an average of prices, show the farmers they had received better prices under this policy, I could

convince them that it had proved beneficial. I obtained the prices from two of the most extensive grain buyers in the county, and I got this statement certified as correct. These figures proved beyond a doubt that the price of grain, notwithstanding all that has been said by the hon. members for North Norfolk, Queen's, and Huron, the price of grain has been higher during the existence of the National Policy. I took spring wheat in 1876, 1877, and 1878, those three years being prior to the introduction of this policy. I took the price paid every day in the year on the market. Where I contend the unfairness in the calculation arises, is due to hon. members making comparisons from the markets in Toronto, Chicago and New York. A distance of twenty miles will frequently make a difference of three or four cents in the price of wheat, and eight or ten cents in the price of oats. Although there may be a difference, which is apparently a benefit to the farmers, or against him, it is not a sure criterion to prove for or against the farmer; and I say, that if you take the price paid to the farmers directly at their own waggons, and satisfy them that they get better prices to-day than they did at that time, I think it will go a long way to satisfy them that they have received a benefit from this policy. As I said before, these are the prices paid at the farmers' waggons; nothing is taken off for carriage or charges, or the ups and downs of the market. Taking the three years previous to the National Policy, I find that the average price paid for spring wheat in Meaford was 79 cts. a bushel, while for the three succeeding years, it was \$1.14 a bushel—for 1879, 80 and 81, a difference of 17 cts. a bushel; and if you remember that the duty is 15 cts. a bushel, I think this proves very clearly a benefit derived by the farmer. The question arises was this due to the Tariff? One thing is evident: although these gentlemen have tried to prove, and have not been successful in proving, that the farmers have received less during the years following the introduction of this policy, I think it is proved that they have received more. They got all the money, there was no middle man to share the profits, these went into their own pockets, and for every 100 bushels they sold, they received \$17 more than they did during the three previous years. Taking barley, I find that during the three years previous to the introduction of the policy, the average price paid was 57 cts. a bushel, and for the three years following, it was 67 cts., showing a difference of exactly 10 cts. more than they had been receiving. Now the duty is 15 cts. a bushel, and I think that this shows a benefit. Every farmer who sold 200 bushels of barley knew he got \$20 more for it than he did during the three years previous to the introduction of this policy; and he is satisfied that when it was introduced, this was done for his benefit, and he has received substantial good from it. Taking peas, I find that for 1876-77-78, the average price was 58 cts. a bushel, while for 1879-80, it was 61 cts., a difference of 8 cts. a bushel. Now, these are differences which are always on the right side, in their favor; and they can appreciate the advantages of it. I will now take oats, of which so much has been said lately. I would like here to give an explanation. Some hon. members of the House, either intentionally or from the want of knowledge, seem to forget to explain to the House that it is never safe to take the prices for oats at Toronto as a criterion to prove what farmers receive for their oats. In Meaford, 40 cts. are often paid for oats, when twenty-four miles away the price is only 36 cts., and at Collingwood, 60 cts., while in our neighborhood, thirty-five miles from there, it is 45 cts. When farmers find it an advantage in their favor to haul their oats a little distance, they do so, and get the larger price; their time is not so fully occupied, that they cannot always spare a sufficiency of it to transport their grain to some other part of the country,

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where better prices are paid. We find very frequently that oats are much higher at Collingwood than in Toronto, and very much higher at Owen Sound than at Toronto, or in various parts of the country; and that is just the reason why the National Policy, by shutting out American oats from the particular locality where oats are high, enables our farmers to transport their grain there and receive the benefit of the larger price. Taking oats, I find that during those years there is a difference of 7 cts. a bushel in favor of the three years under the *regime* of the Finance Minister. Now, that is a great advantage to the people of this country; and, I think, hon. gentlemen forget this when they are quoting prices paid in the central market. They forget that we have an extensive frontier, over 2,000 miles long. In one part of the county of Grey, they can raise a great deal more oats than they require for their own use. In some other parts they do not raise so much as they require, and when a demand there arises, the grain is taken there and sold; the money consequently is kept in the country for our own advantage. This is a great difference from what was the case a few years ago, when 20,000 bushels of oats were landed one day at Collingwood from Chicago, and bought by the people in our country, bringing down the price 15 cts. in one day. The money was sent to Chicago, enriching Americans and impoverishing ourselves. In a short time the oats were consumed, and nothing remained in the country to represent the labor lost.

Mr. COOK. When did that occur?

Mr. SPROULE. I think it was in 1876; I bought part of it. I can tell the hon. gentleman, who is engaged in lumbering pursuits, I lived in the county where he operates very extensively, and I know that not only did he buy foreign oats and pork, but in a great many other lines, he did what it would not be creditable to expose in this House. I knew him, when operating there, to buy his pork and oats from the Americans, to carry on his operations. I was living in North Simcoe, where the hon. gentleman was operating very extensively—as is the case still—as a lumberman and speculator, when his money was sent out of that county to the extent of thousands of dollars, and sent across the border to enrich the Americans, from whom he bought his pork and oats, and feed for men and horses, while engaged in lumbering. But we do not see any of that to-day; our farmers raise the oats used there, and the money is kept in this country for the advantage of our own people. We have a border 2,000 miles long; at one place, it may be at Collingwood to-day, Port Hope next week, or down at Ogdensburg a few weeks hence. We may have one kind of grain very high in price while right across the frontier there may be more of this grain than they require; and if there were no restrictions on imports it would be sent into our market and take the place, bushel for bushel, of our grain, which ought to have been brought perhaps a few hundred miles to that point from some other part of our country; but this policy prevents that injustice. One of the greatest secrets of success, to my mind, of any Government is to so distribute the pursuits of the people as to enable them to work into each other's hands, and to supply each other's wants. This is the case in the distribution of grain. We have had from time to time, oats brought into Canada from the Western States, and sold here; we have had hundreds of thousands of pounds of pork brought into the country and sold; and yet our pork had to be sold at the same time to the detriment of our farmers at a less price. It had to be taken to Europe to find a market; and if we raised of anything more than we required, and American grain took its place, what must be the result? We must take it to some market, and if we do not find a market at home, we must send it to Liverpool, Boston, or Montreal, or to some

other market, at a reduced price to the farmer. The cost of carriage, &c., must be paid by the farmer; but if we distribute our own grain from one part of the country to another, we do not lose anything, and the country is greatly advantaged. The Trade and Navigation Returns for the last four years since, the introduction of the National Policy, show that we have excluded a great deal of foreign grain from this country. We excluded last year over 2,000,000 bushels of American oats; very nearly 2,000,000 bushels of wheat, and over 3,000,000 bushels of American corn which was taking the place of our oats and other coarser grains. What has been done by this? Exactly what the hon. Finance Minister said would be the result—an increased market for the people of our country; and not only have we excluded these grains from our country, but also many cattle, horses, and other animals. Now, I take the item of pork, and I find, by the same calculation that the average price of pork in the Meaford market for the years 1876-78 was \$4.76 per hundred and that in the three succeeding years, with a duty of one cent per lb. on American pork, the average price paid the farmers of that part of the country was \$6.03, or a difference of \$1.27 per hundred in favor of the last period. Who will undertake to convince the farmer that he has derived no benefit from the National Policy in the face of these facts? I contend that it is utterly impossible for these figures to be fallacious, because they take in every day of the year, and every bushel of grain, and every pound of pork; and they show that there has been an advance during those four years, notwithstanding the fact that in our outside markets of the world, prices remained almost the same as they were in former periods. The hon. member for North Norfolk stated that Liverpool ruled the markets of the world. Every school-boy would say the same; but at the same time it must be admitted that local markets are regulated by local supply and demand, so that as every farmer knows, sometimes the difference of forty miles will make a difference of 10 cts. per bushel on the price of oats. There have been various times when but for this Tariff the Americans could have sent in their grain, and sold it at a reasonable profit in our country, thus depriving our own farmers of the home market and giving them less remuneration for their labor. In the condition of affairs which existed previous to 1878, we found that farmers were unable to make both ends meet; the proceeds of the year's labor did not pay their store bills; they could not hire additional labor on their farms, because it did not pay them to do so; and the result was that farmers and their sons were found going to other countries in the hope of receiving better remuneration for their labor than they were receiving here. Let us contrast the condition of things to day with what it was a few years ago. At the time the hon. gentlemen now in Opposition began to guide the Ship of State everything was prosperous, everybody was contented, for we had passed through a period of prosperity and our country was going upwards in the scale—there was an abundance of money in the country, the deposits in the savings banks were large; but suddenly a change came over the spirit of our dream. People had been demanding that the Government should make some change—that they should, if possible, introduce some policy which would keep our own markets for our own people, but no change was made; and the result was that instead of the Treasury being full to overflowing, as it was under the previous Administration, deficit after deficit had to be announced by the Finance Minister. Calls were made from various parts of the country that the Government should expend money on necessary public works; but the answer came back that they could not expend the money as they had none to expend. They were getting deeper and deeper into debt every year, and an increasing number of people were getting out of employment, and evidence of want and despair were visible in every part

of the country. The party who are now in power propounded a policy, and proclaimed what that policy would produce in the way of changes in the condition of things; and though it was attempted on every stump in this country to prove that this policy would not produce these results; the better judgment of the people decided to try it as they certainly could not be worse than they were, and what has been the result of that policy? The result has been, notwithstanding all these unfavorable predictions, that the best anticipations of the people in reference to this policy have been fulfilled. The result has been to give us an ample revenue; to give employment to every man, woman and child in the Dominion able and willing to work; to raise the wages of the people; to give us money to expend on great public works, and to bring about a period of prosperity which was almost unequalled in the previous history of our country. The attempt has been made by the Opposition to prove that these results have not been accomplished by that policy, but that it was due to the beneficence of Providence, who has smiled upon our people—in fact, that it was due to anything and everything except the National Policy. In this case I believe the old maxim holds good, that Providence helps those who help themselves. Hon. gentlemen contend that our prosperity is due to the bad crops in England and the good crops in this country; but the fact is that we had better crops in 1876 and 1877 than we have had since. In fact, these hon. gentlemen are prepared to credit our prosperity to every cause but that which has been the main instrument in bringing it about. Our prosperity is due to the fact that our people have obtained increased labor at higher wages, that an impetus has been given to every line of trade. Objection has been made to the railway policy of the Government, but I should think that if there is one subject more than another which hon. gentlemen should be ashamed to mention in this House, or in the country, it would be a comparison of the railway policies of the two parties. They had several years experience in endeavoring to weld this iron band which was to bind our Provinces together, and, after four years of that experience, they succeeded in running the country into debt to the extent of \$6,000,000 a year, and they built only 117 miles of the road on one end, and 115 miles on the other, while between these two sections there was nothing but a dense swamp—nothing to show for their money except that notable structure called the Fort Frances Locks. When an hon. gentleman spoke, the other day, of that part of the railway between Prince Arthur's Landing and Winnipeg being the key to the whole situation, I thought that these locks might be called both the lock and the key, for after having lost the key and spent \$40,000 for the benefit of a political friend, they had nothing left but the lock and the beautiful water stretches, of which we hear nothing to-day. These hon. gentlemen who are so ready to condemn the policy of the present Government, forget that they themselves increased the taxation of the country to the tune of \$24,000,000 in four years, and only built 230 miles of railway. They forget that the people of this country are not obliged to pay a cent of additional taxation for the building of that railway, notwithstanding the fact that a couple of years ago they tried to persuade them that it was going to ruin the country. In a year or two that road will be built to the Rocky Mountains, and will open up the vast stretch of country for the teeming millions who are coming in to obtain homes for themselves; and the whole of the work will have been done without the imposition of any additional taxation on the people of the country. Is that not a pleasant thing to lay before the people. When this policy was propounded, it was said that it could not be carried out when the hon. First Minister proposed to obtain money to build the railway from the sale of lands, hon. gentlemen

opposite said it could not be done. The experience of the last two years has shown that it could be done. Last year over \$2,000,000 was realized from the sale of lands, notwithstanding the fact that we are offering free homesteads to all who chose to go into the country. Last night, the hon. member for South Norfolk said that the National Policy was not as important a matter as the land policy. He did not, I suppose, think of comparing the present land policy with the policy of his friends when they were in office. Settlers could not obtain land at that time unless they paid \$5 an acre for it near the railway, or \$1 an acre twenty miles back from the railway; but they could not get free homesteads. They left the country in such a condition that hardly any settlers went in, although they were making every effort to attract immigrants. They had to devise the most questionable expedients to settle the country. One of these was to give agents eighty acres of land for every settler he placed in the country, after he lived there three years. I think Mr. Young, a gentleman engaged in that business, made a nice little fortune out of it. Mr. Young took in 100 settlers, and the land he received under that agreement would amount to over \$400 for every settler. Contrast that condition of things with what exists to-day, when we are sending in settlers at a cost of \$3.60 a head. The policy of hon. gentlemen opposite in this respect could only have the effect of making millionaires of those who had assisted their party in the past; and when Mr. Young's partner or agent came before a Committee of this House and acknowledged that they were to receive eighty acres of land for every immigrant he took in, they was acknowledging the incompetence of the men who were trying to settle up that country. The country was not being settled up, because the people knew that when they got there they would have to live a long time before they got communication with the outside world; they knew that they had none of the facilities possessed by the people of the older Province; they knew that the burdens of life would press heavily upon them, because they had not the advantage of those great lines of railway that would bring out their grain, and take back the products of other countries. It was no wonder that in the last year of that Government, all they thought it necessary to survey was ten townships. We have no such policy to-day, but we have a policy that provides for keeping pace with settlement, by arranging for the survey of 800 townships. We have a policy that is giving to the people going into that country a railway, which is being built at the rate of over four miles a day in the summer season. As the result of that policy, we find the eyes of the world centered in the North-West; we find people flocking in there from the United States in thousands, and from England, Ireland, Germany and other countries, bringing their wealth with them, and helping to build up our commerce, to increase our strength and population, and to make Canada a great nation. Is not that a policy worthy of our Administration? When hon. gentlemen opposite rise to criticise the railway policy of the Government, what do they say? The criticism has simmered down to one word, and that word is "monopoly." It is an unmeaning term; we find nothing in it. When we go to the North-West, we find that the people are receiving equal advantages with the people of the older Provinces. That gigantic bug-bear of monopoly raised three years ago has turned out to be nothing but a mist. I say that such criticism is unfair. I had expected that the critics of the Opposition benches would pursue a different line of tactics this Session, because I thought the verdict of the people at the last Elections was so decisive that it would compel them to adopt some other means in the hope of getting back to the Treasury benches. But they seem to have fallen back on their old hobbies again, and I think a manly, straightforward, honest criticism is scarcely to be expected from

Mr. SPROULL.

them. In the last campaign the Opposition, after all their denunciations of the National Policy in this House, were very mild on the subject in the country. Why? Because they knew that the people were not with them. It was not on the National Policy, or the railway policy, or the land policy that they appealed to the people, but on the Boundary Award, and on Provincial rights in connection with the Disallowance of the Streams Bill and of the railway in Manitoba. These were the questions placed before the people, and not the policy of the Government. Every unfair question that could be dragged before the people was discussed, and the legitimate subjects of discussion were kept entirely in abeyance; and yet, notwithstanding all that, and notwithstanding the predictions made by the Opposition four years ago, that when the experience of a few years would give the people an insight into this policy they would condemn the Government, the result was that hon. gentlemen opposite came back reduced, if not in numbers, very much in strength. The celebrated philosopher of Bothwell, with all his platitudes, failed to come back; the ex-Speaker, when he told it to his people that they were being ruined by the National Policy, was told that he had better stay at home, and a large majority of the able and influential men of the Opposition were left out. The hon. member who has the honor of leading the Opposition only came back to this House by a hair's breadth, and I believe the return was largely due to the fact that he admitted that the National Policy was not an un-mixed evil, and scarcely touched it at all, but confined himself to other questions—Provincial rights, robbery of our territory, selling of our timber limits, French domination, and the Disallowance of the Streams Bill. These were the questions laid before the people, and according to their own showing you would have expected them to come back largely increased in strength. But the reverse is the case. What are the conditions to-day? Notwithstanding all the unfavorable criticisms we have heard during the last few days on the Budget Speech of the hon. Finance Minister, we find that the people are satisfied; and I believe that all the speeches made from the Opposition benches have not tended to convince an intelligent man in this country that he is injured by this policy. I believe the Government is as strong in the confidence of the people to-day as it was four years ago. I can assure hon. gentlemen opposite that if they desire to remain in the cold shades of Opposition they have only to attack the policy which was so successfully inaugurated four years ago. If they expect ever to reach the Treasury benches they must alter their tactics, and this they do not seem inclined to do. I would ask nothing better, if I wished to come back, Parliament after Parliament, as representative of the people, than that these hon. gentlemen should continue pursuing the tactics they have followed during the last four years. The hon. member for North Norfolk attacked the Government because changes are made in the Tariff year after year. Why, the very charge made against the late Government was that they persisted in shutting their eyes to the fact that necessities arise from day to day demanding a change of policy, and they refused to make any change. The present Government, however, are very willing, when necessities arise, to make the required changes, and their good judgment is evinced by the fact that these changes always turn out for the best, and everything they predict takes place as harmoniously and regularly as if by clock-work. Perhaps the discussion on this question is drawing to a close, and will not continue many days longer, and I must say from the experience I have had, through two elections in my part of the country—and I have had a fair opportunity of ascertaining the minds of the people—that I believe the people are well satisfied that their affairs are in the hands of competent men. They are well satisfied that we have the greatest living statesman on the continent of America to-day at the head of our Government; the finest

Finance Minister that ever directed the financial affairs of the country; one of the ablest Ministries the country has ever had, and one that would be an ornament to any country in the world. As we pass down the course of time, year after year, the pages of history are being written, and I believe these men are leaving their stamp on those pages; I believe they are building colossal monuments to their own honor that will last for ages; I believe that they are leaving precedents on Parliamentary legislation that will be read with interest and used with profit by other nations around us for centuries yet to come. If there is one thing more than another that we desire, it is that these men may long live to fill the position they now occupy, and direct the affairs of the country with the ability which has distinguished their direction during the last four years.

Mr. TAYLOR. I wish to engage the attention of the House for a few moments while I endeavor to make a few remarks which will, I trust, be pertinent to the question now engaging the attention of the House. I may state here that I will not occupy a great deal of time in discussing the question of Free Trade vs. Protection, or rather the question of a Revenue vs. a Protective Tariff, because I think this has been fully, and I trust finally, settled, by the parties most interested, viz., the great majority of the electors of this Dominion. I think that a great deal of time has already been wasted in discussing this question. During the last Parliament, for four years, every opportunity was taken by hon. members opposite to attack this policy, and I think to those attacks is due the fact that their numbers are so small to-day. To them may be charged this great waste of time. It was the duty of the Government and the members supporting it to repel those attacks until a second appeal was made to the country on this question of the National Policy, which was then on its trial. Previous to 1878, during the *regime* of the Mackenzie Administration, deputation after deputation, comprising men of both political parties and representing all the varied industries of the country, waited upon the hon. leader of the late Government and his Finance Minister, and begged of them, I may almost say on their knees, to do something in the way of legislation to revive the languishing industries of the country. What was the answer they received? The answer was: "Go home, gentlemen; live economically; cut down wages, do the best you can to compete with the Americans on a 17½ per cent. Tariff, and if you cannot do so close up your factories and go West." They said that so far as they were concerned they were going to make this a cheap country to live in. We are going, they said, to make laws so as to have the farmers with us, and we care not for the rest of the community. Previous to the dissolution of Parliament in 1878, the right hon. leader of the then Opposition moved a series of resolutions embodying the principle of Protection. After having been fully discussed they were voted down by the late Government and its supporters. An appeal was made to the country. The question before the people was Protection to our native industries. That was the great issue of that time. I might quote here from speeches then made by the Opposition candidates, but will merely quote a few lines from an address published by Mr. W. H. Fredenburgh, Liberal candidate for South Leeds at that time. Here is what he said:

"Taking advantage of the depression which exists the world over, they in the most brazen manner try to throw the blame on the best Government Canada ever had, and with a quack remedy in their hands propose to be able to cure all our ills and make us, with a few doses of their powerful specific, at once prosperous. This panacea they have labelled by different names in the different Provinces, to suit the various tastes of those whom they hope to make their victims. Its name is the National Policy, but in Ontario it is more familiarly known as Protection to native industry. The great thoughtful mass of the people are not to be hoodwinked by any such stale device. Protec-

tion, indeed! Why, it is a step backwards into the dark ages, and commits us to a policy which will manacle Canada hand and foot and effectually retard her growth for years to come. Protection is neither more nor less than legalized robbery. One class of the community cannot be benefited except at the expense of another; and what we have now to consider is, what class of electors in South Leeds is to reap the benefit? Let us strip this Protection of the gaudy colors with which its blatant and hypocritical advocates have dubbed it, and show it in its hideous nakedness and deformity to the public, that all who cast their votes in its favor may not do so in ignorance. Is it the working man who is to be protected? Most emphatically no. It means for him dear food, dear clothes, dear house rent, dear fuel, insolent bosses, hard times, strikes, and lock-outs, in the end starvation and communism. Any further Protection would only act as an unhealthy stimulus stopping our revenue and making direct taxation necessary. For a time, a year or two at most, there might be more work; but let the mechanics of Gananoque rest assured there will be more men to do it and wages will never be any higher, while the cost of living will be increased over 30 per cent."

Those are some of the prophecies of some of the members of the Reform Administration and their supporters in 1878. The verdict of the people in favor of the resolutions moved in 1878 by the hon. leader of the present Government was overwhelming. Early in 1879 the hon. the Finance Minister introduced his Tariff which was adopted and put into force. During Recess that hon. gentleman visited various parts of the Dominion to observe the effect that policy was having on the industries of the country, and he found that the wheel of progress which had been at a standstill, owing to its having been over freighted with lazy flies, had begun to move, and before one year had passed away that wheel had commenced to revolve so that you could hear the hum of it from one end of the Dominion to the other. Parliament met again the following year, and the hon. the Finance Minister proposed some changes after the experience of the year. Where he found any friction it was removed, where there was any tension it was adjusted, and this process was kept up for four years. During all this time the policy was being attacked by hon. gentlemen on the other side of the House. The right hon. leader of the Government, knowing that the result of these attacks in the House and the press were having an injurious effect upon the country, took means to have another verdict from the people. In this he was true to his country as he has ever been, and I am sorry I cannot say as much of my hon. friends opposite. I challenge the Reform press to point to one word or one act which the right hon. gentleman has ever said or done that could be construed to be against the best interests of his country. One year before the time, he appeals to the country, and asks the people whether they are still in favor of that policy. How was he met when he appealed to the country? Was he met on this question of Protection? Sir, the leader of the Opposition wrote and published a book, and in this book he laid down a sort of milk-and-water policy, and told his followers that, in certain localities they might adopt the National Policy if they liked, while in other places they might oppose it if they thought it would be to their interest. My opponent at the Election in June last, was a manufacturer. In the town of Gananoque he adopted the National Policy, but in the country he opposed it, and gave Mr. Blake's book as his authority for doing so. Now, let us dissect this little book. The hon. leader of the Opposition, as everyone knows, is a first-class lawyer, and fearing that the verdict of the people might be in his favor, and knowing it would be ruin to the country if he were returned to power, wrote this little article in his book, making this charge against the Government:

"They have greatly added to that charge, and have, as far as in them lay, insured the recurrence of a period of serious financial difficulty and distress."

Why did the hon. gentleman place that in his book? Knowing if he were returned that bad times would come again, he could then turn round and say: "Gentlemen, I

told you so; there it is in the book." He wrote more than that in his book. He says:

"The progress of the North-West is due to work we did and proposed to do."

Now will any hon. gentleman in this House, or out of it, say that the progress of the North-West was due to what the late Administration did when in power? It is true they bought a lot of steel rails. They built the Neebing Hotel and the Fort Frances Locks, but will hon. gentlemen say these works caused the great progress in the North-West? The people of this country told the hon. leader of the Opposition in act, what an individual over the lines told a politician in words. This old politician had been a sea captain, and was running for Congress, while his opponent was a young limb of the law. The two gentlemen met on the hustings one evening before a large audience. The lawyer delivered an able and very eloquent address. He was followed by the sea captain, who spoke to them as follows: "Fellow-citizens, I claim your suffrages, I have fought, bled and nearly died for my country. I have fought the Britisher and the Indian; I have travelled over this country with a gun on my shoulder, and my knapsack on my back, with the blood running out of my feet. I have lain out doors at night without any covering save the blue canopy of heaven." At this moment a countryman of mine, an old Irishman, arose in the hall and said: "Mr. Speaker, did I understand you correctly to say that you had fought the Britisher and the Indian?" "You did, Sir." "Did I understand you correctly to say that you had travelled over this country with a gun on your shoulder and a knapsack on your back?" "You did, Sir." "Did I understand you correctly to say you had laid out doors all night without any kiver?" "You did, Sir." "Then I will vote for the ether chap, for I think you have already done enough for your country." Now that is what the people of this country said to the leader of the Opposition: "We will vote for that chap, John A., for you have done enough for your country." The hon. gentleman opposite says that the farmers have been injured by this policy. Well, I think, the farmers should be the best judges of that themselves. I have the honor to represent a constituency containing over 4,000 voters, and over 3,500 of them are agriculturists, and I am sure they are of the average class of farmers, wealthy and intelligent. What is the verdict these farmers gave on the National Policy in June last, as compared with 1878? Why, the returns show that 256 more farmers in South Leeds voted for the National Policy in 1882 than in 1878. If any one has a right to judge as to the effects of this policy it is surely the farmers who are the most directly interested in it. Now, let us turn to the manufacturers, whom we are told are not benefited by the National Policy. I have the honor to live in the town of Gananoque which is sometimes called the Birmingham of Canada. I will just read for the benefit of my hon. friends who do not think the National Policy has benefited the manufacturers, one or two specimens of circulars issued by manufacturing houses in that place. The first one is issued by Mr. George Gillies, and is as follows:—

"GANANOQUE, 188

"Your favor of inst., ordering carriage hardware, has been received. I cannot fill your order at once, nor specify any time in which I can, but will ship your goods at as early a date as possible. On account of press of work I will be unable to fill the following for this spring's trade.

"Yours respectfully,  
"GEORGE GILLIES."

I think the hon. Finance Minister would be safe in offering a reward of a thousand dollars, or more, for a circular like that published during the *regime* of the late Administration. Here is another specimen:

Mr. TAYLOR.

"GANANOQUE AXLE WORKS.

"GANANOQUE, Feb. 1882.

"DEAR SIR,—Your favor of the inst. came duly to hand, with order for axles, which will have our best attention. We are very much behind with our orders, and we think it only fair to you to state that we cannot name a date at which we can forward the goods. We may say that up to 1st Dec. last there was no indication that an unusual quantity of our goods would be required this season, and, as a consequence, we did not turn out the quantity we might have done. And, notwithstanding we have now all our machinery running, it will be some time before we can fill orders promptly. If you can wait we will do our best to get your order out in shortest possible time.

"Yours Truly,  
"BYERS BROS & Co."

I do not think any further evidence is required to prove that the manufacturers are being benefited, and that the laboring men are being benefited by the present policy. I resided in Gananoque during the hard times, from 1873 to 1878. There our mechanics were on half time, and I never saw a circular of that kind addressed to customers. In consequence of the present prosperity, the factories are all running overtime, more hands are employed, and they are receiving higher wages. I can only say, in conclusion, that so far as I know, the manufacturing and the agricultural portion of the community in my riding, and I think I know them as well as any one, the great majority are in favor of this policy. The majority that South Leeds gave me at the last Election, 277, proves conclusively that the National Policy is approved of in that constituency, and what is the opinion there is a fair index of public opinion all over the country.

Mr. BURNS. Mr. Speaker: Seeing no desire on the part of hon. gentlemen opposite to address the House, I conclude, as they are few in number, they are going to let the verdict go by default. After the many speeches which has been made in the course of this debate, little remains for me to say. In claiming the indulgent consideration of the House for what I, as a young member do say, I only offer the favorite apology, and follow the track marked out by those who have preceded me. Even were I able to present to the House in an intelligent form arguments in support of the policy of the Government, and statements to controvert those made by hon. gentlemen opposite, such arguments would not be necessary. The attack, if I may call it such, on the Government and its policy made from the other side of the House, has excited in my mind, a feeling that really they have nothing to attack. What do we find their attitude to be? They make reckless charges against the Government of extravagance. Have they brought forward any proof in support of those charges. No; on the contrary, even some of the hon. members opposite had to admit that those made by their companions in arms were entirely groundless. It occurs to me, from hearing the speeches of hon. gentlemen opposite, that they are rather narrow and rather sectional in their ideas, that they are more disposed to touch small matters than to deal with matters of importance to the country. I am not disposed to belittle the idea that attention should be bestowed on small as well as on large matters; but the fact that hon. gentlemen opposite introduce small matters in this debate proves to me they have nothing large to attack. What do we find? We find the hon. member for Queen's (Mr. King) applying himself, I think, in a very unwarrantable manner, to an attack on the hon. member for King's (Mr. Foster). I am proud, as coming from New Brunswick, that this House possesses a member who has so ably expressed the views of the Province, and not only the views of the Province but the views of the country; and I think it would have been only chivalrous and courteous on the part of the hon. member for Queen's, who is an older member of the House than is the hon. member for King's, to have complimented him on the extraordinarily able manner in which he placed his views before the House. We find that the hon. member for Queen's

carrying out the sectional, small, and narrow ideas of his companions in arms, when he referred to the fact that the hon. member for King's did not allude to the Province of New Brunswick. Was it particularly necessary that he should make a special reference to that Province? I think it was not. So, as in the case of the hon. member for Queen's, we find the hon. member for North Norfolk (Mr. Charlton), stating in this House that the matter to which we are addressing ourselves is one of very little consequence indeed. If the financial condition of the country is of very little importance, I ask the House why it was that the hon. member and those politically associated with him devoted so much time to the question. If I remember rightly, that hon. gentleman said the question of opening up the North-West and that of the Ontario Boundary were of more general importance than the financial question or the Tariff. Hon. gentlemen opposite have made an attack on the Government respecting the increased expenditure in connection with the Civil Service. Have they attempted to point out that the increase was not necessary? The increased expenditure on account of the Civil Service was consequent on the development of the country, the opening up of the North-West, and the fact that the affairs of the country are administered in a more efficient manner. They have also alluded to the question of the cost of gas. I know no party that comprises better judges of the value of gas; it is an article of which they seem to possess a large quantity, and certainly they seem able to measure its value. They have also referred to the travelling expenses of the members of the Government—another small matter while not unimportant in itself, it is so, comparatively speaking, when compared with the issues now before the House and country. If the members of the Ministry had to expend some money in travelling expenses, I assume that, in doing so, they were discharging duties which they owed to the country, which received good value for the expense incurred. Allusion was also made to the fact that the Minister of Inland Revenue devoted some of his time to Ontario lately. Well, is that a charge which can be brought against the hon. Minister of Inland Revenue alone? Can I not point to seats which were empty on the other side of the House, for days and weeks, in order that the members which should occupy them might engage in the Ontario Election, and was it not necessary, if you will, that the Minister of Inland Revenue, or any other member of the Cabinet, should devote his time to meeting the charges which these hon. gentlemen opposite were making from every stump and hustings in Ontario against the Government? I say it was. The policy of the Dominion Government was discussed, and it was decidedly necessary that the hon. Minister of Inland Revenue, or any other Minister who could take enough time from his Department, should devote himself to controverting and contradicting the assertions falsely made. They charge extravagance in connection with the general expenditure, and they single out two or three items, particularly the item on immigration. Well, Sir, I can only say that to my mind, the money spent on immigration has been wisely and well spent. The Administration of the day is quite alive to the necessity of bringing in people to fill up the country, to settle on the lands in the North-West, and to contribute to the wealth and prosperity of the Dominion; but while I am an advocate of such expenditure, I may be excused when I say I do not think that the Government should devote their whole attention in this respect to the North-West. There are other parts of the Dominion to which immigration could be directed; and I put it to the Government, would it not be well that they should devote some attention with the view of aiding the other Provinces in securing a share or portion of the stream of immigration which is flowing from the other side to this side of the water. We have, in the

Provinces of New Brunswick and Nova Scotia, and I speak more particularly in reference to New Brunswick, some of the finest farming lands in the Dominion of Canada; and I think it would be a wise expenditure for the Government to appropriate a certain amount of money, in order to supplement anything which may be done by the different Provinces to promote immigration. Attacks were also made on the expenditure on Public Works; but have we not something to show for Public Works. Has this expenditure been lately made in such a way as to financially embarrass the country, as was the case from 1874 to 1878, when the then Government produced deficits very year? No, Sir. It has been carried on out of the surplus revenue. We have railways and canals to show for this expenditure. We have assisted railways in several Provinces, out of the surplus revenue; and, therefore, I say, as it was so well put by the hon. member for King's, that we have assets to show—and liabilities if you will—in connection with these items. We have also harbor improvements, piers and breakwaters; and can it be truly said, that the present head of this Department shows any inefficiency, or any desire to be extravagant? No. I will accord to the hon. gentleman at the head of this Department, the tribute that he manages its affairs in the most economical manner possible—in fact, to some of his supporters, he appears to be rather too economical. Can such jobs be charged on him as were referred to by the hon. gentleman who spoke last, that is such as the Fort Frances Locks, &c.? No such charge can be made. Now then, Mr. Speaker, we will proceed to another matter referred to by hon. gentlemen opposite; it relates to the Tariff. These hon. gentlemen seek to convey this idea and this impression to the country that the effect of the Tariff has not been what was predicted for it by its promoters and supporters, that is that it would reduce imports from the United States; but that it has, on the contrary, increased them. Hon. gentlemen opposite allege that it has increased our imports from the United States. I take issue with them, and say, that if you deduct from these imports, raw cotton, locomotives, and other things, which may be called raw material, being necessary to the development of this country, you will find that the effect of the Tariff has been to increase our trade with Great Britain, as against an increase of trade with the United States. Suppose that this Tariff had not been in existence, and that the National Policy had not been framed, I ask you and the House, what then would have been the result? Would the position of imports from the United States versus Great Britain, be as it is to-day? Sir, I claim, that the imports from the United States would have been largely in excess of those from Great Britain. Another charge, which has been made by hon. gentleman opposite, was, that the framing of this Tariff, or, the inauguration of this policy, was taken in the United States as an evidence of our hostility to them. I say that this cannot be the case, because in framing and carrying out this policy we were simply following the example which was set us by that great country; and I ask you, Mr. Speaker, is it not just as much in the interest of the United States to be friendly with us as it is in our interest to be friendly with them. The Trade Returns place our imports from them at \$48,000,000, while their imports from us were \$40,000,000. In going over these matters I only do so in a cursory manner. I am not prepared to hurl against hon. gentlemen opposite the mass of figures which they hurl against us. The House, I think, has been deluged with figures, and I am sure that it is tired of them, and therefore I propose not to indulge in any elaborate figurative argument at all events; but I may be pardoned if I refer to a few by-and-bye. I was astonished to hear the hon. member for North Norfolk say that the savings bank deposits were no indication of the prosperity of the country—that, at all

events, they are no proof as to its prosperity. Well, really, this is an argument which I never heard advanced before, and I am sure that it is an argument which will not carry weight and conviction to the hon. gentlemen who sit on this side of the House; if it convinces hon. gentlemen opposite, they are indeed very easily convinced. That hon. gentleman endeavored to prove the correctness of his contention by instituting a comparison between the deposits of the Lower and Upper Provinces; and argued that because they were greater in the former in proportion to population they could not be used as an argument to show the prosperity of the country. Now, I will tell the hon. gentleman and the House, what, in my opinion, his reasoning is worth, and why the deposits in the savings banks of the Lower Provinces are much greater in proportion than are the deposits made in these banks in Ontario and Quebec. The hon. gentleman himself answered his argument. The hon. gentleman told the House that money is taken from one investment and placed in another; and so it is with the earnings of the people. In the Lower Provinces we have not reached that point in manufactures that has been reached by the people of Ontario and Quebec, and which we hope to arrive at by-and-bye. The savings of the people of Ontario are invested in manufactures and bank stocks, while in the Lower Provinces, owing to these manufactures not having reached so forward a stage of advancement, the money of the people is more largely deposited in the savings banks. Why is it that the deposits in the banks have increased? It is simply because the workmen of the country have been getting increased wages, and have therefore been able to save money to put in the banks. Reference has been made to the chartered banks by hon. gentlemen opposite, and they quoted the prices of bank stocks in 1874, and compared them with those of 1878. It would have been much fairer to this House and the country, if that hon. gentleman had compared the prices of these stocks in 1874 with those of the present time; I will give the House the quotations of two or three of the leading banks for those years, which will show that the chartered banks, at all events, are enjoying a great measure of prosperity, that prosperity being the outcome of the employment given for their capital. In 1874, the stock of the Bank of Montreal was quoted at 130; to-day it is quoted at 200. In 1878, Bank of Toronto stock stood at 138; to-day it is 184. In 1874, Federal stock was quoted at 98; to-day it is 161. Reference was also made to the prices of our bonds in the Old Country, and an hon. gentleman stated that the reason our bonds were at their present high prices was because the money market of England is open to the world. True, they are open to the world, but were they not open to the other colonies as well as to ourselves? Why is it that our bonds are worth so much more to-day than they were some years ago? It is simply because we are not under the necessity of going into the market to borrow money—simply because we have a surplus and are able to pay our interest at maturity. I ask if our credit would have stood as high as it stands to-day if we had deficits staring us in the face year after year, as hon. gentlemen had. I come next to the question of imports *versus* exports. Hon. gentlemen opposite have sought to make it appear that the utterances of members of the Government to-day and those of some years ago are entirely inconsistent. I maintain that such is not the case, and that the hon. Finance Minister has always said that it was the aim of the Government to make our exports as nearly as possible equalize our imports. If the country is going to the dogs, as hon. gentlemen say, with increasing exports, let us contrast the condition of affairs in this country during the last four years with that which existed between 1874 and 1878, and show if the imports were not as much in excess of the exports in the former period

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as they have been for the last four years, and very much greater. I will give the round numbers, so as not to tire the House. In 1874 the exports were \$89,000,000, as against \$128,000,000 imports—or an excess of 43 per cent. In 1875 the exports were \$77,000,000; and the imports \$123,000,000, or an excess of 57 per cent. In 1876 the exports were \$80,000,000; and the imports \$93,000,000, an excess of 15 per cent. In 1877 the exports were \$75,000,000; and the imports \$99,000,000, or an excess of 32 per cent. In 1878 the exports were \$79,000,000, as against \$93,000,000, an excess of 16 per cent.; or, taking the whole five years, an average excess of imports over exports of 32 per cent. Let us now take the period between 1879 and 1882. In 1879 the exports were \$71,000,000; and the imports \$81,000,000, or an excess of only 13 per cent. In 1880 the exports were \$87,000,000, and the imports \$86,000,000, a balance of trade on the right side, for, I believe, the first time in the history of our country. In 1881 the exports were \$98,000,000, and the imports \$105,000,000, an excess of 17 per cent. In 1882, the exports were \$102,000,000, and the imports \$119,000,000, an excess of 17 per cent.; or, taking the latter period, an average excess of imports over exports of only 9 per cent, as against 32 per cent. in the former period. It has often been said, and I suppose truly, that figures cannot lie; but hon. gentlemen on the other side will not allow them to lie, they sat them up again and again but only to be demolished. I do not think that it will be asserted that the Tariff prevented any increase of exports, and, on the other hand, I think it can be truly asserted and is susceptible of proof, that it has decreased the imports. If during the last four years, which is considered an era of prosperity, we had not this Tariff in force, if we had not had manufactures going on all over the country, I ask, would not our imports have been very much greater? What has become of all the goods manufactured in the country from 1878 to 1882? Have they been lost? No, they have gone into consumption, and our imports have been lessened thereby. Reference was made by an hon. gentleman on the other side to the question of wheat, and I think he sought to make it appear that the farmers of Canada had not, under this Tariff, the control of their own markets, and he instanced the fact that, because 5,838,156 bushels were entered for home consumption in a year, in which there was no duty levied, we could not very well arrive at what was consumed in the country. Well, if that hon. gentleman would turn up the exports, he would find a solution of the problem. In 1876 we imported 5,838,156 bushels and we exported, not the produce of Canada, 3,177,979 bushels, showing that of what we imported into the country, 2,660,159 bushels went into consumption; and to that extent the farmers were deprived of a market for their wheat. In 1882 our total imports of wheat were 2,931,220 bushels, and the exports, not the produce of Canada, were 2,580,498 bushels, showing that only 345,909 bushels went into consumption. Then, again, with reference to the balance of trade, it does not follow, and I think it has been admitted, that because our imports exceed our exports, the country is in a bad state. In order to see that an apparent excess of imports does not indicate that the country is in debt to that extent, we must take into consideration, as stated by the hon. Finance Minister, the disbursements on our ships. A large amount of money is advanced by the shipper to the ship-owner, to defray loading expenses, port charges, wages, &c., and is drawn for against freight payable at port of discharge. That money does not enter into our exports at all. The amount is a very considerable one, much greater, I take it, than the amount stated by the hon. Finance Minister. I think he placed the amount at 5 per cent. on \$350,000,000, producing \$17,500,000. The amount would more likely be \$25,000,000. There are also the earnings of our ships, to which reference has been made. Canada, as has been said, is the fourth ship-owning

country of the world; its ships are trading in foreign countries, sometimes the owners never see their ships, but drafts representing their earnings are constantly coming in, and adding to the wealth of the country; and go to help to meet any balance of trade that may be against it. The profits on our shipments, are no unimportant item, at 5 per cent., an ordinary business profit, they would amount to several millions of dollars. A still further item which has not been mentioned is the earnings of our seamen abroad, and which are constantly coming back to the country, they may also be applied to reduce the balance against us. There are also the earnings of a large number of our people who are working in the woods and the factories of the neighboring Republic. Taking all these items into consideration, although the balance of trade for last year is shown by the Returns to have been \$17,500,000 against us, it really has no existence, but had its amount very much less, proportionately, than the smallest balance that was against us under the *regime* of hon. gentlemen opposite, because the volume of trade is so much larger. We are also charged with having placed ourselves in an attitude to preclude us from obtaining Reciprocity from the United States. That contention is absurd. I believe it is part of our Tariff law that whenever the United States Government show a desire to reciprocate by placing any article on the Free List, the Governor in Council is authorized on our side to place the same article on the Free List. Therefore we have nothing to fear from the position we have taken. Is it not much better that we should be in the position of having something to give? If we had nothing to give would the United States open their doors to us? We would be met with the statement: "Oh, if we open our markets to you, you have nothing to give us in return." Hon. gentlemen opposite have made labored efforts to show this House that the price of farm produce has not been benefited by the operation of this Tariff. Well, the same argument that I have applied to other matters will apply to this—that if we had not imposed duties on grains coming from foreign countries, our farmers would not have been able to realize the price they did. To my mind, no class in this Dominion derive as much advantage, to-day, from the operation of the Tariff as the farming class. I would ask the hon. members from Prince Edward Island, if they could have obtained, during the past year, the same price for their oats as they did, if our markets were free to the United States? They would not have had the markets of New Brunswick or Nova Scotia. Therefore, I say the Tariff was a very great boon to them in this respect. The hon. member for Queen's has read to the House a statement to show that the farmers of New Brunswick have not had the control of their own market under the Tariff; and how has he attempted to show that? Simply by reading the exports of farm produce from the Province of New Brunswick. Does that go to prove that the market of New Brunswick was not completely under the control of the farmers? What they exported was simply the surplus that they had after the market of their own Province was supplied. When he quotes the large export of certain articles from New Brunswick, the figures he has given do not, to my mind, correctly represent the surplus of the farmers of New Brunswick, because a large portion of the farm produce and the produce of the dairy—butter, cheese, oats and other articles of that kind—which are consumed on the north shore of New Brunswick are brought in from Quebec, Ontario and Prince Edward Island, therefore the farmers of New Brunswick had not the amount of produce to export which the figures of the hon. gentleman would seem to indicate. Then there is the shipping industry. That matter has been so very ably dealt with by the hon. member for Westmoreland, that very little is left me to say on it. As was stated by my hon. friend, sailing ships are driven from the seas by steamers, and I am pleased to learn the Government intend to encourage the building of composite

ships which will be able to compete with iron ships and in a measure with steamers. While we are not building a very large amount of tonnage, we are building a large number of vessels to run between the Dominion and the West Indies and South America, and which find employment in carrying away our lumber and our fish, and in bringing return cargoes of raw sugar for our refineries, which are giving so much employment to our people, and which are doing so much to build up, not only our shipping industry, but the trade of the country generally. Our friends on the other side seem to demur very strongly to the verdict of the people. They will not accept it, but I think it is time they opened their eyes to the fact that the people in 1878 and 1882 very emphatically endorsed the policy of the present Government, and that they should turn their efforts in a different direction from that they are now pursuing. It is claimed by hon. gentlemen opposite that the Government secured its majority by what is commonly called the gerrymandering process. I am not going to talk of the effect of this in Ontario, but I know that no gerrymandering was done in New Brunswick or Nova Scotia, and I do not think any was done in Quebec. Yet what do we find? From Quebec to Cape Breton, with the exception of one county, every constituency along the sea-board has sent a supporter of the Government. In every one of these constituencies the National Policy was the issue pure and simple, and I know that in the county which I have the honor to represent, and which is one of the greatest, if not the greatest fishing county in the Dominion, and is also a good farming and lumbering county, the issue of the National Policy was placed as squarely as I could place it before the people, and they adopted that policy and sent me here to support it. And I do not think it can be said that the gentleman who opposed me was, by any means, a mean exponent of the views of hon. gentlemen opposite. I had intended at one time to cast at the hon. member for North Norfolk that famous '76 speech of his, but that has been done much more ably and effectively by my hon. friend from King's. I will simply refer to one statement of the hon. gentleman for North Norfolk, viz.: that he would not object to a 20 per cent. Tariff. I think we can show from the utterances of that hon. gentleman himself, that the average amount of duties paid on goods imported into this country only amounted to 19 $\frac{3}{10}$  per cent., so that we are under the 20 per cent. Tariff he said he would like to see imposed. The hon. member for Queen's has said that we have not yet seen in the Province of New Brunswick any of the tall chimnies promised us by the promoters of the National Policy. I take issue with him there. While the statement may be true as regards the county of King's, it must be remembered that that is purely an agricultural constituency. In that county, so far as I can recollect, there was only one industry of any consequence—a boot and shoe factory—and through causes which it is unnecessary to state that factory has been closed. What can be said of that can be said of many others of a similar kind; but if the hon. gentleman will turn his attention to the metropolis of New Brunswick—St. John—will he not find tall chimnies there? To-day, in St. John, a very large cotton mill is being built; also a cotton mill in the town of Moncton, in addition to the factories already established in those places, and all due to the National Policy. In addition to the cotton mill now being erected in St. John, the capacity of the old cotton mill has been very materially increased. Therefore, I say, not to speak of the bolt and nut works, and the amount of work done by the foundries there in connection with the Canadian Pacific Railway, and all the other requirements of the country, we will find that St. John is becoming a large manufacturing centre. I think the hon. gentleman is not discharging his duty to the Province of New Brunswick, or to this House, when he keeps out of sight the fact that St. John is certainly increasing the number of its manufactur-

ing industries. In Nova Scotia, a new cotton mill is in progress at Windsor, also one at Halifax, and a large sugar refinery; and to-day, in glancing over the paper, I saw an advertisement calling for tenders for the erection of a new sugar refinery in Dartmouth. The output of coal, I may add, has also very largely increased in Nova Scotia through the operation of the National Policy. Now, Sir, the general effects which have followed the National Policy are these: our people are better employed, they get better wages, they are kept at home. Instead of going to the United States, they find employment at their own doors. The farmers are getting better prices for their products than they would get if this policy were not in existence. The manufacturer has the home market for himself. It is not necessary for us to go abroad to borrow money. Notwithstanding the statements from the other side, I assert that the goods our manufacturers produce under the operation of this Tariff, are given to the consumer just as cheaply as they could have been given under a 20 per cent. Tariff—a similar class of goods imported from the other side of the water. We get as cheap goods, and we get better goods. I assert, as a matter of fact, that the article of tweeds, referred to by hon. gentlemen opposite, are produced cheaper and better under the operation of this Tariff than they could have been imported under a 20 per cent. Tariff. It has had the effect to shut out a lot of inferior products of the mills in Manchester and other English cities. Take the ordinary kind of tweeds, costing 2s. a yard, largely made up of shoddy. Under a 20 per cent. Tariff those goods cost, laid down, about 63 cts. a yard; I assert, without fear of contradiction, that you can buy a Canadian tweed for 55 or 60 cts. a yard, a much better article, and giving much better satisfaction, than English tweed. Again, the policy of the Government has given us cheap tea; it has given us free tea. Not only that, but it has conferred on the people of the Maritime Provinces, and more particularly on the county I represent, an inestimable boon in the fishery bounty of \$150,000. I ask you if we were under the *regime* of the hon. gentlemen opposite, with deficit after deficit, could they afford to give that bounty to the fishermen? No, Sir. My hon. friends opposite will say that the money was due to the people of the Maritime Provinces, under the award of the Washington Treaty, but if we had deficit after deficit, that \$150,000 would have to be taken to meet the ordinary requirements of the Government. I was glad to hear that the attention of the Government has been drawn to the necessity of better trade relations with the people of other countries. It is very desirable that our trade should be increased in the direction of the West Indies and Brazil, and also with the continental countries of Spain, France, Italy and elsewhere, in order that we may become less dependent on the United States for a market. To my mind, the West Indies and South America are the natural markets for the Maritime Provinces. I hope every effort will be made by the Government to develop trade in that direction. In connection with this matter I may mention that there is a feeling in the Maritime Provinces that molasses should be placed on the Free List. It enters largely into everything that we produce, yet it may be necessary to retain the duty now levied on it in order that we may better be enabled to secure Reciprocity for our fish and our lumber with countries producing it. I regard that point in the same way that I regard our position with the United States. I do not desire to detain the House any longer. I can only say in conclusion, that having been sent here to support the policy of the Government, and having heard nothing from the other side to cause me to change my views or prove recalcitrant to the trust reposed in me, I shall continue to support that policy and give all the assistance I can towards carrying it out.

Mr. SUTHERLAND (Selkirk). I desire to direct the attention of the House briefly to that portion of the Tariff

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which affects the Province of Manitoba. I shall not attempt to go over the whole question now before the House with any elaborate arguments as to the merits of the National Policy; but in the interests of my constituency, in the interest of Manitoba and the North-West, I wish to refer to that portion of the Tariff, or to the changes which the hon. Finance Minister proposes to make in the Tariff, which I consider will be very injurious to the settlers of the North-West. It is a well-known fact to those who have taken the trouble to study the question, and who have resided in Manitoba or the North-West for any length of time, that, notwithstanding all the arguments to the contrary, the settlers out there pay the duty on agricultural implements. I do not think there is any question at all in the minds of the people of that country on that point, no matter what stripe of politics they may belong to. I am perfectly satisfied that if a vote was taken to-morrow, that not only the Reform but the Conservative electors of the whole Province of Manitoba would declare by a nine-tenths majority against an increased duty on agricultural implements. We are perfectly well aware that it has been the policy of the Government to foster the manufacturing industries of the eastern portion of the Dominion, and notwithstanding that it is a burden upon our people we are willing to pay a fair share of that excessive duty in order to give the policy a fair trial. But when the hon. Finance Minister started out with the assertion in his opening remarks that he had \$1,250,000 to give away, or in other words, lessen the burdens of the people, because he had a large surplus, I hoped that we were to receive a small share, at all events, of that \$1,250,000; but, Sir, I was surprised to find before he got through that instead of attempting to lessen the burdens of the people of the North-West he was going to increase them by adding to the duties upon agricultural implements. Here is what he said:

"If you take up the list of the American houses in Winnipeg, you will find that they offer their agricultural implements at precisely the same prices as our manufacturers, and a fair inference is that they allow them a larger margin than our own people allow them. The result is that unless some steps are taken, the Americans will drive our people out of that market, and they will not reduce the price of the implement to the consumer, because our people show that their prices are as cheap as those of the United States; and we ask Parliament to say, inasmuch as the people of Canada who manufacture these implements can produce them as cheaply and sell them at from 10 to 15 per cent. less than 1878, and are prepared to supply them as cheap as the Americans, that they will not be driven out of the country, and therefore we ask for this increase of the Tariff."

I must assume that the hon. Finance Minister was not in possession of the facts when he made that statement. He says, in the first place, that in 1878 agricultural implements were from 10 to 15 per cent. higher than they are at the present time. Is the hon. gentleman aware that in 1878 we had no railway to Winnipeg, and consequently agricultural implements had to be carted there overland, or taken in flat boats, and no wonder they were higher than they are at the present time—it is unfair to make a comparison with that time, and I hope hon. gentlemen do not think the people of Manitoba are so dull as to believe that argument. Then the hon. gentleman says that representations were made to him, by a deputation of agricultural implement manufacturers, that the American agents are giving more liberal terms than the Canadian makers are able to offer, and, if they are not protected by 10 or 15 per cent. more duty the Canadian makers will be driven out of the market. I have not had the opportunity or the time to make enquiries from my constituents or communicate with all the implement dealers in the North-West, but I have received information from those who are better informed on the question, than either the hon. Finance Minister or myself, that quite the contrary is the case. We all know that in the States of Dakota and Minnesota we have strong competitors for the immigration going into the North-West. If we are not able to offer as good inducements to settlers on our side

of the line as those States can offer, we must expect to lose a large portion of the immigrants. In a strip of land 100 miles wide in Dakota, immediately south of Manitoba, it is a well-known fact that three-fourths of the settlers are Canadians. There is no use in denying the fact. I am not here to make speeches that can be used by American agents against immigration to Manitoba, but the truth must be told, and if the hon. Minister of Finance will not take the trouble to ascertain the facts I am forced to the conclusion that I must tell the whole truth in order that our case may be fairly and honestly presented. There must be good reasons for all those Canadians settling on the American side of the line; there is no use in saying there is not. What are they? They are told, and it is a stock argument with American agents, that the outfit for the first year to start farming can be purchased by the settler much cheaper in the United States than in Canada. I regret to say there is too much truth in that statement; I regret also to say that the statement will be intensified by the increased duty which the hon. Minister proposes to impose on agricultural implements. I think he is putting a stronger argument in the mouths of the American agents than I, or any other hon. member can do, that they will have better arguments with which to canvass Canadians passing through that country than heretofore; and as the Canadian Pacific Railway will not be finished for another two or three years, the loss of immigrants to the Canadian North-West passing through the United States will be very much greater than is represented in this House. If Manitoba and the North-West were likely to produce manufacturing establishments, if we had the raw materials there for manufacturing agricultural implements, there might be some excuse for protecting this product; but, it is a well-known fact that, with the exception of the lumber interest, there is no manufacturing interest in that country, nor is there likely to be any for a long time. It is a fact, that we cannot bring in raw material, pig iron and other articles required, and pay the freight on it, and compete with manufactured goods from abroad; and not until we have a railway built to Hudson's Bay, can we expect to compete with our neighbors across the line. I hope that at no very distant day we will open this country and obtain the raw material for manufacturing, such as the coal and iron, and build up a Montreal at the mouth of Nelson River before very many years have passed away. I am not replying to any of the arguments on the general question of the Tariff, but I am confining myself entirely to the Province from which I come, and I voice the opinion of the people when I say that the hon. Finance Minister never made a greater mistake in his life than when he proposed to increase the duty on agricultural implements. I do not ask that the duty should be abolished altogether, inasmuch as the country has pronounced largely in favor of the National Policy; it must remain as it is, I suppose, during this Parliament. I am not going to oppose the present duty, because I am not here, as I have stated, to discuss the question of existing duties in detail, but if those who have voted for it, and believe it is right, are satisfied, I must be. Returning to the interview between the hon. Minister of Finance and the agricultural implement makers, and the arguments used, I think it strange the hon. gentleman did not think it worth his while to consult the people of Manitoba through their representatives, but allowed the manufacturers to come here and bulldoze the Government into enacting a higher Tariff and placing more taxes on settlers in Manitoba without consulting them in one way or the other. I am not aware that the hon. gentleman mentioned this matter beforehand to any of the members for Manitoba, and I think the time has come when more attention should be paid to the wants and requirements of the people of that country by the Government of the day than has been done heretofore.

It is all very well for hon. Ministers to sit in their cushioned chairs and govern the people of the North-West without possessing practical experience of the country, or seeking information respecting it. What are representatives sent here for, if not to be consulted, especially respecting the requirements of their own Province? But the hon. Finance Minister appears to think more of a few manufactures than of the bone and sinew of Manitoba. Without consulting their representatives in any way whatever, he comes down to this House and proposes to increase the duty on agricultural implements going into that country. As I said before, I hoped that if we were not to get any portion of the \$1,250,000 which he proposes to distribute by reducing the taxation of the country, at least we should not be taxed any more than we were, and if he had left us alone I would have been better satisfied; but he has not only lowered the duties on some goods, but he has put other goods on the Free List, and has not only protected manufacturers, in some cases with higher duties, but he proposes to give away a portion of this money in the shape of bounties to manufacturing industries. Well, Sir, I might perhaps approve of the policy of giving bounties to certain industries in this country. I believe that this after all may be the proper way to protect some manufacturing interests, and I think that if the hon. gentleman had taken into consideration the industries of the North-West and had considered for a moment before he made the statement that he would increase the duty on agricultural implements, and before he gave the people of the North-West what I suppose he considered a *quid pro quo* in the shape of the entry on the Free List of agates, rubies, pearls, sapphires, emeralds and opals, we might have had a different proposal. Why, Sir, we asked them for bread and they gave us a stone. We asked them not to increase the burden on agricultural implements, the staple articles required in our country to produce our bread, and, Sir, they give us precious stones without duty. Well, Sir, on behalf of the agricultural interest of the Province of Manitoba, and the laborers and farmers of that country, I return to the hon. Minister of Finance my sincere thanks for this great favor; but if the hon. Minister of Finance has determined that the duty on agricultural implements shall be increased—although I believe he will find it necessary to reconsider this question before the matter is settled—if he is bound that he shall impose this extra duty, then I ask him to extend the same liberal policy towards the agriculturists of Manitoba and the North-West that he has extended, or proposes to extend, to the iron interests of the Eastern Provinces. If he proposes to adopt that system, and to inaugurate that policy, why should he not give to the farmers of the North-West 10 cts. per bushel bounty on wheat and 5 cts. a bushel on coarse grains during the next three or four years, in compensation for this extra duty on implements; and I shall then be prepared to let the thing go.

Mr. LANDRY. Hear, hear.

Mr. SUTHERLAND. I hear an hon. gentleman call out "hear, hear;" but I can show him by a very simple calculation—and will do so at a later stage, if necessary—that the increase in the duty from 25 to 35 per cent. on implements would not be more than balanced in three or four years by 10 cts. bounty on each bushel of wheat, and 5 cts. a bushel on our coarse grains. It may appear to be a very remarkable statement to make; but it is the fact. If this thing is to be perpetuated for a certain number of years, of course this will be necessary. It is said that we get free homes and free land in the North-West; but in the outfit of implements only, which it is necessary for the immigrant going into that country to purchase—because he cannot take agricultural implements from here to the North-West, these being unsuitable for that country—he pays over \$1 an acre for his 160 acres,

the very first year that he settles in that country, in the way of duty. There are many good reasons why this increase of duty should not be imposed, and I think I shall be able to show that, at all events, the universal opinion of the people of that country, is, that this duty should not be increased. As I said before, I have not had the time to place myself in communication with all the dealers in the North-West; but I have received sufficient assurances, at all events, to know that they are all, or nearly all, opposed to this increase in the Tariff. Of course, the implement dealers who deal exclusively in Canadian goods, may use the same argument which, I presume, was used with the hon. Finance Minister, in order to induce him to increase this duty. I have a letter which I received by this day's mail, giving the views of one of the largest dealers in these goods in the North-West, and, I may add, by the way, that he is a prominent Conservative; of course, if I read letters from any others than supporters of the Government, they would not be believed. One of the largest dealers and the oldest house established in this relation in the country, state on this subject their views, as follows:—

"We were always in favor of dealing in goods of Canadian manufacture. We started business here in 1877, with the determination of confining our attention chiefly to manufactures of our own country. We found in 1878 and 1879 that our Canadian goods were reasonably fair; but from that time there was a depreciation in quality to such an extent that as a matter of self-protection, in order to keep our trade as against other dealers, we were drawn to purchase in the United States.

"Regarding prices, take the following examples:—

"**STREAM THRESHERS.**—The price list herewith (marked A) of the Canadian manufacturers, Stevens, Turner & Burns, of London, Ont., shows the price in Winnipeg to be \$1,515.

"The price list herewith (marked B) of the J. J. Case Threshing Machine Company of Racine, Wisconsin, shows their price in Winnipeg for the same article to be \$2,000, or a difference in favor of the Stevens, Turner & Burns, of \$485, or about 33½ per cent. less than the American article. Case's price for the same article at Racine is even more than the Canadian machine in Winnipeg—namely, \$1,585.

"We sell the American made machine at \$2,000 in preference to the Canadian at \$1,515, not because we desire to do so, as our own interests are in the direction of Canadian manufactures, but because the Canadian article is so far behind the other, that the Manitoba farmer prefers to pay the large difference in amount and take the American article.

"**AMERICAN PLOUGH—PRAIRIE QUEEN.**—Price list shows the cash price here of the twelve-inch breaking plough, manufactured by John Deere & Co., Moline, Illinois, to be \$25.

"Price list shows the cash price here of the same plough manufactured by the Thomson & Williams Manufacturing Co., Stratford, Ont., to be \$20.

"We sell 20 of the American to one of the Canadian, in spite of the difference in price. If they were to put on a hundred per cent. duty farmers would take the American. They cannot keep the American out, so as to secure the market to the Canadian. The Canadian manufacturer does not secure the trade of the country by the higher duties. The farmer here will continue to purchase the American article, and the increased price imposed upon him in the way of duty will not benefit the Canadian, but will be so much more tribute he has to pay to the Government without any effect in increasing home industries. But by-and-bye, the weight will be so burdensome to him, combined with other things that he has to contend with in this country, that he will remove to the United States, where he can get what he requires and what he cannot do without at about first cost.

"**SELF-BINDERS.**—Respecting these: We have always dealt in Canada for self-binders until now we are driven to get them in the States. And for the reason chiefly that the Canadian manufacturers are quite unable to supply the country with the number it requires. Messrs. Elliott & Son, of London, Ont., manufacture these binders. We have been acting as their agents for three or four years past. But we found that they were unable to meet the demand, and we had to make arrangements with the United States firms, or lose the trade. Last September, in arranging for the trade of 1883, we found that we should require at least 400 binders and 400 mowers. We applied for them to Elliott & Son, but they advised us that they could not possibly supply us with more than 250 of each kind. We were consequently obliged to give up Elliott & Son, London, and go to McCormick, Chicago, notwithstanding that the Chicago price is \$10 more. Our own interest is entirely in the direction of the Canadian article, and for the very good reason that our commission on the Canadian article is nearly double what is allowed us on the American. The Canadian binder sells here for \$340, the American for \$350. (See price list D.) There is this further to be said in this matter, that the Canadian article is inferior to the American.

"Again, regarding the inadequacy of the Canadians to meet the demand. We applied last December to Messrs. Stevens, Turner & Burns, of London, Ont., for from fifty to seventy-five outfits in the shape of steam and power threshing machines, in the proportion, say of about half of each kind. Their reply was that they would supply us

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with same outfits, but they could not bind themselves to any given number.

"Canadian manufacturers themselves, or their agents in Winnipeg, were compelled last year to purchase United States binders and ploughs, being unable to supply the demand from their own establishments. It is out of the question to contend that they can supply us with what we want in these articles. Last year we were unable to get from them more than one-half of what we wanted. We lost heavily in consequence. We were always on nettles, because we could not get what we required. We were then dealing in Canada for all goods excepting ploughs and seeders. In the matter of ploughs alone, we are quite sure that over five thousand farmers in the North-West would have to do this year without ploughs if they were not supplied from the United States. We can give the names of the manufacturers in Canada who, by themselves or their agents, bought from parties in the United States to supply the demand in this market, which they were themselves unable to meet.

"Our business last year amounted to \$450,000. This year we have bought goods to represent a business of from \$600,000 to \$700,000."

This is the statement of one of the leading firms of Manitoba on the question of increased duty, and he is a Conservative.

Mr. FARROW. What is his name?

Mr. SUTHERLAND. If the hon. Finance Minister will give me the name of the agents who said they were paid more by the Americans than by the Canadians I have no objection to give the name of my informer.

Mr. BOWELL. The hon. Finance Minister did not ask you his name.

Mr. CHARLTON. One of his lieutenants did.

Mr. BOWELL. One of his lieutenants did not.

Mr. SUTHERLAND. I think little more would be required to show the utter absurdity of putting any more duty on agricultural implements. I believe that if the hon. Finance Minister had taken proper measures to make himself familiar with the subject, he never would have proposed any such increased duty. However, there is no use talking, so long as the Government will insist on having their own way in these matters, without consulting the interests of the Province of Manitoba; and just so long will they be unpopular in that Province. I am bound to say that at the present time, for reasons which I could explain with reference to the land policy and other matters, the Government is unpopular in the Province of Manitoba. I do not know that the Government is altogether to blame for this. We have been unfortunate in not having our case presented on the floor of this House, but I do not know that the Government have taken the trouble to ascertain the causes of our grievances. They were not properly ventilated here, and I suppose the Government assumed that we were satisfied. We have been very forbearing, and we are willing, if we must, to put up with a duty of 25 per cent.; but we think the time has come when there is such a thing as paying too much for a good thing, and I believe that the proposal made by the hon. Finance Minister will be one of the most unpopular acts of the Government. This is not only the opinion of the agricultural implement men but of every man who knows anything about the question; and it is the universal opinion of the press of Manitoba and the North-West. I will quote an article from the leading Conservative organ of the city of Winnipeg—the *Winnipeg Times*. At the very time when the hon. Finance Minister was delivering his Budget Speech the well-known editor of the *Winnipeg Times*—one of the ablest writers in Canada—was writing the following:—

"The attempt now being made by Ontario manufacturers to induce the Finance Minister to increase the duties on certain articles that they may secure a more complete monopoly of the North-West market, will, it is to be hoped, be frustrated. The North-West settler has many difficulties to face at the outset, and every dollar added to his burdens is a material drawback to the future of this region. People down East are apt to forget that the North-West has formidable competitors in Dakota and Minnesota, to go no further south or west. The settler, Canadian and British, naturally prefers his own flag and soil to the foreigner's; but when his pocket is unduly pinched the pressure seriously affects his patriotism. The most cogent argument used by the agents of American railroad companies just now is that on their side of the line the four great necessities of a settler's life—lumber, fuel, agricultural imple-

ments and provisions—are cheaper than on this. There is no denying it; all that can be said in reply is that when the all-Canadian route is completed from the Landing eastward, prices will come down here.

"Two or three years must elapse, however, before that event can occur; meanwhile irreparable injury may be done to the North-West by increasing the duties and sending current prices still higher. There is, or was, a legend in the Eastern Provinces that the consumer does not pay the duty. That was an excellent joke, but it is not regarded in that light up here, where the consumer in every purchase he makes finds the duty adding just so much to the cost of the article. Some day, when our coal fields and iron mines are developed, and when the railroad brings us into direct communication with the great lumber region lying between Lake Superior and Ottawa, we shall no doubt set up in manufacturing for ourselves. But until that day dawns, the Government, instead of adding to the profits of the Ontario manufacturers by increasing duties, should endeavor, as far as may be possible, to lighten the burdens of the North-West settler, on whose prosperity alone the future of this country rests. The pioneer, after all, is more to the North-West than the Ontario manufacturer."

When the writer was penning these words he had little idea that the hon. Finance Minister was then making the astounding statement to the House that he proposed to increase the duties on agricultural implements; and after the news was telegraphed to Winnipeg, in the same paper appeared the following:—

"There is one feature of the speech, and perhaps only one, which will not meet with approval in the North-West. The duty on agricultural implements has been raised to 35 per cent. all round. The duty before was 20 and 25 per cent. Sir Leonard justifies the alteration on the ground that it is necessary to preserve the North-West market for Eastern manufacturers. But as the development of the North-West and its future progress rest not with the Eastern implement maker, but wholly with the North-West pioneer, it does seem to us that the latter ought also to have received some sort of consideration. The high price of agricultural implements in Manitoba is one of the stock arguments, one of the unassailable arguments put before the emigrant as he passes through the States on his way hither; and certainly the proposed increase will not lessen its cogency. It is to be hoped that before the debate on the Budget is closed, and the Tariff changes passed, the Finance Minister will see his way to encouraging the North-West settler as well as the Ontario capitalist."

In the issue of the same paper that arrived to-day another article appears. This question is, no doubt, occupying a great deal of the attention of the people, when we find three leading articles in succession in the Conservative paper. In fact, I am informed that indignation meetings are being held there, and that a deputation will be down here shortly to oppose this duty. The latest article is as follows:—

"The Finance Minister purposes increasing the duty on agricultural implements from 20 and 25 per cent. to 35 per cent. all round, on the ground that American manufacturers are paying large commissions to Winnipeg agents in order to induce them to sell American rather than Canadian articles; and because it is necessary to preserve the North-West market to Canadian makers.

"As to the commissions, *The Times* has had an opportunity, one which Sir Leonard has clearly not been afforded, of examining the contracts existing between American and Canadian makers and their Winnipeg agents last year. Instead of the American makers offering larger commissions than their Canadian competitors, the latter offer commissions running from 13½ per cent. on mowers to 16½ per cent. on binders in excess of the commissions offered by American firms like that of McCormick. The Winnipeg agents, therefore, have the strongest possible inducement to give Canadian machines the preference. Unfortunately, the settler prefers the American machine. If the two machines were put on an equal footing as regards price, 100 American would be sold for one Canadian. The trouble with the Canadian manufacturer is that the present Tariff has somewhat spoiled him. In 1879 and 1880, his machines were almost as good as the best made by McCormick; but since then he has taken to 'scamping' the work, trusting to the duty to protect him against superior American implements. In the North-West, time is the essence of seeding time and harvest. A badly constructed machine entails grievous loss on the settler when every minute is precious, and last harvest complaints against Canadian-made implements of all kinds came from every quarter. Moreover, the Eastern manufacturers are quite unable to supply the demand for this year. In short, leading Winnipeg dealers have been literally compelled, in spite of the larger commissions paid them by the Eastern makers, to go to Chicago and Racine for their supplies for the coming season. The duty of 20 and 25 per cent. would have afforded the Canadian maker the amplest protection had his goods been saleable. Thus a steam threshing-machine of twelve horse-power costs \$1,585 on the cars at Racine, the headquarter of the J. J. Case Company, and \$2,000 when landed at Winnipeg after payment of freight rates and the 25 per cent. duty. A machine of the same power and built on the same principle can be laid down in Winnipeg by the Ontario maker for \$1,515—the Ontario maker thus having an advantage of nearly \$500 on each machine. But the farmer prefers to buy the Racine machine because of its superior workmanship and material, and because he can rely upon it doing the work

and doing it well. Increasing the duty 10 per cent. is simply adding just so much to the farmer's burdens or else forcing him to buy an inferior article from a manufacturer to whom he is already giving a bonus of 25 per cent. on the value of each machine. This may be good for the Ontario manufacturer, but it will not suit the North-West settler, and to him alone the Government must look for the development of this region."

I have one more short article from another Conservative paper in the North-West, the *Regina Leader*, edited by the well-known Mr. Nicholas Flood Davin. It has not taken him long to change his views after going to the North-West any more than it has taken most others who have gone there during the last year or two. That gentleman says:

"Sir Leonard Tilley will add to his reputation as a financier if he recognizes the fact that it is as ridiculous to apply the same tariffs to Regina as to Toronto as it would be to wear the same overcoat in Regina that one had been accustomed to wear in Toronto or even Ottawa."

Now, Sir, I think I have shown pretty conclusively that the views of the people of Manitoba are largely against the increase of duty on agricultural implements. When the hon. Finance Minister boasts of a surplus, and proposes at the same time to lessen the burdens of the people by giving back some of the surplus, I think it is very unfair to the people of that country that, instead of giving them the benefit of any of the reduction in taxation, he should have increased their taxes. The chief trouble about agricultural implements is that Canadian manufacturers have not the experience to enable them to manufacture for a prairie country, so as to compete against the manufacturers of the Western States, who have had thirty or forty years' experience. The American manufacturers are always ahead of the Canadian manufacturers in their improvements. It is impossible for a Canadian manufacturer, at this time, to make a plough that will compete with the Deere plough at Racine, Wisconsin. There is something about the casting which, it is said, the Canadian manufacturer cannot get hold of, though one firm, Frost & Wood, have come near it; and that being the case, is it reasonable that we should have to pay a high price unnecessarily for that article which we must have. In heavy or clay land the Canadian plough will not turn the furrows and will not clean itself. There are to-day many of these Canadian ploughs in the North-West that cannot be sold. It is only the new settler, who knows nothing about it, that will use it; but he soon finds his mistake, when he sees the advantages of the American plough used by his neighbor. We are a go-ahead people in the North-West, and are bound to have the best article, no matter what it costs. With regard to the business in which I am engaged, although it is the greatest industry in the North-West, it has the smallest protection—only 20 per cent. But we are perfectly satisfied with that protection; and if the Government will come down and wipe out all the protection on implements and other things that affect the North-West, we shall be perfectly satisfied that it should be taken off lumber as well. We have to go to the United States for our machinery, because we cannot get what we want in Canada at any price at all. We have to compete, in manufacturing our lumber, with the mills in Minnesota; and the machinery they use is far ahead of any manufactured in Canada. I, myself, have to pay nearly double the price for machinery that I would have to pay in Canada; but I am forced to keep abreast of the times, and have, consequently, to use the same machinery as my neighbor, although there is a duty of 25 or 30 per cent. upon it. It may appear very strange to hon. gentlemen opposite that we cannot use Canadian machinery there as well as they do here. The reason is that the Americans are continually making improvements, and making them so rapidly that the Canadian manufacturer cannot keep pace with them; and we must have the best machinery made. I will give one instance. One of the greatest revolutions made in saw-mill machinery during the last few years is the steam feed and rotary mills. We do not produce them at all, because there is a

patent right on them, and they will not probably be manufactured here for some time to come. The same argument that applies to milling machinery, applies to other machinery, and I only particularize this class because I happen to do business in that line. If the hon. Finance Minister is bound to go ahead with his proposition to increase the duty on agricultural implements, he will place the Province of Manitoba in the position of a wet nurse to the manufactures of this country; and I think she is much too young for the business. The policy which he has laid down in his speech, of giving a bounty for a certain number of years, if introduced—I think three years—to iron manufactured in Canada, should be extended by giving a bounty of 10 cts. per bushel on wheat and 5 cts. on coarse grains. This would be a very small amount, but there is nothing he could do that would more aid immigration to the North-West than a policy of that kind.

Sir LEONARD TILLEY. Hear, hear.

Mr. SUTHERLAND. The hon. gentleman says "hear, hear." I hope he will adopt my proposal, and should he do so I will give him a good "hear, hear," when he comes out to the North-West. If he should not I do not know what may happen. At all events we desire fair play. We think it is only fair that this excessive taxation should be borne as evenly as possible by all parts of the community; but if the Government are bound to take the opinions of agricultural implement men in Ontario in preference to those of the farmers of the North-West they may expect, as has been laid down in the article I have read, that nothing but dissatisfaction will exist in that country. If, on the other hand, they should consult the wishes of the people in the future more than they have in the past, and before they take an important step of this kind make the necessary enquiries; if the hon. Finance Minister would spend two or three weeks in the North-West in the summer, he would come back with a vastly different opinion as to the duties on those implements. If the hon. gentleman will act on the views I have expressed; and harmonize his policy with the wishes of the people of the North-West, then, and not till then, may we expect to see that great and glorious country settled with a happy and prosperous people.

Mr. HAWKINS. I am quite aware that great latitude is allowed in the discussion of the Tariff, and that every manner of possible and impossible states of affairs is brought to bear in the discussion of this question, but I shall take a different course, and endeavor to confine myself to the discussion of the question proper—the Tariff itself. In response to my hon. friend from Selkirk, I may say that I feel quite satisfied there are many persons in Manitoba who would be very willing that the older Provinces should tax themselves to build the Canadian Pacific railway to Manitoba and the North-West, to open up the country and give value to its lands—

Sir LEONARD TILLEY. And make them millionaires.

Mr. HAWKINS. And as the hon. Finance Minister has said, create millionaires in that country with almost railway speed. In this part of the country we feel that while we are investing millions of the taxes collected from the older Provinces of the Dominion in developing the North-West with a rapidity almost unknown, not only in our own history but in that of the United States as well, we are perfectly justified in telling our hon. friend that we cannot consent to any such one-sided arrangement as that which he advocates. What seems to be the burden of complaint on the part of the Province he represents, is, that it is believed to be desirable by the hon. Finance Minister that sufficient protection shall be afforded to the manufacturers of implements in the older Provinces of the Dominion to enable them successfully to compete with the American

Mr. SUTHERLAND (Selkirk).

manufacturers, who have the advantage over them of being many hundreds of miles nearer the North-West. When we can show that many millions of the revenue collected chiefly from the older Provinces are being expended yearly in the rapid development of that country, I feel that sufficient justification is given for the proposal of the hon. Finance Minister to place agricultural implements among those articles on which the duty is to be increased. I have been accustomed to hear my hon. friend from South Brant for many years past, and have frequently had the pleasure of meeting my hon. friend from North Norfolk, as well as my hon. friend from West Middlesex. With the exception of the changes incident to a little greater or less expenditure in the different years, I feel satisfied that every word of the speeches which each of these hon. gentlemen have delivered on this question might be found in the *Hansard* reports of previous years. I believe that in order to create perfect fac-similes of those speeches it would only be necessary to transcribe a few figures in their previous utterances. As to my hon. friend from South Brant (Mr. Paterson), I must compliment him on the fact that he was chosen by his party to represent them in the discussion of so important a question as that of the Tariff. I must further compliment him upon having delivered, from his point of view, a very able argument. But at the same time I could not help thinking, nor can I help believing, now, that the hon. gentleman's efforts were largely directed to the contradiction of previous speeches, wherein he himself had been one of the ablest advocates of a protective policy, had been one of the most eloquent advocates of building up and creating Canadian industries. So long ago as the Election of 1874, the three members from Montreal were returned as direct Protectionists, also the two members for Hamilton, and also the hon. member for Toronto Centre. Undoubtedly, at that time my hon. friend from South Brant felt perfectly justified in making strongly Protective speeches, and, if time permitted, we might go over many of them and find Protection doctrines. We would find that he said, when the Government of that day gave additional Protection to the manufacture of cigars, that "that measure of Protection would transfer the labor of 1,000 men from Germany to Canada." Further, he said that "the erection and creation of these industries in different portions of Canada, would have the effect of making the steam whistle of manufacturing establishments the best emigration agents the country could possibly have." Now, when these great industries have been brought into existence in all parts of the country, when the four cotton mills of 1878 now number some twenty-four, and when, in the city of Brantford, which he represents in this House, he may see a great industry that was never thought of, which never would have been thought of but for the National Policy, in the shape of a cotton mill with 300 looms running every day in the year, he stultifies himself and advocates a Revenue Tariff. I am sorry that my hon. friend is not yet satisfied. He might further see, in the same city, another establishment for the manufacture of winceys, which will go into operation in a few days with, perhaps, 150 operatives. If he had visited the town of Cornwall the other day, in company with many members of this House, he would have had the pleasure of seeing a factory in which there are upwards of 800 hands employed to-day, wherein there were scarcely 150 employed in 1878. He might have gone to the various car manufactories of the country—to Cobourg, where he would find some 300 operatives busily engaged in manufacturing passenger and other cars, wherein, in 1878, there were scarcely forty hands, and even these few very irregularly employed. If he had gone throughout the country he would have learned that the fiscal policy of the present Government has had the effect of giving an enormous impetus to

its various industries, and he would have realized the correctness of the position which he took when the Reform party returned some seven or eight out-and-out Protectionists to this House in the Election of 1874. If he had wished to extend his peregrinations he might have visited the farmers of his own and other sections of the country. In 1876, in his speech on the Tariff, question he said: "My opponent was promising the farmers protection. I was obliged to do likewise and I promised them that on every occasion my voice would be raised in their behalf demanding that they should receive a measure of protection." But owing to the exigencies of party, owing to the necessity, as he confesses, of bowing to the will of the party, of stultifying his convictions, we find him to-day an out-and-out advocate of a Revenue Tariff and languishing industries. Now, we know that in the days when these hon. gentlemen were in power they had a Tariff of 15½ per cent. It was proposed by the then Finance Minister, Sir Richard Cartwright, that that Tariff should be increased to 20 per cent. They had every reason for making an increase upon their Tariff, they had deficits staring them in the face from year to year; they had the state of affairs which must inevitably lead the country to financial depression and eventual bankruptcy, which must inevitably, nay, did, depopulate our towns and cities. We find the hon. gentleman offering here to-day in his argument in behalf of a Revenue Tariff the strange idea that the showing of the Finance Minister of a surplus the present year of nearly \$3,000,000 is something for which we should not congratulate ourselves. "Why," he said, "in our time we could come nearer to the necessities of the Government than you do, in estimating the expenditure we came within \$1,000,000 of hitting the correct figures." It is true that \$1,000,000 was the necessary figure for carrying on the affairs of the country, but it was on the wrong side of the ledger—in short, it was a gaping deficit. In fact, he is like the boy who boasted a mortgage on his father's house, in order to extinguish his comrade's boast of a cupola on his home, he wanted to outdo the Finance Minister's splendid cupola in the shape of a surplus of \$8,000,000, and consequently he pleaded that a million or two a year of deficits constituted a happier state of affairs. Now, I think that was a very strange argument. If the hon. Finance Minister was intending to show that he had a very large surplus each year, it was certainly a novel idea to plead in favor of heavy annual deficits as a counter argument. It was a very weak argument to advance the counterfact that in their day they had \$1,000,000 deficit, but that million was nearer to the figure of the expenditure than the hon. Finance Minister's six, seven or eight millions of a surplus. Now, the question appears to me to be this: Has the Tariff introduced by the hon. the Finance Minister met the necessities of the trade of the country? It seems to me that the evidences are in every portion of the country that we are enjoying universal prosperity. The deposits in our savings banks, we were told by the hon. Finance Minister increased last year \$5,800,000. These deposits are in the names of those same workmen who, in 1876 and 1877, came to the House of Parliament demanding from the then Premier that he should either furnish them with work or furnish them with bread. Are we to be told that these men, who could scarcely find means of subsistence and could scarcely obtain food and clothing for their families in those days, are the same men who have to-day in the books of these Savings Banks upwards of \$13,000,000 over and above what they had in those days. We have been told by the hon. Finance Minister that the Consolidated Revenue for 1881-82 was \$31,383,000, and that the expenditure for the same year was \$27,667,000, leaving a surplus of \$6,316,000. In addition to that there was a land surplus of \$1,744,000, making in all a total surplus of \$8,060,000. Is this the same Canada which, only a

few years ago, had annual deficits varying from \$2,000,000 to \$2,500,000? Is this the same country in which towns and cities were depressed, in which the agricultural industries were languishing, and in which there was every appearance of a necessity for a total change of our political relations, or else the country could not possibly carry on its affairs successfully. And yet we have hon. gentlemen in this House, the hon. member for South Brant, the hon. member for North Norfolk, and the hon. member for West Middlesex, rising in their places and making the same speeches that would have answered their purposes in 1878. Why, those same Revenue Tariff speeches were delivered on various hustings in 1878. How were they received by the people? The answer given to those speeches in those days was a majority for Sir John A. Macdonald of nearly ninety in the House, elected on 17th September, 1878. Not satisfied with that verdict, not satisfied with the view that was expressed by the people at the polls in that year, we find these hon. gentlemen making another appeal. We find them, during the whole of the four Sessions that intervened since 1878, again and again, each Session, urging the self-same idea, the necessity of doing away with the Protective Tariff and returning to a Revenue Tariff, the necessity in fact of returning to annual deficits. But how were those contentions received by the country? Let the verdict of 20th June last say what was the answer received at the hands of the people. We have to-day substantially the same majority supporting the Government that was sent to support the Government in 1878. We have the people of the country reaffirming their verdict, and reaffirming the fact that the creations of the National Policy have been such that it has met with their universal approval at the polls. The next fact we find in connection with the hon. Finance Minister's statement is the expenditure on Capital Account. Last year it was \$7,300,000. The surplus over expenditure on Capital Account was \$760,000, and taking into account the sinking fund, the net increase of debt was only \$1,750,000 in the year 1881-82, notwithstanding the expenditure on Capital Account was, as I have stated, \$7,300,000, not a dollar was raised by way of loan. We find that whereas in the days of the late hon. Finance Minister we were obliged to go to England to raise loans for the purpose of meeting the ordinary expenditure, for the purpose of meeting an expenditure which, in those days, only averaged from \$22,000,000 to \$23,000,000 annually, we find in these days, and at all events, last year, an expenditure of upwards of \$27,000,000, and yet the hon. Finance Minister is able, out of the increased earnings and savings of the people, to meet all requirements and still have a surplus on hand. He has been able to show that from the amount deposited in the Savings Banks \$4,000,000 has been applied for the redemption of debts maturing in England. And yet this is the policy and the state of affairs which arouses opposition from the other side of the House. It would seem that hon. gentlemen opposite desire—for the hon. member for South Brant declared that in the cycles of years, commercial distress would again prevail and overrun the country—to have the honor of having predicted that state of affairs, they will have the satisfaction of being able to say that the hon. Finance Minister should have accepted their prophecy, for they predicted what has occurred. In other words the hon. gentleman hopes at that still distant time to be able to say—I told you so! We have our hon. friend from North Norfolk (Mr. Charlton) devoting his efforts to proving that he never made any Protection speeches, and if he did that he should not have made them, although they appear in *Hansard*, and are household words, nevertheless he argues most ably, annually, to prove that he never made them. The aphorism that words have their revenges is true in his case—he can no more recall his utterances in favor of Protection than he can recall time. It

seems to me that it would be better to be consistent, that it would be better to give his reasons why he has been converted from those Protectionist ideas, to those of comparative Free Trade, to those of a Revenue Tariff, as we find him to-day. It is no great crime that he should have been mistaken, and have made speeches which, if he had adhered to them, would have placed him in the position of being the forerunner and the precursor of that state of national prosperity and happiness, brought about through the beneficent operation of the National Policy. It would seem as if our hon. friends on the Opposition benches, are very much afraid they will be considered what the great Gambetta was called by his opponents, they constantly reproached him with being, in some sense, an Opportunist. His answer was, that he would like to see any gentleman advocate the necessity for Inopportunist. If he had gone in search of that class of politicians, he would doubtless have fixed on the hon. member for North Norfolk, as the best specimen of an inopportunist, which this or any other country could afford, because he seems not only unwilling to learn by experience, and to see the evidences of prosperity on every hand throughout the country, but he goes the length even of endeavoring to utterly obliterate and wipe out from memory, and out of the record of *Hansard*, the fact that he has made speeches which would be a credit to him to-day if he stood in the same position as he did when he made those speeches. Well, Mr. Speaker, I think enough has been said on the subject of the Tariff, especially at the late hour it now is; and knowing the desire of the House, that this discussion should be brought to a termination to-night, I feel it would be improper on my part to trespass at any too great length upon the attention of this House; but I do feel, that the country must realize the fact, that the splendid showing of its affairs which was given out by the hon. Finance Minister on last Friday, has been totally and completely unanswered; and that it has been left as a standing monument of the good management, of the correctness of the position, and of the results of the National Policy, as the means of building up and developing the great industries, and the various interests of this Canada of ours. It is, Sir, true, that the hon. member for South Brant endeavored to pick flaws here and there in that glowing statement. It is true that he endeavored to show, that the importation of goods was somewhat increased from the United States as compared with England. It is true, that he endeavored to show a falling off in our English imports; but if the speech of the hon. the First Minister is carefully read, it will be found that he has completely and most effectually answered that assertion, and that he has shown that we import to-day something like 4 per cent. more of English goods, while we import some 26 per cent. less of American goods under the operation of the National Policy; and we have the fact further, that the savings of the country are now being heaped up, and are being deposited in the savings banks, and in the various banks and banking institutions of the country. I have here a statement showing the amount of deposits in the banks of the country, wherein it is shown that while in 1878, the deposits in our banking institutions outside of the savings banks, was only \$86,406,516, they are to-day, or at least were on the 3rd of December last, \$96,879,540, being an increase of \$30,473,000 during the four and a-half years that the present Government has been in power. Now, I think, that such a statement as this, that such a showing of the financial position of the country as is evidenced in these figures, given by the Finance Minister, and which have not been controverted and which our friends of the Opposition have not even attempted to controvert, must be most convincing with the country, and must carry the conviction to the people of this country, that the administration and the management, under the present Government, has been such as must commend itself to this House. Why, Mr. Speaker, if we could have believed the prog-

Mr. HAWKINS.

nostications of our friends opposite and the statement of the leader of the Opposition, as to the state of affairs, which would have prevailed in Manitoba, of which I spoke at the outset of my remarks, what a different state of things we would see to-day. I remember myself hearing the leader of the Opposition state, that the proposition, the idea of building the Pacific Railway out of the proceeds of the sales of the lands of the North-West, was a perfectly preposterous proposition; and, that the idea of these lands being worth \$1 an acre, was something which the Government would utterly fail to realize; and yet the same gentleman, a few years later, or rather a few months later, is found on the floor of this House, when the *Syndicate* bargain was being made, and the contract was about to be ratified, stating that these lands were then worth \$4.34 an acre. Now, if they had received this additional value, if they had increased in value to such a wonderful extent, what gave them this enhanced value? What has given that country the wonderful development which we have witnessed in the last three or four years. In the first place it was the placing upon the Treasury benches, gentlemen who were capable of grasping the situation, gentlemen who were capable of restoring the financial affairs of the country from, and of lifting the country out of, that state of depression in which five years of Reform Administration had plunged a hitherto prosperous people; and after they had grappled with this question, and after the hon. Finance Minister had gone to England, and arranged for the placing of our credit upon a first-class basis, bringing our debentures almost to par, which had been sold by the late hon. Finance Minister for 93 cts. on the dollar bearing  $4\frac{1}{2}$  and 5 per cent. interest, we find him coming home and devoting his energies, together with his colleagues, to the successful prosecution of the building of the Pacific Railway. Contrast for a moment, the state of affairs in respect to that wonderful enterprise, when the hon. member for Lambton laid down the reins of power, and see what a wonderful change has gone over the face of the country in the North-West. When the Mackenzie Government laid down the reins of power, there had been an expenditure of upwards of \$11,000,000 on the Pacific Railway, and what had the country in return for this expenditure? What was there to show that this work was likely to be prosecuted, was likely to be brought to a successful termination within any reasonable number of years?

Mr. McCALLUM. We had the Fort Frances Locks.

Mr. HAWKINS. Why, Mr. Speaker, we had the Fort Frances Locks, as my hon. friend from Monk says; we had the Neebing Hotel; we had portions of the magnificent water stretches—

Mr. CHARLTON. Give us something new.

Mr. HAWKINS. We had that magnificent mixed system of railway, which was to result in developing that country eventually; that is to say, if the time ever came, when the predictions of the present hon. leader of the Opposition should be contradicted—that is, that we might as well attempt to build a railway to the North Pole, as to attempt to build a railway over the inhospitable wastes of Northern Ontario. Now, we have seen the attempt made, and we see that attempt under successful prosecution; we see the railway, left by the late Government almost at a stand still, to-day constructed, counting westward from Thunder Bay, a distance of upwards of 1,100 miles; we see thousands of immigrants pouring into that great North-western country; and we see thousands of farmers going in there from other parts of the Dominion and taking their families to make their homes in that great North-West; and the only complaint we have, the only whimper of complaint we have heard from that quarter, has been on behalf of the member for Selkirk, who says that the proposition to place an increased duty on the introduction of

agricultural implements into that country, is a hardship on the people of Manitoba, and of the North-West generally;—but, Mr. Speaker, I say to any one who might be inclined to give weight to that objection, let them read the speech of the hon. the Finance Minister, and also the speeches which were made in answer, let them read the attempt made to answer that speech, and see how completely it has failed, and they then cannot help being convinced that after all, the Government of the day has been the very best Government that could have been constructed in the interests of the country; and that when that Government let the contract for the construction of the Canadian Pacific Railway, at a cost of only \$25,000,000, and 25,000,000 acres of land, they did the very wisest thing that they could have done in the interest of the country. Take another statement of the hon. leader of the Opposition. Here, in his place in the House, when the Syndicate bargain was being passed upon by the House, he stated that he believed that the Government would be called upon to pay that \$25,000,000 so rapidly that it would embarrass the finances of the country; and that the work was likely to be prosecuted at so rapid a rate, the country would be seriously embarrassed in endeavoring to meet these and other necessary obligations. Well, I hope and trust, that whatever his opinion may be of the administration of the hon. the Finance Minister, he has been disabused upon that head; and that the fact that the hon. Finance Minister is able to show for the present year a surplus of nearly \$8,000,000 is a sufficient answer to his fears of two years ago, and that he will now be convinced that, whatever else may have been wrong in the text of this bargain, certainly the Finance Minister did not over-estimate the capability and capacity of this country to meet this and all our other obligations. I feel that I have trespassed on the time of the House quite sufficiently, and that it would be improper for me to occupy the attention of hon. members at any greater length; and I can only say, in resuming my seat, that I, for one, having watched the development of the country's industries, having watched the rapid and wonderful progress that has been made in the North-West, having seen the prosperity that has come to pass over all the industries of the country—the large increase of population and all the other evidences and signs of prosperity—I certainly cannot and do not feel, although there has been probably an annual increase in the permanent expenditure, that it is something which should not be. I feel that in this great and growing country, whose population has increased nearly 1,000,000 in the last ten years, we must expect, as the Finance Minister very properly said, not only a very great increase in our revenue, but a great increase in our expenditure as well; but so long as our expenditure does not exceed the revenue, so long as we can show, instead of the state of affairs which existed when the friends of the Opposition were in power—annual deficits amounting in five years to nearly \$11,000,000—I say when we can show instead of this a surplus amounting in four years to upwards of \$13,000,000, I believe the country is on the right road; and the feeling of the House and of the country will be, that the present Government will be sustained and maintained in power for many years to come, unless the Opposition see the error of their ways—unless the Opposition are willing to open their eyes and see on every hand the signs of prosperity, the signs of industry and national progress and greatness, which are to be seen on every hand in all portions of this great Dominion of ours, as the direct result of the adoption of the National Policy.

Mr. GILLMOR. If the Debate is to be closed to-night, I desire to make a few remarks, but if it is to be continued now I must trouble the House with some observations to-night. I have been somewhat surprised at the character of the discussion which has been proceeded with up to this time. It seems that the hon. gentlemen on the Government

side of the House are endeavoring to prove that the present prosperity of the country is the result of the National Policy, while prominent gentlemen on this side have endeavored to prove that it is not the result of that policy. It appears to me that it does not require very much discernment to understand the question so far as the prosperity of the country is concerned. It appears to me absurd to suppose, whether the country is prosperous or not, that the question of taxation has anything to do with its prosperity or adversity. To me it seems absurd to argue that to take the people's money by a Protective Policy you can induce prosperity. Yet that is the drift of the discussion we have heard in this House. It is really amusing, from my point of view, to see intelligent men on one side of the House trying to prove that a country is made prosperous because, forsooth, four years ago the Protective Tariff was introduced which largely increased the burdens of the people. Now, with regard to the accumulation of wealth. There are certain natural laws which have been ordained and designed by the Creator and by which alone the people of any country can accumulate wealth. These laws are well understood. Men get rich by working and saving, by buying and selling, by building ships, by conducting commerce, by transporting the produce of the world from one quarter to the other. This we can all understand, but we see nothing in the laws of Nature that teaches us that taxation can ever possibly increase wealth. Taxation is an evil. Taxation we must submit to as members of society, but to hear men argue by the hour that taxation is going to increase the wealth of men or of the nation is, to my mind, simply absurd. On the introduction of the financial statement hon. members of Parliament always have an opportunity of expressing their opinions with regard to the policy and the practice of the Government, and with regard to the condition of the country generally. The general prosperity of the country has made the duty of the hon. Finance Minister comparatively an easy and pleasant one—I am willing to admit that—and that duty he has performed in the usual and plausible manner in which he makes his financial statements. I would not have spoken, perhaps, on this occasion at all, were it not for the reference which the hon. gentleman has made to the condition of New Brunswick, implying that there were no complaints to be made from that Province, and therefore he took it for granted that its inhabitants were quite satisfied with the introduction of the National Policy. But when he referred to some hon. members of the late House, who are not here to-day, it carried me back some thirty years, when I first entered politics, and when the hon. gentleman who now fills the honorable and responsible position of Finance Minister was in the Local Parliament at the same time with myself. I remember very well the circumstances when we first met in the Parliament of New Brunswick. The first thing that he and I did, as members of the Liberal party, was, in June, 1854, to aid in upsetting the Government of that day, which was a Conservative Government, and then came our duty to form a Government out of the Liberal party of the day. I remember very well, thirty years ago, talking with my hon. friend in front of the Parliament Buildings, when we were about to form a Liberal Government, and saying to him that he must take the position of Provincial Secretary. It was thought that he was the best qualified of any member of our party for that position. Well, our party held power, and he and I worked on the same side for eleven years. My hon. friend occasionally thanked me for the humble support that I gave to that Government; it was a support given conscientiously and with the best of my ability. We differed on the question of Confederation, and from that time to this, for some sixteen years, we have been travelling in different paths, and I fear that we are so far apart now on the question of this National Policy that we shall never, probably, get

together again on this side of the grave. I regret to some extent, and I regret also that I have never experienced the luxury of thanking my hon. friend for the slightest favor during the sixteen years that we have been walking in opposite directions. He thanked me for the support I gave him while we were members of the same party; but I have never had the opportunity of returning the compliment. Now, with regard to New Brunswick, I rather infer from the manner in which my hon. friend referred to the election there, that he flatters himself that his influence made a great change in that Province. If he wishes to impart that idea I do not agree with him, because I think the facts of the case do not justify it. For instance, in Queen's county, his own native county, where his influence might be supposed to be great enough to carry the county, and where he brought out the strongest man he could obtain, the Opposition candidate, my hon. friend behind me, who is opposed to the National Policy, succeeded in getting his election by a very respectable majority. The hon. gentleman says there are no complaints; but my hon. friend is here to protest against his policy, so far as Queen's county is concerned. Then in Sunbury, though the strongest man the opposite party could induce to run was put in the field, my hon. friend from Sunbury is here to complain against the National Policy. If we take the county of York, where my hon. friend spent the best of his days, where he lived in his prime, where he spent eleven years in public life, where he was Governor for five years, and where one would have thought his influence and that of his policy would have been effective, if anywhere, we find that, though the strongest man obtainable, a man who was Attorney-General for many years, was run in support of that policy, my hon. friend who represents York in this House, led that man by about 1,100 votes, and he is here to enter his protest against the National Policy. In the county of Albert, also, where the hon. Finance Minister personally advocated the cause of his nominee, a gentleman opposed to the National Policy was elected by a majority of votes, although he does not occupy the seat in this House, for reasons which I am not able to explain; but if justice had been done, he would have been here, to enter his protest against that policy. Then we come to St. John, the great and important constituency which my hon. friend has represented from his first entrance into public life thirty years ago. There he brought out two of the strongest men that the party could find, but his two comrades fell by his side, and he was returned by a small majority, but the two others came here to complain against the National Policy. Two days afterwards a Local Election was held on distinct Dominion issues, and the result was that five out of six members were elected holding views contrary to those of my hon. friend. Then there is the county of Charlotte, which I have the honor to represent. My hon. friend, I know, has influence in that county. I know the influence of his oratory, and I know a more potent influence which the hon. gentleman knows how to use as well as his arguments. Well, they brought against me a man who was for fourteen years in Provincial politics, who was in the Government during the most of that period, and who was Speaker of the House during the last term. That gentleman had the advantage of the influence of my hon. friend, and the influence of the cotton mill that had just been built under the fostering care of the National Policy. I had to meet that influence, and I did not know whether I would succeed or not. It was thought by some that I would have to trim on the question of the National Policy, on account of that cotton mill. But those who know me as well as the hon. Finance Minister does, know that I do not trim on any question. My convictions are my guide. I declared my principles in my card, so that there was no mistake about them, and I will read to the House two or three

Mr. GELMOR:

paragraphs bearing upon the question of the Tariff and taxation:

"To professional politicians who deal in millions, wrung from the people by grinding taxation, anything like economy in the public service is considered meanness. To such the duty on flour and meal is a small matter, but there is a vast difference between feeding from the Government crib, and from a crib supplied by a man's hard and honest toil. The man with his last dollar, and expecting the next only when he has earned it by the sweat of his brow, ought not by law to be prevented from expending it in the cheapest market. Taxation is best understood by those who toil year after year, seldom enjoying any of the luxuries of life, and often deprived of the necessities of life, and at the close of each year find no surplus in their till. The Government and their supporters boast of the four millions of surplus in the Treasury. It would be more just, and would add a great deal more to the comfort of the people, to have allowed that amount, and much more that has been recklessly squandered, to have remained in the people's pockets."

With regard to Protection, I said:

"I am in favor of Protection, but of a very different kind, and for a very different class from those protected by the National Policy. I am for protecting the great mass of the people who toil upon the land and on the sea, all those who by their labor produce the wealth of this country—the millions who buy and consume the goods. I am for protecting that large class in its natural and proper right, to exchange their money or their productions in whatever market they can exchange them to the best advantage. I am for protecting this class by rescuing them from the hands of the men who are plundering them without any remorse. I trust you will not support a system which cost England many a struggle to get rid of, and which is now a burning question in the United States, and is only continued there, in my opinion, through the influence of monopolists, rings and corrupt politicians."

I think that my sentiments were plainly enough expressed for the men to whom I appealed for support. I rejoice as much in the erection of a cotton mill as any one else. I recognize the advantage of large expenditures of money in industries that give employment to the people, but I want the cotton mills and every manufacturing industry to stand upon an equal footing with all other industries in this country; and I am opposed, and will continue to be opposed, to any policy which will tax one industry to build up another. Notwithstanding my hon. friend came to that contest and addressed public meetings—and I need not tell this House of the ability he displays when addressing an audience; no one could deny that, for he has many of the elements which make a very acceptable speaker, and can make the worse appear the better reason, as well as any man I ever listened to—the result was that I came to this House with a larger majority than ever before. I stand here, representing a county with a population of 26,000 and more—a population as intelligent, to say the least, as any constituency in the Dominion, and I only wish I had more ability to enforce their views and to advocate the policy they approve of; and I am here to protest against the principle of Protection. Then, with regard to the other parts of the Province, we go over to the north up to Victoria, and, of course, I do not suppose my hon. friend claims credit for bringing in the representative of this county. If we go over to Restigouche, I believe the candidate of my hon. friend there lost his election. In Northumberland there was no contest, and the hon. gentleman who was elected would take it as an insult if we were told that the influence of the hon. Finance Minister had anything to do with his election. Neither had his influence anything to do with the election of the hon. member for Gloucester, and I think it had very little to do with that of the hon. member for Westmoreland, or with any other election in the Province of New Brunswick. Notwithstanding all I have said, my hon. friend has succeeded and has a majority of two to one in this House in favor of his policy, but I do not endorse the sentiment I have heard so often expressed here, that because the National Policy has been adopted by two to one in this country we should be silent on this question. If a majority has endorsed the National Policy a very respectable minority has been returned to oppose it, and if the minority were much less than it is, it would be still their duty, if they are convinced that the National Policy is a bad one, to endeavor to have

it reversed by speaking against it in and out of Parliament. If I stood here alone I would enter my protest against protection, and, according to my abilities, urge my arguments in favor of a system which I think to be more just and more beneficial to this country. I do not intend to criticise the speeches of hon. members, but I think they do not enlighten us on the great question at issue. This protective system is upon its trial. We know something of the history of that policy, we know something of the history of monopolies and of Protective Tariffs in the past, and I think it is the bounden duty of every man who is opposed to that policy to oppose it and urge his reasons against it on all suitable occasions in order that it may not become permanently fixed upon this country. Of course, we are well aware that we are in the minority here of only one to two, and I regret it. I regret in the first place that the hon. gentleman who occupy the Treasury benches, who ought to have the interests of the country at heart, with all their intelligence, their experience, their knowledge of political economy, with their knowledge of the workings of Tariffs throughout the world—I am astonished that, in this enlightened age of the world, they have introduced a policy which has been discarded by that country, which, of all others, they should have taken as their example. I am still more astonished that the intelligent people of this Dominion, a people who ought to know that taxation could not remove any of the evils from which they suffer—I say I am astonished that they have adopted that policy. But is that any reason why those who believe it to be wrong should not try and correct the mistake? I believe it is a great mistake. There are a great many influences which tend to fix that policy upon the people. They ought to know that if governments are corrupt, they have in this policy a means of pandering to the different interests of the country and of keeping themselves in power indefinitely. The longer those evils exist the harder it will be to remove them. I have very strong views upon this question. I look upon it as very little better than slavery. There were arguments that could be used in favor of that. The monopolists of that day, the slave holders and slave drivers, found arguments to justify their system, and until the American war they succeeded in holding 5,000,000 of slaves in bondage. They found arguments in Scripture, and from political economy, to justify that horrible system, but who would raise their voice now in favor of African slavery? Who would undertake to prove from Scripture, or by logic, that it was justifiable? But there was just as much to be said logically, rationally, and morally, in favor of slavery as there is in favor of a protective system. That is my honest conviction, and that is the way I look at the question. While I am opposed to this policy I do not deny that the Government in every civilized country must levy taxes for the support of the institutions and Government of the country, but I deny the right and justice of levying a single cent of tax from the people unless it is levied for public uses alone. It is because this policy violates that principle that I am opposed to it, and I shall urge that reason upon all suitable occasions. I shall continue to insist that though the Government may tax the people for public purposes, they have no right to tax them for the purpose of stimulating one industry at the expense of another, to take one man's money and give it to another by force of law. Some hon. gentleman found fault with the expression used here that it was legalized robbery. Sir, it is legalized robbery, and nothing else. There is no argument that can justify such legislation. Government may levy taxes for public purposes which are for the benefit of every one. It may raise money to support our public institutions, our asylums for the poor and destitute, penitentiaries, courts of justice, and other institutions of a like public character. I would go further and say that when any public work is required in the benefit of which all can

participate, Government may levy taxes for that purpose. But building up certain private institutions, certain industries, at the public expense, is to violate the first principles of public justice. That is something which no Government ought to undertake. The people themselves are the best judges with regard to what building up industries. We have knowledge of three modes of taxation. The first, and I think the best, is that mode which does not affect the price of any interchangeable commodity. That might be called Free Trade. Call it what you like—that is the best mode of taxation which interferes least with the great law of exchange, with the rights of every man to buy and sell and do with his own what he likes. He is the best judge of what will increase his wealth, and when his wealth is increased the country has become that much more wealthy. Everybody should be at liberty to make the most money they can in an honest way, but when a Government steps in and by law undertakes to tell a man where he shall buy and where he shall sell, they undertake to do that which no Government ever ought to undertake. They undertake a duty that they cannot perform half as well as the individual can perform it for himself. There is no danger of a man buying and selling where he does not make gain. When men can increase their wealth and comforts by exchange, I say the system is wrong, and the law is wrong, that prevents their doing so. I say they know better than this Government or any Government how to do their own business, where to buy and sell, and how to enrich themselves; and when by that system they become rich, it is by a system which cannot be improved upon. There is another system of taxation which is inferior to this, but it is the next best, and that is a Revenue Tariff, which, so far as I understand their views, is advocated by the Reform party—I do not speak for the Reform party, but for myself and the electors who send me here. I am in favor, under existing circumstances, of a Revenue Tariff. I would make it contain as little of the harmful principle of Protection as possible, because, under a Protective Tariff, you can do a great deal of injustice to one class and a great deal of favor to another. But there is another system which has been adopted by the hon. Finance Minister and his associates, which is the worst system of taxation ever known in the world. It has been a system of taxation which has done more to keep the world back in progress, which has done more injustice, which has caused more wars, and which has inflicted more cost on the people than almost anything we have ever been burdened with. I object to a protective Tariff because it involves a double taxation. If all the money that the Government levies under this Tariff came into the Treasury, it would not be so bad if the surplus, instead of being \$3,000,000, was \$28,000,000. Of course the money would come out of the people, but it would go back some way or other, except what was squandered, to the public use again. You would thereby be able to increase the public works and improve the country. But the objection I have to the protective system is that all the money does not go into the Treasury. The Government imposes taxation to benefit struggling industries, but those industries deny that they receive it. The truth is they do obtain it, but it is difficult to show how. But there happens to be a mode by which we can obtain a pretty good idea as to how much the people pay under the National Policy. I have made a little calculation; I do not say it is correct, but it is the best I could make. British Columbia is a Province of the Dominion which does not consume Canadian manufactures to any great extent, and from it we can come to an approximate estimate of what the whole Dominion pays under this policy. British Columbia has a population of 4,350 Chinese, 25,661 Indians, all other nationalities 19,448, making a total population of 49,459. It paid into the revenue \$679,207, or \$13.75 per head, in

cluding Chinese and Indians. If the whole Dominion were in the same position as British Columbia, and did not consume any domestic products, we could tell exactly what revenue the Tariff would bring in. I presume it will not be contended that Canadians do not consume as much dutiable goods as either Indians or Chinese. Of course, the other nationalities will consume about the same amount as Canadians in any part of the Dominion. If the position was as I have stated we should pay \$13.75 per head all over Canada. Prince Edward Island, with a population of 108,000, would pay \$1,497,250; Nova Scotia, with a population of 440,572, would pay \$6,057,786; New Brunswick, with a population of 321,233, would pay \$4,416,953; Quebec, with a population of 1,359,027, would pay \$18,686,620; Ontario, with a population of 1,923,228, would pay \$26,343,385; Manitoba, with a population of 65,000, would pay \$906,876; the Territories, with a population of 56,446, would pay \$776,132; making in all \$59,364,288. By this it appears that there are \$37,664,261 taken from the people that have not gone into the revenue at all.

Some hon. MEMBERS. Hear, hear.

Mr. GILLMOR. My hon. friends opposite say "hear, hear." I do not know myself whether my calculation is strictly correct, or not; but it is my opinion that it is correct; it is at least as near as I can come at it. The only way in which that argument can be met, is, by saying that the prices of goods are no dearer with, than without, this Tariff. I do not know of any other way. Now that the manufacturers put on to their wares the duty on similar goods imported, there is no doubt in my mind at all. The Tariff has not kept out imports, because these have been greater since the introduction of this policy than before; and those imports, duty paid, go on the shelves of our merchants, side by side with the similar classes of goods manufactured in Canada. No one will say: the imported goods are not increased in price by this Tariff; we buy them, and not only pay the duties, but the cost of importing, commissions, &c.; and the additional profit of the wholesale and retail dealers, is all added, and paid, at last, by the consumer. I contend that the manufacturers in this country increase the prices of their wares by the amount of the duties. If they do not do that, what good on earth is the Tariff to them? If they are not benefited by the increases in the Tariff, and if the consumers do not pay this in the prices of the goods, of what use is the Tariff? And I contend that the people of this Dominion have paid \$21,700,000 into the Dominion Treasury, and \$37,664,000 to the struggling industries of the country, to the manufacturers, the poor manufacturers.

Some hon. MEMBERS. Oh! Oh!

Mr. GILLMOR. Oh, yes. It is not your policy, and not your interest, that the people should be enlightened on this point. You succeed by making them feel that it does not increase their taxes at all. Oh, no, their taxes are not increased; and the manufacturers are not benefited by any increase in the price of their wares—they are not helped to start manufactures and to get more money. Do you suppose that the cotton mills would have been started, if it were not for the advantage given by putting a tax on their cotton; and do you not know that the consumers buy the cotton and pay this increase. I do not know whether my hon. friends opposite will think it worth while to reply to this at all or not; but I think that it is worth making the statement, because I believe—and I think that if it is true, the people ought to know it—I believe there is not much exaggeration in what I have said—and there is none from my stand-point or in my calculations—but let them go for what they are worth. I believe that the people of the Dominion have paid \$37,664,261, during this fiscal year, and not one cent of it has reached the revenue; but, the people have paid it. Where are the manufacturers? They ought to be getting rich very fast, and so they are.

Mr. GILLMOR.

Mr. WHITE (Hastings). How are they selling agricultural implements 10 per cent cheaper, than they did ten years ago?

Mr. GILLMOR. I do not know anything about that. You heard the speech of my hon. friend from Manitoba, and what your own organ there stated. They tell you that the consumers pay the duty; and it is absurd to say anything else. Any statement to the contrary is hardly worthy of consideration. Men say they do not pay anything more; but, if so, what benefit do you get from the duties?

Mr. WHITE (Hastings). I say positively—and I am a manufacturer of reapers and mowers—that these machines are sold 10 per cent. cheaper than was the case five years ago; and I defy any respectable contradiction of that statement.

Mr. GILLMOR. That proves just nothing at all. I can remember, when cotton was 40 and 50 cts. a yard, and when molasses was \$1 a gallon—and you had then no Protective Policy. No matter what an article is sold for, an addition is made to the price to the extent of the Tariff anyway. There is no doubt about it. The law cannot help them. The Government do not intend to give it to them, but they make a law that the people should pay it; and the only way that the people can get relief from this, is through the tender mercies of the people who make the implements and manufacture the goods. The duties must either benefit the manufacturers, or the latter must fight against themselves in competition; but I do not think that there is much discord amongst them. They are firmly united within their own ranks; and they will never complain, as long as this policy is kept on. They may complain, when they quarrel among themselves, when one industry wants a little more than another. The best evidence that can be given that the manufacturers of domestic goods have put the tax on their goods, is because they have not kept the others out; and the same goods would not be imported if they did not add the Tariff. In agricultural implements this is done. The duty of 25 per cent. does not keep them out, and why? Because you can import the same articles from the United States with the taxes on, on the same terms. Here is my friend from Manitoba, who from patriotic motives, would like to patronize Canadian manufactures. But for patriotic motives I would simply like to do the opposite, and I will tell you the difference. If I cannot get Canadian goods cheaper, and I have to pay the duty, I will buy the imported article and let that part of the price go into the Treasury. If I buy the other it costs me just as much and the Treasury gets nothing, while I make a contribution to the Canadian manufacturer, and so I say for patriotic motives men ought to buy imported goods, and let the increase go into the Treasury, and let the Government have more money to advance the interests and to maintain the institutions of the country. Of course it may be said that you cannot prove this—that the manufacturers are enriched by this enormous sum of money that is levied on the people. Well, I do not suppose that they are, all of them, but some of them have become richer. I saw an article in a paper a few weeks ago, with reference to the splendid Hudon Mill, which is now lighted by the electric light. I will just read it:

"The Hudon Cotton Mill has a most interesting history from a financial point of view. For example, a gentleman purchased \$2,000 worth of stock in it. In a few years he was presented with one hundred per cent. on his original investment, besides, meantime, having drawn annually ten per cent. interest upon his capital. This latter was his, besides the watered stock of one share for each of his original stock, or one hundred per cent. as stated. But quite recently the company has again watered the stock, giving two shares upon each of the original stock, or two hundred per cent., so that the \$2,000 has swelled into \$8,000 in a very few years. Besides this, the shareholders are now drawing eight per cent. per annum, paid quarterly, upon the stock that has been watered, or thirty-two per cent. upon the original capital. This is a splendid picture for the financier."

Now, there is no doubt that our richest men in the Dominion of Canada are our manufacturers. I do not mean to say that they will all succeed, but this shows the folly of the system. Many manufacturers do not succeed, and why? They may start an industry which is entirely opposed to the existing condition of things, and it may not pay. I would be glad to see them succeed, but if you are determined to manufacture everything that the Canadians want, without regard to the natural condition of things, without regard to the climate or the natural products of the country, or all the other conditions which enter into the question, they may get all the money which the Government will give them, and yet with all their money and their ability they may still go down. It was intended by Nature, by the God of Nature, that men should promote the interests of society by a system of interchange. The saying of the hon. leader of the Government, that Canada should be kept for the Canadians, has grown to be a proverb, believed in by these hon. gentlemen, perhaps, more than the Proverbs of Solomon; but if we are to construe it in its full meaning it is folly to stop at 40 or 50 per cent. We should prohibit outside trade altogether, and thus grow rich by trading among ourselves. That is undoubtedly the idea which flows through the whole argument of these hon. gentlemen. An additional tax is to be put upon agricultural implements, and this will not only affect the Province of Manitoba, but every farmer throughout the Dominion will have to pay his 10 per cent. just as much as the people of Manitoba. But why not prohibit the American implements from coming in at all. That is what you want, and why do not you do it? Why! because it would show the absurdity of this principle, and hon. gentlemen would themselves be ashamed of it. But they wish to effect the same thing by a policy of deception. Although I think that men and nations should act upon their own convictions of what is right, yet, in matters of this kind, and in other matters, wise men should look to the experience of the past. I think if there is any nation on the face of the earth that has made progress in the right direction, so far as exchange is concerned, so far as Tariffs are concerned, it is the Mother Country; and I think she is the best example that the world has at the present time. I think Great Britain in her trade policy is an example that the world might point to with pride and might follow with great advantage. She had a protective system—she had her National Policy from generation to generation. But I am thankful, and the world should be thankful, that while the battle of Free Trade was going on, there were statesmen, men of great minds who, seeing the discord and annoyance which resulted from a system of protection and monopolies, seeing the loss and confusion which resulted from it, proved by their discoveries and experience that there was a broad principle underlying this question, and they made political economy a science as fixed and as true as any other science—fixed as the science of astronomy. I know that many arguments are advanced against the science of political economy—the science of free exchange. But these arguments are fallacious. I know that clever men, like the hon. Finance Minister, and many others on his side, can represent this subject in many ways, and that some cannot answer them at the moment, but at the same time I have just as firm a belief in the fixed, eternal, and immutable principles of the science of Free Trade and political economy as I have in the science of astronomy. I do not profess to understand the science of political economy in all its bearings; I do not profess to answer all I hear on the subject; I could not do so with reference to the science of astronomy either, but I believe as firmly in the one as I do in the other. I believe that the great Creator of the world intended that that science should be understood by men for the benefit of the race, and I think England has made a discovery by which we should profit, and has given us an

example which we should follow. Hon. gentlemen opposite tell us she never adopted a Free Trade policy until she had grown rich and powerful, and could manufacture cheaply; but that argument carries its own answer. Do you suppose that the manufacturers and statesmen of Great Britain would change a system which was making them rich more rapidly than the one they were about to adopt? Did they change it for the good of other countries? No; but for the benefit of the British people—for the benefit of the poor of that country; and it was for the British nation, and the whole world, that they fought out that battle. They fought that battle for many long years, and that nation paid dearly enough for its long years of folly and mistaken policy. And we are entering upon it to-day; we have gone back in civilization fifty years by the introduction of this policy. I never could conceive how the minds of gentlemen, who have had experience in the science of Government—both in the Local Legislatures, and now for sixteen years in the Dominion Parliament—could, four years ago, introduce a policy that has been proved to be fallacious and deceptive from the foundation. This policy has been in operation for more than twenty years in the United States, and we know, by the deep tones of rumbling that we can hear, that its end is near in that country. I know it is a hard thing to remove this system of Protection. Monopolists are rich, and the Governments are no better than men, and want to keep their party in power; and so these parties combine, and make a power that it is hard for the people to resist. The people are not consulted in these cases. The monopolists are consulted in the United States, and they are consulted here. Who compose the delegations that come to Ottawa? Do the fishermen of the Maritime Provinces come here? Have they any interest in this question of taxation? Why are not the farmers asked their opinion on the subject? Why are the lumbermen not consulted, and why do you not find delegations coming here from the shipbuilding and every other interest, to influence the men who rule this country? The manufacturers have ruled it already too long, and I am afraid they will rule it for some time longer. I am not surprised at this, because the people for ages have been ruled by just such influences. These men have the influence and the money; if they have the money they can get the press. They also deceived their audiences by their fallacies, which are as absurd as those against which Galileo spoke and suffered. One of these fallacies is, that Protection, which is given ostensibly for the purpose of helping to start new industries, does not cost anything—that the goods will be just as cheap as if the duty had not been put on. Another fallacy told them, is, that Government are going to keep the money at home and thus make the people become rich. I wonder how rich England would be if she had kept her money at home. I want Canadians to make money by going abroad and making it out of other nations; and it is a beautiful law of political economy that both parties can be made richer by the bargain; and if they do not become rich, the Government need not interfere, for they will stop the trade themselves. If the principle is good, why do you not stop inter-provincial trade, and let the people of New Brunswick have a chance of getting rich among themselves? A worthy example for us to follow is the example we see in the prosperity and the progress and the greatness of the British nation, of which we form a part. I do not intend to quote from the Trade and Navigation Returns, but I will just give you a few figures from British statistics. In 1840 there was deposited in the savings banks of Great Britain, \$75,000,000; in 1878 there was deposited, \$400,000,000. That is an evidence of the progress of the country under Free Trade. Under the improved condition of things brought about by Free Trade, crime decreased, because I maintain that a Protective Tariff promotes immorality. It leads to smuggling, and enables one class

to prey on another class, under the sanction of law. In 1840, the number of convicted criminals in England was 34,000, out of a population of 26,000,000; in 1878, it was only 17,000, out of a population of 33,000,000. In 1840, 200,000 paupers were supported by the public and private charities; in 1878 the number was less than 100,000. In 1840, the poor of that country only indulged in the buying of tea to the extent of  $1\frac{1}{2}$  lbs. per head; in 1878 the consumption was  $4\frac{1}{2}$  lbs. per head. In 1840, the poor of England consumed  $15\frac{1}{2}$  lbs. of sugar per head; in 1878 they used  $48\frac{1}{2}$  lbs. The consumption of coffee was the same in both years. In 1840 the consumption of rice by the poor was 1 lb. per head, and in 1878,  $7\frac{1}{2}$  lbs. per head. Raisins and other dried fruit,  $1\frac{1}{2}$  lbs. per head in 1840, and  $4\frac{1}{2}$  lbs. in 1878. In 1840 the tobacco used was 1 lb. per head, it was  $7\frac{1}{2}$  lbs. in 1878. In 1840, the foreign trade of England was a little in excess of \$800,000,000; in 1878 it was \$4,000,000,000. In 1840, the revenues of England were \$260,000,000; in 1878 the Customs duties amounted to \$100,000,000, and the whole revenue to \$450,000,000. Nearly all of this was paid by the rich. Under this wise policy of Free Trade, this great and benevolent policy, that has been worked out by great minds, the poor man could get all the necessaries of life without paying a cent of taxation, no matter from what part of the world they came.

Mr. FARROW. What about the income tax?

Mr. GILLMOR. I do not know how much was raised from that.

Mr. FARROW. Still, it is a tax.

Mr. GILLMOR. What about it? Do you pretend to say that a man who has \$100,000 per year income ought not to pay something, and that the man having \$1 per day should pay more than his share?

Mr. HESSON. Is it not a tax all the same?

Mr. GILLMOR. It does not fall upon the working man. In the United States no man with less than \$1,000 per year was taxed on his income at all, and in Great Britain a limit was also made. The rich men in England, whether Liberals or Tories, are not now clamoring for Protection, though there was a little movement some time ago for "fair trade." Its advocates did not dare to state their case in plain terms, but there is no danger of Great Britain ever going back to a system of Protection, with all the evils that follow in its train. I am not afraid of expressing my opinions. I know the time is far in the future when we shall have entire free trade all over the world, and one great reason is that the monopolists of all countries want to keep it back. What better system of raising revenue could there be than a tax on a man's income. Each man ought to pay according to his means. Heaven knows our party is small enough, and I want to make it larger, and the way to make it larger is to appeal to the reason of men, and to be true to our principles and convictions. If they are logically right and moral, they are sure to triumph in the end, as all other true reformers have triumphed. I do not expect to live to see this great question decided, but you will live to see this fabric of Protection knocked to pieces on the other side of the line. Hon. gentlemen opposite may laugh at this, but, so did men in former days mock at the attempts to put down slavery, and so were the attempts to repeal the Corn Laws scouted in England. I remember when a boy, in England, I saw the anti-Corn Law movement at work, carried on by the people, directed by the best minds of England, and though the great mass of traders and manufacturers were against them, they pursued their course honestly and industriously, and with the blessing of God at length succeeded. We will succeed in the same way, and Canadians will be ashamed, in a few years, that we ever had a policy so iniquitous, dishonest, impure and corrupt as this is. I have belief in the great mind and

Mr. GILLMOR.

great heart of the people of this Dominion, and will trust them before any Government or party. I know the majority in this House is against us. How they got there I do not know. I know that millers have fat hogs, but I do not know whose corn they eat. I have a short extract from a speech made by Sir Robert Peel, which I will read to the House. I seldom call men Tories—although the appellation is quite proper. I call them Conservatives, as I do not wish to be offensive. Sir Robert Peel was a statesman and a Christian, although he was a Conservative, and occupied the proud position of being Premier of England, yet his convictions were so strong on this question that for its sake he gave up power and left his party. I will read an extract from his speech, and I would be glad to read some such authority from the hon. Finance Minister, my early friend of thirty years ago, if he could speak so conscientiously—and I do not think he would do any great violation to his conscience if he would come over to the right side. He was there once, and I think he was a happier man than ever he has been since. Here is what Sir Robert Peel said:

"I shall leave a name execrated, I know, by every monopolist who will maintain protection for his own individual benefit; but it may be that I shall leave a name sometimes remembered with expressions of good-will in the abodes of those to whose lot it is to labour and to earn their daily bread by the sweat of their brow, when they shall recruit their exhausted strength with abundant untaxed food, sweeter because it is no longer leavened by a sense of injustice."

Are those not noble sentiments? And who should the Government not look after but the great majority and the poor? They need not trouble themselves about the rich, they can look after themselves. They pretend this policy is a new relation between the capitalist and the labourer; but the truth is that it is all on one side. This policy does not at all protect the labourer. He is left still at the mercy of the employer. He gets no more than the employer chooses to give him. If these rich monopolists whose profits are so great wished to show their benevolence to the poor who wanted bread they could have done so, but they have done nothing of the sort. They let them go hungry, they let them go cold, and the Government is going to help them mightily by taxation. You are making it harder for them to get a blanket during the cold winter, making it harder for them to get bread to support their families, but you protect the monopolist, you protect the men who have got money, and you keep all other goods out so that he shall get a high price for his. But how do you protect the workingman? Do you keep any workingmen out so that they shall not compete with our workingmen? No, you would not do a thing so absurd as that, but to be consistent you ought to incorporate it in the Tariff. My hon. friend, the Finance Minister, knows a gentleman in New Brunswick who used this expression: "When justice ceases to be even-handed it ceases to be justice." There is no justice here, there is no protection to the workingmen except the tender mercies of their employers. They give them more wages now because they are obliged to, because so much labour has gone out of the country. In New Brunswick, I am saying only what the hon. Finance Minister knows and everybody else knows, that the population has been going to the Western States until it is difficult to get men to carry on the ordinary operations of the country. I do not say that the National Policy drove them out, no more than I would say that a Revenue Tariff would drive them out. But they go, as labour always will go, and it ought to be free and unrestricted. Let the working man go where he can get the most. Hon. gentlemen opposite charged the Government who preceded them with sending people away. Now, I tell them truly that more people have left the Maritime Provinces since they came into power than they did in any four or eight years preceding. Now, I do not charge that upon the National Policy—that would be unreasonable—but I do say that the National Policy has

entirely failed to do what the hon. gentlemen who inaugurated it said it would do. They said it would keep people in the country, but in the Maritime Provinces it has not had that effect, and the hon. Finance Minister knows it as well as he knows that he is sitting there. The Government promised universal happiness everywhere, there was to be no more suffering and no more sorrow in this wide Dominion. The absurdity of their pretension is beneath notice, they can do only one thing, they can rob one class of men and stimulate certain industries, but they cannot make the mass of the people richer. The Government sometimes employs labour. Last spring, before I went away, I noticed that workmen were in great demand around these buildings. I saw a good many of them digging out cement in the cracks of those buildings which was just about as good as that they put in. A gang of men would go round and dig out the cement to fill it in with other cement, and the Government were paying these \$2 and \$2.50 a day. When they got through with that job the Government found work for the men pulling up dandelions. All that was before the elections. After they were over they did not employ so many men. I looked at the *Citizen* this morning and I saw an extract from a Budget Speech in England, delivered a few days ago, which, with your permission, I will read.

Some hon. MEMBERS. Dispense.

Mr. GILLMOR. Personally, I have great respect for my hon. friends on the other side. I think they are for the most part very good men, but they remind me of a little story of a man who wanted to get a note discounted. He went to every director of the bank to ask accommodation, and each of them told him he would discount his note. When, however, they met at the Board, they decided, notwithstanding their promises, not to discount his note. Hearing this he opened the door of the room, and said: "Gentlemen, individually you are a very respectable class of men, but collectively you are a set of infernal scoundrels." I observe by the papers to-day that Free Trade England has a surplus. A cable despatch runs as follows:—

"London, March 6.—In the House of Commons to-day Hon. Mr. Childers submitted the Budget for the year ending March, 1883. The revenue was £89,994,000, and exceeded the estimate by £408,900. There was a decrease in the consumption of spirits, the reduction from that source being £500,000. The total expenditures were £88,900,000. The expense of the war in Egypt, including the amount for the Indian contingent, was £3,836,000. He had no arrears to report on account of the war expenditure, as increased by the present Government. The expenditures of the coming year he estimated at £85,789,000, and the revenue at £88,480,000. The National Debt was reduced for the past year £7,100,000. He expected to make a further reduction this year of £8,000,000. During the next twenty years he expected to see the debt reduced by £172,000,000. Mr. Childers proposed that the duties on the goods made from silver be charged on goods actually sold, and eventually they should be abolished altogether, but not this year. He proposed the tax on railway earnings, where the fares were very small, should be abolished; the standard moisture of tobacco and snuff, on which an exemption was allowed, be raised one per cent.; that provision be made looking towards a reduction of the rate for telegrams sent anywhere inland to sixpence, and that three halfpence of the income tax be removed. These reductions, if made, would reduce the surplus to £240,000. The report was received with much favor."

I submit that if we want an example of the benefits to be derived from a Free Trade policy, carried out to its fullest extent, we find it in the Mother Country. Her progress in wealth, comfort, and everything that tends to make the people happy, has increased to a marvellous extent under that system. She has grown rich, not by keeping England for the English; not by excluding foreign products. She discovered long ago, and we will discover it, that if we want to grow rich we must extend our commerce and produce articles as cheap as anybody else, and sell them abroad. The laws of Nature and of God show that the free interchange of commodities was intended by the Creator for the happiness and benefit of His children, and therefore we have the ocean before us and ships to carry the products from one clime to another. We would do well to produce what the

laws of nature tell us we should produce, and we should bring other products from other countries. We would get the product of five days' labor for one of our own, if we worked according to nature's laws, but instead of doing that we are undertaking to do what the God of nature never intended we should do. He did not make all climes, soils and conditions of all countries the same. He knew that men would exchange products, and that their comfort, happiness and wealth would be increased by free interchange. Your protective system tries to thwart the laws of God and the best interests of man. Hon. gentlemen opposite may have even a larger majority than they have now at the next election. Will that be any comfort to them? If they think they are right, no doubt it will, and I suppose they do think so; but if my argument has had the effect of causing them to think they may possibly be mistaken, then my object is served. Hon. gentlemen are doing what is unnatural and unjust, and I would have no hope for the future of Canada, with our intelligence, morality and religion, if I thought there was no hope of a good time coming, when the present policy will be reversed. You may build railways and develop the country, but you are doing more injury by this policy than by any extravagance in which you might indulge. That is my honest opinion, and the experience of the past has proved it, and the experience of the future will prove it likewise. With these views advanced in my humble way, I think the House will understand what my convictions are on the trade question. Everyone knows I am not a man to trim for the sake of getting here, to violate my convictions and despise myself for the sake of getting into Parliament. I value the respect of my fellow-men, and I am anxious to retain it; but I value my own self-respect, my regard for truth, more than I regard the opinions of all the world besides. I will not trim on this question. Of course, I cannot have my own way. I do not expect to have a Tariff to suit me; but I hope to live to see the time when a Tariff will be framed upon sound principles, when a Tariff will be framed so that every dollar taken from the poor man's pocket, and from the rich man's too, will go into the Treasury for the public good, and for uses in which every one can share. It is a satisfaction to me to see men becoming rich, according to proper laws, laws just and fair, and approved by morals and approved by God himself. If men become rich by industrious toil or intellectual attainments it is perfectly fair. One lawyer may obtain a thousand dollars for pleading a case, while another will only obtain a hundred, but it is free and open competition in the market, and this sort of free exchange will regulate itself everywhere. When a man gets rich by his unaided industry, whether from manufacturing, mining, or anything else, I am glad to see it, but I have no regard for the man who has become rich from the sweat of the poor, and by taxing the great mass of the people. You may speak of your Redpaths and your millionaires, and point to their palaces; these look very well; but this is very little satisfaction to the poor shivering wretch, who hungry and cold, is sitting on the door steps of these palaces. It is better for him to have what he has earned; but you do not give it to him; you take it from him, and give part of it to the revenue, and the largest part of it to the manufacturers. I was very much pleased with the manner of the speech of the hon. member from Westmoreland. It was a good speech from his stand-point. He told us that the ship-building interest was waning in the Maritime Provinces, and the cause of it; I think this is the case. I am quite satisfied that this industry is waning, and the National Policy is helping it to wane a little faster than was the case before. As he says, the introduction of iron ships and steamers will eventually injure and reduce in value wooden ships. He told us that the lumbering interest was waning, and the cause of it, to which I am not disposed to take exception. I think that this interest must eventually

wane. I know it will, because the sources of supply are being cut off. He told us that other industries required to be started to supply their places, and to that proposition I can make no objection, but I want these to be started just in the same way as were the ship-building and lumbering interests. After these have started on their merits and succeeded, and become old and poor, you will tax them, and give them another push down hill, in order to start some new industries in their place. Let the latter start in the same way as they did, or let the country do without them. No industry is any good to the country which has to be kept up by taxes. Under a protective tariff a man will start any sort of absurdity. I will run any business if you choose to guarantee that every body will buy enough and contribute enough to make me prosperous. My hon. friend wants to do the same thing, and to tax the lumbermen, the ship-builders, the fishermen and the farmers, in order to build a cotton mill at Moncton, and a sugar refinery; and to enable manufactures to succeed and pay him, a rich man, a large capitalist, and a large stockholder in all these institutions. I do not think that my hon. friend is selfish, but his proposition has that air. These are things in which he is interested. I wonder if the law ought to provide for the fair division of the profits. If I invest, as the Government compels me to do, I want my part of the profits. I ought to have a return for my money, but that does not follow; that is not part of the National Policy. Its object is to take money from the many and give to the few. I want to see every man in Canada have a fair field and no favor. Let him start in the race of life untrammelled, and let the smartest man get ahead if he can, but do not shackle a part of the community, and let the others rob it, and get ahead in the race, let there be free and open competition. I have a great deal more which, perhaps, I might say, but, on mature consideration I have concluded not to say it. I thank you, Mr. Speaker, and the hon. gentlemen who have listened so kindly to me, and it may be that I will not trouble you any more this Session.

Mr. VAIL. Before the resolutions are adopted I desire to make a few remarks on the subject of the Tariff, from a Nova Scotia stand-point, and give the House a few of the reasons why, in my humble opinion, the Protective Policy of 1879, which—with a few alterations, the Government propose to continue another year at least—is injurious to the interests of the Maritime Provinces. I regret that I am obliged to speak at this late hour of the night, but as I have not had an opportunity till now to say anything on this trade question, and only propose to occupy a few minutes, I am sure the House will give me a patient hearing. Now, it will be remembered that before Nova Scotia entered into Confederation with the other Provinces, we had a 10 per cent. Tariff. In 1866, which was the last full year the accounts were made up for, the goods entered for home consumption amounted to \$13,025,433, on which we paid, under our then Tariff, \$1,226,398 duty. Now, let us compare this with the importations into Nova Scotia last year, and the amount collected. I notice by the Trade Returns that the Province of Nova Scotia only imported, last year, from foreign ports, \$6,169,546 of goods, for home consumption, on which we paid \$1,758,000 duty, so that while the importations were less in value by about \$7,000,000 than in 1866, we actually paid over \$500,000 more into the Dominion Treasury than we paid on the \$13,000,000 in 1866. Now, some hon. gentlemen opposite seem desirous of making the public believe that an increase in the duties does not necessarily increase the taxation of the country, and I should be disposed to agree with them if it could be shown that the consumption was less than formerly; but as that is not the case, and the difference between the value of the goods imported in 1866 and 1882 has been made up by the consumption of domestic goods, for which the people pay a higher

Mr. GILLMOR.

price in consequence of the higher duties, it is quite clear to my mind that the taxation is largely increased; and that what my hon. friend from Charlotte has said is quite true, viz.: that it is simply absurd to say there has been no increase of taxation. It is unreasonable to suppose that the Government could, by a turn of the screw, take \$6,000,000 out of the pockets of the people without making them just that much poorer. It is all very fine to say that the country is no poorer because it goes into the Treasury and belongs to the people; but allowing that to be true, I think it will be a long time before it finds its way back into their pockets. As you all know, Nova Scotia is almost an island; her ports are open to the commerce of the world the year round; our products are ships, lumber, wood, bark, gypsum, farm produce, fish, coal and gold, for all of which, except the latter, we must find a market in foreign countries. Consequently, we require the freest possible opportunity to exchange our products for those of other countries, and any Tariff which restricts this is injurious to our people. Nova Scotia is the Province above all others, if I except Prince Edward Island, that would be benefited by a low Tariff such as we had before 1879, and we were led to believe before Confederation that a 15 or 20 per cent. Tariff would be the most that we should be called upon to pay after we became a part of the Dominion. I know that we were told by the Minister of Marine and Fisheries, in 1865, that it was idle to suppose that this was correct, or that Confederation with the other Provinces did not mean increased taxation beyond what the Province could well bear, but it appears he has since changed his mind, and now endorses the present high Protective Tariff, which he said a few years ago would be exceedingly injurious to the trade of the Maritime Provinces. It will be in the recollection of some hon. members of this House that the Finance Minister himself told the people of his Province in 1866, that \$15,000,000 would be ample to pay all the necessary expenses of the Confederated Provinces. This Sir, would seem rather a remarkable miscalculation in the face of the fact that before the end of eight years, he required about \$23,000,000 and now asks the House to give him almost double the sum he named in 1866, as the outside sum that would be required; and to meet this enormous increasing expenditure, he has been obliged to raise the Tariff not only to 25 or 30, but in many cases to 40, and on coarse goods to as high as 60 per cent. Well, now, Mr. Speaker, I would not object so much to this increase, if the taxation was fairly and justly levied, but as it stands at present it bears more heavily on one portion of the Dominion than it does on another, and I contend that the Maritime Provinces are now paying too large a proportion of the taxation for the development of the North-West as compared with the older and more wealthy Provinces; and it would almost seem, as the changes which are being made from year to year are all in the direction of placing heavier burdens upon the people who live beside the sea, to force them to consume the manufactured goods of the Upper Provinces, that the Government is just a little too much influenced by the manufacturers of Ontario, and a portion of Quebec, and too ready to carry out their suggestions at the expense of the smaller Provinces. Some hon. gentleman on the other side, said a few days ago, that the people of Nova Scotia were prosperous and happy. I acknowledge that they are reasonably prosperous, and I may add happy; but it is in spite of the Tariff, and they would have been in a much more prosperous condition if the 17½ per cent. Tariff could have been continued. Our people are not confined to one or two industries. We do not depend altogether on agriculture, or on fishing, or on lumber, or on coal; we do not depend on building ships; we do not depend exclusively on any of these industries, so that the people of Nova Scotia may go on prospering from year to year notwithstanding this, I may say, iniquitous Tariff. I am told that the Government of which

I was a member for a few years, was a Government of deficits, and that the present Government is a Government of annual surpluses. Let me take the four years of the Mackenzie Administration, and what is the result? In 1874-5 the expenditure was \$23,714,071; in 1875-6, \$24,488,372; in 1876-7, \$23,519,214; in 1877-8, \$23,503,580—in all \$94,923,902. Let us take the receipts for those same years. In 1874-5, they were \$24,648,715; in 1875-6, \$22,587,587; in 1876-7, \$22,059,274; in 1877-8, \$22,375,011, making the receipts of those four years in all \$91,679,000, and making the deficits for the same period \$3,353,315. Now, let us turn to the other side of the picture. In 1878-9, the first year after the Government obtained power, the expenditure was \$24,455,381; in 1879-80 \$24,850,634, making the expenditure for those two years \$49,306,015. The receipts in 1878-79 were \$22,517,382; in 1879-80 they were \$23,307,406, or a deficit in the two years of \$3,481,227, as against \$3,253,315 during the four years of the Mackenzie Administration. Where is the surplus there? It is quite true there has been a surplus since. It is said on the other side of the House that it is an evidence of great statesmanship on the part of the hon. Finance Minister to be able to take four or five millions out of the pocket of the people of this country, but for my part I take a very different view of it. A Finance Minister should be able to estimate just about the amount of money he requires to meet the expenditure of the year, and not take a dollar beyond that sum. I say, Sir, it is not statesmanship, and it is unwise and unfair, in the present condition of this country, to take five or six millions out of the pockets of the people to pay for building railways that are thousands of miles away from the seaboard, from which the people of the Maritime Provinces can never derive much benefit. True statesmanship, on the part of the hon. Finance Minister just now, would be to take no more money from the people's pockets than he requires for ordinary expenditure; and let future generations, who are to benefit by the development of the North-West, pay the interest on the cost of that development. I repeat the Maritime Provinces ought not to be called upon to develop the North-West for the benefit of future generations. I have taken some trouble to look into the taxation of the Province of Nova Scotia as compared with 1865 and 1866, and, I am satisfied, if the hon. Finance Minister would take the trouble to enquire into this matter as closely as I have, he will find that instead of the people of Nova Scotia paying, as they did in 1866, \$1,226,000 in duty, they are paying to-day directly and indirectly, no less than \$5,000,000. If you take the duties paid by us and the population of Nova Scotia in 1866, and take the population of the present day, and apply the Dominion Tariff, you will find that the people of Nova Scotia are paying over \$3,000,000 directly, and I am quite satisfied that the increased price they pay on manufactured goods would be more than enough to bring the amount up to at least \$5,000,000. I do not make these statements without having taken some trouble to look into the matter. When I was a member of the late Government, I told my colleagues that Nova Scotia even under the Tariff then prevailing, was unjustly taxed, and the taxation on the goods consumed by the poorer class had increased almost ten-fold since then.

Some hon. MEMBERS. Oh!

Mr. VAIL. Five-fold at any rate. It seems to me, Sir, that between the Government on the one hand and the manufacturers of the Upper Provinces on the other, the people of Nova Scotia are between the upper and the nether millstone, and will be compelled to leave the country, unless they can bring some influence to bear on the Government to consider their peculiar position and grant relief in some way. The hon. Minister of Marine must surely know that the bone and sinew of the country is fast leaving Nova Scotia; if not, I can convince him by reading

from his own organ, the *Halifax Morning Herald*; but before doing so I would just say that when canvassing Digby last June, I found a great many vacant farms, and on making enquiry as to where these people had gone I was invariably told they had gone to the Western States. Why, Sir, in 1878 they had a Liberal-Conservative Club in Digby, but before the election in 1882 I was told that everyone of them had gone to the Western States except one, and he had been appointed Census enumerator, otherwise I suppose he would have gone with the others. He has since been appointed as overseer of the work on the Digby Pier at \$3 per day, and as he only has some four or five men to look after, his duties are not very arduous, and he will remain till this work is completed, if no longer. Now, I am not one of those who, it may be said, is desirous of making it appear that our country is being depopulated. I want to see the people kept in the country, and I think considering that the present Government not only promised to keep the people in the country, but bring those back who had gone away, I am sure we have just cause to complain that they have not done so. In my opinion the only way we can keep our people in the country is to make the taxes as low as possible, and make it a cheap country to live in. A short time ago a movement was made in Nova Scotia to form an immigration society, to induce farmers from the other side of the water to come over and settle on the vacant farms in the western part of Nova Scotia, and this is what the *Halifax Herald* said at the time, in reference to the Annapolis Valley, which may be considered the garden of Nova Scotia, and the finest agricultural district in Canada. *Halifax Herald*, 1883:

"We stated in yesterday's article that on the authority of Mr. Pitman there are one hundred farms for sale in Annapolis County. We believe the statement to be rather under than over the mark, and have no hesitation in saying that the desire to sell is even more prevalent in many of the other counties than that of Annapolis. In every county of the Province there are numerous proprietors of farms who are anxious to sell at a very moderate price. The prices asked for good farms are astonishingly moderate, just because there is no immigration to the Province, and there is consequently no demand for them."

Now, I consider that the value of real estate is the true index of the prosperity of the country, and when real estate is as low as it is at the present time in the Province of Nova Scotia, and farmers are anxious to sell out, it is a pretty sure indication that the country is not in the prosperous state we would like to see it. As I said before, I would have made no objection to a reasonable amount of increase in the taxation, provided it was required for ordinary expenditure, but I again repeat that I object to continuing the tax on breadstuffs, to pay the principal of the money required to build the Canadian Pacific Railway. I know that the protective policy as, to a certain extent, an experiment, as it was impossible to tell how much would be realized from Customs duties for a year or two, hence the excuse for placing a duty on wheat, flour and meal but now that the hon. Finance Minister is boasting of a surplus, I am astonished to find he is disposed to continue this obnoxious duty, which he must know comes out of the pockets of the poorest class of people in the Maritime Provinces. Had he enquired as to how these taxes were levied, and on whom they weighed most heavily, I think he could have relieved the Maritime Provinces to a limited extent without doing any other Province an injustice. I am astonished that some of his Lower Province supporters have not protested against the last changes. Our people are too far away to send delegations here, and their interests are in consequence neglected. The people of Ontario are within easy reach of Ottawa, and consequently always have the ear of the Government. I should have supposed that the hon. Minister of Railways, who knows the situation of our people as well as any man in this House, would have insisted on

justice being done to Nova Scotia, but it appears he has neglected his duty in that respect. Now, a word in regard to the savings banks deposits in Nova Scotia. One hon. member on this side of the House—I think it was the member for South Brant—very properly stated that this was not an evidence of increased prosperity. The returns showed that the people of the Maritime Provinces deposited last year about four times as much as the people of Ontario and Quebec, and it was not reasonable to suppose that they had saved four times as much as the people of the Upper Provinces. I quite agree with him. There is scarcely a wealthy man out of business in Nova Scotia that is not a depositor in the savings banks to the full extent the law will allow, and many of them have used the names of the several members of their families in order to exceed the amount which an individual is restricted to. As an illustration of this I may mention a case in which a widow not long ago claimed \$10,000 deposited in her name, and the heirs were obliged to go into the courts, and prove that the money belonged to the estate, and was only invested in her name to get over the restriction. Again, only the other day, I wrote a lady whose income is not less than five or six thousand dollars a year, to know what I should do with a small sum in my hands at her credit, and she instructed me to place it in the savings bank; consequently, the House will see that the amount in the savings bank does not represent the savings of the laboring class. Before I take my seat I wish to refer to one little matter in reference to my own county. I do not know why it is that Digby County receives so much attention from the Government. In 1878, I ran a by-election; at that time the hon. Minister of Railways, then in Opposition, came down with a gentleman from Quebec, by the name of Thibeault, the latter was sent into the French district, and by great exertions I was defeated. Two years ago the hon. Minister of Finance, in his tour through Nova Scotia, held a meeting at Digby. He had his right-hand man, Mr. White, of Cardwell, with him. Nobody interfered with them, and they had their meetings to themselves. The hon. Finance Minister put the National Policy before the people in the brightest colors, and Mr. White made his speech which was listened to with great attention. The result was my minority of 1878 was turned into a considerable majority in 1882. They held another meeting at Weymouth, which was also not interfered with, and the result was that the majority there of fifty-eight against me in 1878 was reduced to three in 1880. It was only necessary for me to read an extract from a speech made at the Board of Trade in Montreal, by Mr. White, where he told the people of the Dominion that 15 per cent. was quite enough to encourage manufacturing in this country, and that anything beyond that was unreasonable and excessive, to counteract the effect of his arguments; I say it was only necessary for me to read that speech to anybody who heard Mr. White, or the Finance Minister, to dissipate the effect of their meeting. Now, not satisfied with this they sent down another Lower Canadian in 1882 to instruct the people of Clare in their duty, but they told this hon. gentleman that they knew quite as much about what was to their advantage in the election as he did, and they advised him to take up his valise and turn his face homeward; and he was wise enough to do so, and was not able to hold a meeting in the county. I hope, therefore, when another election comes round the Government will leave the Digby people to attend to their own business, and elect whomsoever they please to represent them in this House. I regret to have occupied so much time of the House at this late hour, but I felt it was incumbent upon me as a member in Opposition from Nova Scotia to say a few words before this resolution was adopted.

Mr. McLELAN. I shall not detain the House with a speech, but I want to give one fact in answer to the hon. Mr. VAIL.

gentleman who has complained that the Province of Nova Scotia is the poor house of the Dominion.

Mr. VAIL. I did not say anything of the kind. Mr. Speaker, I must protest against that.

Mr. McLELAN. Very well, I will take back the word poor-house; but the hon. gentleman has stated that it is the poorest part of the Dominion of Canada—

Mr. VAIL. Not at all. I did not say anything of the kind.

Mr. McLELAN. And that she was suffering under the operations of the National Policy. I want to tell the hon. gentleman that, although he made this statement in the first part of his speech, he answered it in the latter part. He says it is the Upper Provinces entirely that are manufacturing for the Lower Provinces, and especially for the Province of Nova Scotia. If the hon. gentleman will compare the Census returns of 1871 and 1881, he will see that the Province of Nova Scotia has increased the most in the production of her industries. The hon. gentleman knows that trade never was so good in the Province of Nova Scotia as it is to-day. He has referred to the Digby pier. I had the returns from the Digby pier prepared in answer to a question which he has on the paper to-day. In 1880, the amount received for wharfage upon the Digby pier was \$354; in 1882 it has risen to \$542. I now come to a larger matter. I have here a table showing the comparative state of industries in the various Provinces in 1871 and 1881 respectively:—

INDUSTRIES—1871 and 1881.

	Capital Invested.		Increase.		Value of Products.		Increase.		Rate.	
	1871.	1881.	In	per cent.	1871.	1881.	In	per cent.	In	per cent.
P. E. Island.....	.....	.....	.....	.....	.....	3,400,208	.....	.....	.....	.....
Nova Scotia.....	6,041,968	10,183,060	4,141,094	68.5	12,398,105	18,575,326	6,237,221	50.5	.....	.....
N. Brunswick.....	5,976,176	8,425,282	2,449,106	40.9	17,367,687	18,512,688	1,144,971	6.6	.....	.....
Quebec.....	28,071,868	59,216,982	31,145,124	110.9	77,208,182	104,662,288	27,457,076	35.5	.....	.....
Ontario.....	37,874,010	80,950,847	43,076,837	113.7	114,706,799	167,989,870	43,283,071	37.7	.....	.....
.....	77,964,020	168,776,181	80,812,161	103.6	221,617,773	299,740,112	78,122,339	35.2	.....	.....
Manitoba.....	.....	1,363,331	.....	.....	.....	3,413,026	.....	.....	.....	.....
E. Columbia.....	.....	2,952,856	.....	.....	.....	2,926,764	.....	.....	.....	.....
The Territories.....	.....	104,590	.....	.....	.....	195,938	.....	.....	.....	.....
.....	.....	4,440,668	.....	.....	.....	6,535,748	.....	.....	.....	.....
.....	.....	165,302,623	.....	.....	.....	309,676,068	.....	.....	.....	.....

We see from this table that during the last ten years the industries of the Province of Nova Scotia have increased 50

per cent. in their products, while in the Province of Ontario her industries have only increased 37 per cent. The hon. gentleman knows that in the city of Halifax we are refining sugar and sending it away to the North-West. We have there now one of the greatest manufacturing industries in the Dominion of Canada, the iron industry, which has been developed by this Tariff, and bids fair to become the greatest industry in the Dominion. The hon. gentleman says he has given a great deal of attention to gathering information as to the condition of his Province. Why, Mr. Speaker, a delegation was here two days ago from the city of Halifax who said that the shipping and trade at that port had doubled since 1874. I believe that the increase in the prosperity of Nova Scotia would have been very much larger had the National Policy been adopted earlier, and had not the hon. gentleman had the honor of being at one time a member of the Government that ruled this Dominion from 1874 to 1878. The hon. gentleman says that Nova Scotia is between the upper and the nether mill-stone. Well, we did feel from 1874 to 1878 that we were in that position—that we were suffering from the grit of the upper and the nether mill-stone. Prosperity has followed since then, and if the hon. gentleman had gathered fuller information he would have seen that the Province of Nova Scotia was never more prosperous than it is to-day.

Mr. HESSON. The hon. member for Digby (Mr. Vail) is the occasion of my offering a word or two on the subject, and in reply to what has been stated as to fair play not being meted out to all the Provinces. I have no desire to say a word on the Budget which has been so ably laid before the House by the hon. Minister of Finance, but I think that the statements made by the hon. member for Digby, ought not to go unchallenged and uncontradicted. I remember the hon. gentleman said that all the Provinces should have fair play, and that Nova Scotia was not receiving fair play, and that the taxation was oppressive in regard to that Province. I have here a table prepared from the Trade and Navigation Returns—and it is the only correct record on the subject—and I find from it, that the Province of Nova Scotia entered the Confederation with a *per capita* tax for Customs in 1868 of \$3.06; in 1882, it had increased to \$3.99, being an increase of 93 cents since Confederation. If there had not been an increase in the other Provinces, I should have considered the hon. gentleman's remarks perfectly justifiable, and that he had a right to complain in the House. But what are the facts? I find that Ontario has, perhaps, of all the Provinces, the greatest reason to complain. That Province came into Confederation in 1868 with a *per capita* Customs tax of \$1.44; in 1882 it had increased to \$3.82, or an increase of \$1.38, as against an increase of 93 cts. in Nova Scotia. We next come to the Province of Quebec, and I do not think any hon. member from that Province has complained that fair play was not dealt out to her. Quebec entered the Confederation with a *per capita* Customs tax of \$3.89; in 1882 it had increased to \$6.74, being an increase of \$2.85 as against an increase of 93 cts. in Nova Scotia, which Province the hon. member for Digby declares has not been fairly dealt with. We next come to New Brunswick, represented by the Finance Minister. It entered Confederation with a Customs tax of \$3.22; it had increased in 1882 to \$4.54, being an increase of \$1.32, or about the same ratio as Ontario's increase. The little Province of Prince Edward Island, perhaps, of all the Provinces makes the most favorable exhibit in this regard. It entered Confederation in 1872, with a Customs tax of \$2.33; in 1882, it had decreased to \$1.82, being a decrease of 51 cts. This is the only instance of a Province having entered Confederation, and now showing a decrease in the expenditure under that head. We come to British Columbia, the youngest of all the Provinces, and what do

we find? It entered Confederation in 1872, with a Customs tax of \$6.85; in 1882, it had increased to \$13.72, being an increase of \$6.87. I see a representative from that Province in this place, but I do not hear him utter a word of complaint. I think I have fairly met this charge that the Province of Nova Scotia has been unfairly dealt with, in the matter of taxation, and such charges should not be made when they cannot be substantiated by the public records placed in our hands. I had no intention to occupy the time of the House, but while the hon. member for Digby was speaking, my attention was drawn to his charge, and I thought it fair that the House should have the benefit of this answer to it.

Motion agreed to; and House resolved itself into Committee.

(In the Committee.)

Sir LEONARD TILLEY moved that the Committee rise and report and ask leave to sit again.

Committee reported.

Sir LEONARD TILLEY moved the adjournment of the House.

Motion agreed to; and (at 2.45 o'clock a.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 9th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### DEBATES COMMITTEE.

Mr. WHITE (Cardwell) moved that the Second Report of the Special Committee appointed to supervise the Report of the Debates be adopted.

Motion agreed to.

### CHARITABLE, PHILANTHROPIC, AND PROVIDENT ASSOCIATIONS.

Mr. COLBY moved for leave to introduce Bill (No. 102) to amend and extend the provisions of chap. 71 of the Consolidated Statutes of Canada, respecting charitable, philanthropic and provident associations.

Some hon. MEMBERS. Explain.

Mr. COLBY. The Act which it is proposed to amend and extend by this Bill is one respecting charitable, philanthropic, and provident associations. The provisions of the Act are that any number of persons may unite themselves into a society for making provision, by means of contributions, subscriptions, donations or otherwise, against sickness unavoidable misfortune, or death, and for relieving the widows, and orphans children of members deceased. It provides also for the establishment of branches, election of officers, the promotion of the objects of the association, the taking security from officers, the holding of property, the punishment of officers found embezzling, &c. That Act is operative in its fullest sense, and, indeed, has been extended in the Province of Quebec. In Ontario the substantial provisions of the Act have been incorporated in a similar Act, and effective machinery has been provided by which these provisions might be made operative. The object of this Bill is to provide for machinery, in respect of which the original Act seems to be somewhat defective, and extend its provisions to those societies whose operations are to be carried on in the var-

ious Provinces of the Dominion. I have introduced another clause which I think will commend itself to this House, and meet a need in the country, as it is intended to meet the case of societies or voluntary associations for the promotion of immigration. There are, in various Provinces of the Dominion, unincorporated societies who are endeavoring to promote the immigration of particular classes of people suited to the needs of particular localities. I may say, that the object of the whole of the Act is to carry on the benevolent purpose intended by chap. 71 of the Consolidated Statutes in an inexpensive and summary manner.

**Mr. BLAKE.** The hon. gentleman has stated that this Statute is in force in Quebec. Is that by an Act of the Local Legislature?

**Mr. COLBY.** No; the Act remained in force in that Province, and a portion has been extended by the Local Legislature.

**Mr. BLAKE.** And in Ontario by virtue of a local Statute which provides machinery. Will the hon. gentleman inform us whether he proposes substantially the same machinery as that provided for in the Ontario Act?

**Mr. COLBY.** I may say that the Ontario Statute was before me; and, to a considerable extent, I have adopted the same machinery.

**Mr. BLAKE.** Perhaps the hon. gentleman will tell us whether he deems it necessary that the provident and charitable associations should be incorporated under Dominion legislation at all.

**Mr. COLBY.** I think it is desirable on the part of the Legislature to promote every good object. I am sure my hon. friend is himself benevolent enough to desire to see benevolent operations extended over the whole Dominion, and this Bill is for the purpose of meeting a want which exists. We have no law at present by which any number desiring to associate themselves together for these objects can incorporate themselves in an inexpensive manner. They are obliged to come here for special legislation, as they cannot, by the Joint Stock Companies' Act, or any other Act, reach their object economically. If the hon. gentleman disputes the desirableness of these purposes, then of course the hon. gentleman cannot see his way to support a proposition of this kind; but I think my hon. friend will agree with me that there are objects which can be accomplished by isolated individual effort, nor can they be well accomplished by the State in its capacity as a State, and all voluntary associations who desire to accomplish their purposes of beneficence, and relieve suffering humanity, should be encouraged as far as possible. I am sure the hon. gentleman will agree with me that those who are endeavoring to promote immigration to this country of a particular class should be strengthened in this laudable effort. When the Bill comes to the second reading we will be in a better position to discuss the details of the machinery and provisions I have mentioned to which I am sure the hon. gentleman will not object.

**Mr. BLAKE.** I agree with the hon. gentleman that in point of fact the Bill is so colorless that one can see through it.

**Mr. COLBY.** That is not a defect in any law.  
Bill read the first time.

#### ACADIA POWDER COMPANY.

The House resumed the adjourned debate on the proposed motion of Mr. Tupper, that Bill (No. 40) to grant certain powers to the Acadia Powder Company (limited) be now read the third time, and the motion of Mr. Amyot in amendment thereto.

**Mr. COLBY.**

**Mr. HALL** moved that the debate be adjourned. He said: I hope this discussion will be postponed as it involves a question of a good deal of importance to our Province namely, the question of the jurisdiction of the Local and Dominion Parliaments respectively.

**Sir CHARLES TUPPER.** The hon. member is aware that this Bill has been before the House several days, and has been postponed from time to time. It has been fully discussed, and there has been ample opportunities for every hon. gentleman who had anything to say on the subject to address the House. The hon. gentleman is also aware that the passage of the amendment would involve the House retracing its steps, as during the present Session two Bills similar to this one have been passed without a word of objection by the hon. gentleman or any other hon. member. The Phosphate Mining Bill was one of precisely the same character and involved the same principle. Yet not an hon. gentleman on either side of the House objected to its passing, and, so far as this House can make it law, it has become law. The hon. gentleman knows that the passage of this resolution would render illegal at least twenty Bills passed by this House similar in character to the present, but to which no objection was taken. The hon. gentleman is aware that by passing that resolution, the House would declare to be illegal companies which have already been incorporated by this Legislature, and which stood in precisely the same position as this company. I am at a loss to know why hon. gentlemen take exception to this Bill, which comes from the Province of Nova Scotia, when Bills of precisely the same character from the Provinces of Ontario and Quebec have been passed again and again in this House without a single word of objection. It does seem a little singular that this Bill, which is promoted on behalf of a corporation in the Province of Nova Scotia, should receive such exceptional treatment at the hands of the House. I am at a loss to understand it; and, although I give the fullest weight to the questions raised, I think that precedents which have been cited in support of this Bill ought to have settled the question in the minds of hon. gentlemen, and if those precedents are not sufficient, I think the same objection should have been raised to Bills from other Provinces.

**Mr. HALL.** I am sorry that my motive in moving the adjournment of the debate has been misunderstood. I sympathise with everything that has been said by the hon. Minister of Railways, and I am sure the hon. gentleman who moved the adjournment of the debate the other day is of the same mind; that is, we believe that this Parliament has power to pass measures of this kind. But as this measure has provoked considerable discussion, our object was that it might, on this occasion, be justly discussed and finally settled.

**Sir JOHN A. MACDONALD.** I quite understand the object of my hon. friend in moving the adjournment of the debate. As the hon. Minister of Railways says, we have already passed, without objecting, two Bills to which the same constitutional objection will apply; and, as the whole question is involved in the Carriers' Bill, perhaps the discussion can be continued on that Bill just as well as on this. This Bill will not then have been treated exceptionally. I think we had better now allow this Bill to pass, and have the discussion on the other.

**Mr. SPEAKER.** Does the hon. gentleman withdraw the amendment.

**Mr. HALL.** I do not persist in it if the Government object. The Bills referred to, however, are not the same in principle. If the Government do not object I will withdraw the motion; if not, a day should be fixed, and the question be discussed fully, and disposed of.

Mr. OUMET. From the reading of our Constitutional Act, it is quite clear that corporations created by the Local Legislatures may come here to have their powers extended, that is to say, to have powers granted to them which could not be granted by the Local Legislatures, just as, for instance, the *Crédit Foncier Franco-Canadien* came here the other day, not to become incorporated, but to ask for some privileges in the matter of interest charges, but that the Local Legislature had no jurisdiction in that matter. But this case is quite different. From the reading of this Bill I understand that the corporation does not come here to get a new charter, but only to get extended powers. The first clause provides that a certain business may be carried on throughout Canada. No doubt we have power to create corporations whose operations may be extended to the whole of Canada, or, as the Constitutional Act says, whose object is general or federal. The first clause then might be allowed. But the second clause, giving the company power to increase its capital, is, I think, an infringement of the rights of the Province which created this company. The third clause, relating to the directors being continued in office, is of the same character. This Bill does not make this corporation a federal corporation. It is only a local corporation which comes here for extended powers. I would say, therefore, that this Legislature ought to grant only those powers which the corporation could not obtain from the Provincial Legislature. I think that we ought not to grant to this corporation, which is not a federal corporation, powers which it might obtain from the Local Legislature, and thus deprive the Local Legislature of control over this corporation, which is its creature. If the Bill is amended so as to exclude the last two sections I will support it; if not, I will vote in favor of the motion to reject the Bill.

Mr. BLAKE. The observation of the hon. gentleman is, I think, perfectly just. It is a very grave question, what is the precise line of demarcation in the powers of the Local Legislature in reference to the incorporation of companies. My own impression is that we have very largely created a legislative current of opinion which may so far influence judicial decisions as to give an interpretation to the Constitution in favor of Federal powers greater than that which a juster interpretation of it, if applied at an earlier date, would have given. I have not been able myself—I have not been able to apprehend why a trading company, intending to have its seat of business and the carrying on of its operations, so far as manufacture and production is concerned, within one Province, should go beyond local and come within Federal jurisdiction, simply because it intended to sell to citizens of other Provinces. I do not think that sufficient reason for making it a federal corporation; but my hon. friend from Laval has correctly pointed out—whether it be true that the company is about to extend its operations in the way the second clause proposes or no—that clause does, on its face, suggest something which a fairly liberal construction of our powers might place within them. It does not say that the Acadia Powder Company want to sell powder within the limits of Nova Scotia, which, in my opinion, would have been no sufficient reason for federal action at all, but says the Acadia Powder Company wants power to make powder in other places and different Provinces, and that may be a reason for our acting. There are two modes in which we can deal with a manufacturing or trading company which wants more than a Local Legislature can give. We can either extend to the corporate entity which has been created by the Local Legislature certain powers which we alone can give; or we can create a federal corporation complete and entire, created by ourselves and amenable to ourselves, *totus, teres, atque rotundus*, giving it such powers as we see fit to give. On the general principles of these two modes I strongly prefer the second, because the second gives you a multiplicity of conveniences. I would refer all those who are interested,

whether as shareholders, creditors or otherwise, in the constitutional powers of the company to the one Statute, or the amendments of that Statute in the records of the Legislature which created it. The other exposes you to complication, of which the observations of my hon. friend as to these subsequent sections affords an instance—complications as to the power of this Legislature to intervene; and upon the whole I think it is too plain to require lengthy argument that a corporate body engaged in trade should owe its birth, origin and powers to some one legislative body to which it is responsible, and to which it can apply for further powers. That does not affect the constitutional powers of this Legislature to give an additional power to a corporate entity already erected, not capable of obtaining that additional power from any other body than ourselves; but I perfectly concur in the observations of my hon. friend, that if we adopt the first and least convenient course we ought to know the extent of the corporate entity, the sum of power which it cannot obtain from the Local Legislature, and which will enable it to enlarge, if required, the sphere of its operations; and if we decide that we will give the required additional power, that does not alter in any respect the end of the corporation. That corporation continues to be after this Act what it was made before—owing its birth, its corporate existence, to the Local Legislature which created it; and I do not see how we can, with any degree of propriety, interfere in the other domestic details of that corporation. Why should we enlarge the capital stock of this company, or do the other things here mentioned? It is not proposed we should turn it into a federal corporation; it remains a local corporation. We merely give to this local corporation, created by a Local Legislature, and wanting something what that Legislature has not forbidden it to have, but cannot give it, that which it lacks. There we stop. We leave its whole domestic arrangements where they were. Suppose this company wants something else next Session. Cannot it get it from the Legislature of Nova Scotia? Are some of the domestic arrangements to be altered by the Nova Scotia Legislature and some to be altered here? What inextricable confusion would be created if we adopted this principle. I beg to move that the Bill be not read the third time, but be referred back to the Committee of the Whole for reconsideration.

Mr. RICHEY. The argument of my hon. friend from Laval is, I apprehend, that local corporate bodies, incorporated by a Local Legislature, may not come to this Parliament to obtain an extension of their powers.

Mr. BLAKE. No, no; quite the contrary.

Mr. RICHEY. That was the first argument. But conceding that they may come here to obtain an extension of their powers, it is claimed that we have no right to go farther than simply to give them the authority to carry on that business throughout the Dominion, and none whatever to touch the capital, or to enact such a section as the second one of this Bill. This is the way the matter strikes my mind. Looking to the powers which are given to the General Parliament and those which are given to the Local Legislatures, a doubt would rather seem to arise as regards the powers of a Local Legislature to deal with those corporations which may have their business extended throughout the Dominion. The powers given to the Local Legislature are for the incorporation of companies having simply and solely local objects. All others powers of incorporation, I take it, are within the purview of those powers which are given to the Parliament of Canada; and especially when you come to those which concern in any respect trade and commerce—for trade and commerce are particularly specified as among those objects which are exclusively within the power of the Dominion Parliament. I am aware that in the United States of America, where, I may say, their Con-

stitution differs somewhat from ours in this respect, the question has arisen, but while the United States was formed by a Union of separate sovereign States, as they were considered to be, and all those powers not by them conceded to Congress, were necessarily, by the mere effect of the Constitution itself, reserved to those separate States; we combined, as we have been, under the authority of the Imperial Parliament, are brought into an even closer federal Union, and by the very terms of the Act itself those powers which are not conceded to the several Provinces are vested in the Dominion Parliament, and we have full and absolute right to deal with all subjects that are not specifically mentioned as belonging solely to the Local Legislatures. From this point of view it appears to me there can be no question whatever as to the right of Parliament to deal with the incorporation of companies which, in any way, relate to general trade. Now, is this company seeking to have its trade extended throughout the Dominion? By the very preamble of the Bill itself, we find that to be the case. It has already been incorporated, it is true, by an Act of the Local Legislature; but it is not to be precluded by that fact from coming here and seeking those powers with which this Parliament is competent to clothe it. The point has been already very well placed before the House in the remarks of my hon. friend who has just spoken, who has clearly demonstrated the power of this Parliament to deal with the question, and has clearly shown that with the terms that are employed in the first section of this Act, setting forth that it seeks not only power to sell, but power to manufacture, or the power to extend its business throughout the Dominion, it is brought within the purview of the Act. It is said that there are two ways in which the matter may be dealt with: either by extending the powers of the corporation, or by creating a new corporation. The Bill which is now before the House, is in effect creating a new corporation, which may carry on its business throughout the Dominion in the manufacture and sale of gunpowder and other explosive substances. It vests in the company that power which this Parliament alone is capable of conferring on it. Then, as to the capital. If we take upon ourselves to create a company which may extend its business throughout the whole Dominion, basing that upon the legislation of the Local Legislature, may we not increase the capital? If we are to extend the powers, must not we extend their means for pursuing those powers? I do not think it necessary to carry this argument further, having placed before the House, as simply as I could, those answers which suggested themselves to my mind in reply to the objections which have been stated.

Mr. McCARTHY. As this question has now come so prominently before the House, it is perhaps well that it should be considered, and perhaps determined in such a way as will settle the doubts which seem to exist in some minds as to our power to deal with Bills of this kind. For my part, I entertain not the slightest doubt that we can give increased powers to an incorporation, although it may owe its existence to one of the Provinces, just as we could give increased powers to an American company, or an English company. But I think it must rest there. I agree with my hon. friend who has moved the amendment to the amendment, that we ought not to go beyond that, because it is not necessary for us to do so, and it will only end in creating endless confusion. Now, by the second clause of this Bill we are asked to increase the capital stock of this company. The Local Legislature of the Province of Nova Scotia had power to incorporate this company with such capital as that Legislature thought fit; in the same way it has power to increase that capital from time to time upon such terms as the Legislature thinks proper. But it would be difficult to know how the matter should be dealt with if we were going to give them additional power, or were interfering with the organization of the company, which are

Mr. RICHEY.

matters wholly within the jurisdiction of that sovereignty which is creating that corporate right. I shall, therefore, have great pleasure in voting for the amendment to the amendment. I am glad the line has been drawn so clearly and distinctly, because we could not have voted for the original amendment.

Mr. WELDON. I might say, in addition to the argument of the hon. member for North Simcoe, that the very difficulty might arise which he has suggested by the Act in amendment to the Act incorporating this company. That Act had power to increase their stock by a vote of the majority of the shareholders. That is given to them by the Act subsequently passed. By the Act as amended in the Private Bills Committee, we adopted the Rule laid down by the House with regard to the capital stock of companies. Now, here is the difficulty. On the one hand, by the Act of incorporation of the Legislature of Nova Scotia, they had power to increase their capital by a majority vote, while, under the Act as proposed to be amended in accordance with the principles of legislation laid down in this Bill, it would require a two-thirds vote. What law is to govern? It seems to me the argument of the hon. member for West Durham, and the hon. member for Simcoe, as to the powers of this Legislature to trench upon domestic institutions, is one which is legal and correct. It seems to me it is beyond the jurisdiction of this Parliament to interfere with the internal arrangements which are exclusively within the jurisdiction of the Local Legislature.

Sir JOHN A. MACDONALD. This matter has already been referred to in the Railway Committee, but we might also allude to it here. In the Railway Committee we laid down the principle that if the purpose be a Dominion purpose, and any individual can apply to Parliament, surely any local or foreign corporation may apply to Parliament for the purpose of getting powers which we are able to confer upon it. But when a local corporation, for instance, is incorporated by a Provincial Legislature it is the creature of that Legislature, and it is only created as a corporation under certain conditions and provisions; and if those conditions and provisions had not been inserted in the Provincial charter *non constat*, that the Provincial Legislature would have created the corporation and brought the entity into existence. And, therefore, a complication arises when the local corporation, having certain limited powers conferred it by a Provincial Legislature, seeks extended powers. While we can give extended powers we cannot alter the constitution of the corporation granted by a Provincial Legislature; nay, I go further and say, that if a corporation, chartered under certain conditions and provisions by a Provincial Legislature, comes to the Dominion Legislature and asks for increased powers, which the Provincial Legislature says are contrary to their policy, and would thwart their policy, under which, by which, and for which they created it a corporation originally, then I think it is quite within the jurisdiction of the Provincial Legislature to destroy that corporation and to take steps to dissolve it. The company has committed a breach of the ground and of the principle under which it received its charter. Those powers having been granted, so long as the entity exists, they can be exercised by that entity; but any local corporation which comes here for extended powers runs the risk of being destroyed altogether. We will take any Provincial Act—we will not speak of this Act—say the Provincial Insurance Companies' Act. Suppose that company comes here seeking for enlarged powers. The Local Legislature may say: "It is contrary to our policy to have insurance companies taking risks in more than our own Province; we want to have Provincial insurance companies for Provincial purposes, under Provincial charters, so that we may be able to look after the administration of their funds, and we do not desire that they

should invest money and take insurance risks all over the Dominion, or in foreign countries." The Provincial Legislature may say that, and if it does, and if we give the company additional powers contrary to the policy of the Local Legislature, that Legislature may say: "This is a breach of the primary condition under which the company's charter was granted, and as we brought the company into existence so we now repeal the Act." If this were done incorporation would cease to exist, and all the extended powers given by the Dominion Parliament would of course expire with the decease, and with the destruction of the Provincial corporation. So that I quite agree with hon. gentlemen opposite, in stating that the most convenient way to obviate the inconvenience already pointed out, is, that when a corporation wishes to extend its powers, obtained from the Provincial Legislature which originally created it, the company should come to this Parliament and obtain a new charter giving it a Dominion existence instead of a Provincial existence, which existence can be destroyed or hampered at any time by our dealing with the company contrary to the policy of the Provincial Legislature which created it.

Amendment to amendment (Mr. Blake) agreed to; and the House again resolved itself into Committee.

Bill reported; Committee to sit again.

### THIRD READINGS.

The following Bills were severally considered in Committee, reported, and read the third time, and passed:—

Bill (No. 58) to amend the several Acts incorporating the Portage, Westbourne and North-Western Railway Company, and to change the name thereof to the Great Northern Railway Company of Canada.—(Mr. White, Cardwell.)

Bill (No. 53) to declare the meaning and effect of certain provisions of the Act to incorporate the London and Ontario Investment Company, (limited).—(Mr. Hay.)

Bill (No. 23) to continue an Act to incorporate sundry persons by the name of the President, Directors and Company of the Farmers' Bank of Rustico.—(Mr. Davies.)

Bill (No. 52) to incorporate the Brant County Bank of Canada.—(Mr. Paterson, Brant.)

Bill (No. 55) to incorporate the Royal Canadian Passenger Steamship Company.—(Mr. Mitchell.)

### LOYAL ORANGE ASSOCIATION OF BRITISH AMERICA.

The Order for the second reading of Bill (No. 87) to incorporate the Loyal Orange Association of British America, being read.

Mr. WHITE (Hastings). I wish to ask the indulgence of the House while I make a few explanations as regards this Bill. This Bill was placed in my hands by a Committee. One of the members of the Committee wishes me to have this Bill stand for another week, while another member wishes me to go on with it. A week ago the hon. leader of the Government asked me to allow the Bill to stand. I have noticed, since I have been a member of the House, that on every occasion, no matter who leads the Government, when a Bill is under consideration, the member who has it in charge consults the wishes of the leader of the House with regard to it. A week ago to-day, if I do not mistake, when you called the Order, the hon. First Minister asked that the Order should stand, and he did so with my permission. In order that there may be no difficulty about this matter, I ask the House to grant me a little more indulgence, and that is, to allow the Order to keep its place on the paper for one week, and by that time the Committee which has been appointed by the worshipful Grand Lodge, will have come to a conclusion as to the course which is to be pursued in the matter. If they should decide that the Bill shall go on

then no matter whom I hurt, or offend, or injure, in this matter, I am going on with the Bill, and I want them to understand that I will have no more of their badgering or troubling about this Bill. I am not a member of this House to be kicked about by any party, and I think I have been very badly treated all through; and if the House will have the kindness to extend this courtesy to me I will return them my sincerest thanks, as I now do for their allowing me to introduce the Bill in the first place. If I am to go on with the Bill no one will control me in this matter, and I hope I will have the privilege of having a vote which will enable the Bill to become law. If the House will not indulge me so far as to allow the Order to stand, I am ready now—I am always ready. Hon. members always understand my position. I ask that the Order may stand.

Mr. PICKARD. I would ask the hon. member for East Hastings if the Bill which he has had before the House for the past three or four weeks will be affected by the Bill which was introduced to-day by the hon. member for Stanstead (Mr. Colby). Will the Orange body come under that general Bill?

Mr. WHITE (Hastings). In reply to the hon. gentleman, I beg to inform him that I am not in negotiation with any party as regards the General Bill, and that I positively declare that, individually, I want no General Bill. I want an Act of incorporation for the Orange Society, and I am satisfied that nine-tenths of the society want the same thing. I have nothing to do, directly or indirectly, nor will I have anything to do directly or indirectly, with the Bill of the hon. member for Stanstead, and if I thought that allowing this matter to stand to-day would jeopardise the Bill I would go on with it now. I believe that time will be allowed by this House to get the Bill through the Committee and sent to the Senate, so that it may become law.

Mr. BLAKE. Of course, the hon. gentleman knows that the time for reporting on Private Bills expires, I think, on the 18th, and the postponement for which he asks renders it impossible that the Bill can go through if it passes the second reading.

Order allowed to stand.

### WORKS AT COFFIN'S BAY, N.S.

Mr. FORBES enquired, Whether it is the intention of the Government to complete the works at Coffin's Island, Queen's County, Nova Scotia, during the coming season; if so, will it be done by tender and contract, or by commission?

Sir HECTOR LANGEVIN. If the vote of money placed in the Estimates for this work is granted by Parliament, the intention is to expend it in the same way as the last vote was expended, viz.: by day's work under a superintendent.

### THE CARE OF IMMIGRANT CHILDREN.

Mr. RICHEY enquired, Whether, in prospect of the promotion by benevolent societies, or individuals, in England and elsewhere, of a large immigration to Canada of young persons from orphanages and other institutions, with a view to their being settled in various parts of the Dominion as apprentices or servants, is it proposed by the Government to organize any system of inspection by which the locality and treatment of children so brought into this country may from time to time be ascertained?

Mr. POPE. It is the intention of the Government to organize a system of inspection, the locality being given us by those who locate the children.

### CANADIAN PACIFIC RAILWAY.

Mr. BLAKE enquired, Is any, and if so, what length of the Canadian Pacific Railway is under construction north

of Lake Superior and east of Current River? Has the route at this part been submitted for approval, and when? If not, under what circumstances is construction proceeding?

Sir CHARLES TUPPER. The paper I have already laid upon the Table will answer in detail all these questions, I think. 166 miles are under construction, of which 100 miles are from Callander to Sudbury Junction, and sixty-six miles from Red Rock to Current River. The route was submitted for approval from Callander to Sudbury Junction on the 30th March, 1882. The approval of the Government in Council was given to the line from Callander to Sudbury Junction on the 17th of April, 1882, and from Red Rock to Current River on the 29th of March, 1883. I may, perhaps, be permitted to say, in addition, that in that portion of the line from Red Rock to Current River, construction has been going on for some time, and that the work is going on upon a line located by the Government—in fact, it was the only line that could be obtained there.

#### LIFE SAVING STATIONS.

Mr. PLATT enquired, What particular point or points on the coast of Prince Edward County have been selected for life-saving stations, and what person or persons have been appointed as captains or keepers of such stations?

Mr. McLELAN. I have obtained all possible information as to what points should be selected, the bulk of which favors Wellington and Poplar Point. I have not selected either of these points yet, but will do so by the time navigation opens. There is a boat now ready to be placed at one or other of these points.

#### PICTON AND TRENTON MAIL SERVICE.

Mr. PLATT enquired, Is it the intention of the Government to provide for the carriage of mails between Picton and Trenton by railway instead of horse carriage? If so, when will the change take place?

Mr. CARLING. At present it is not the intention to make any such change.

#### THE REDEMPTION OF BILL STAMPS.

Mr. McMULLEN enquired, Whether it is the intention of the Government to ask the House for a vote of a sum sufficient to enable them to redeem bill stamps not presented for redemption within the time limited by Statute?

Mr. COSTIGAN. It is not the intention of the Government to ask for any such vote.

#### CAPE GEORGE (N.S.) BREAKWATER.

Mr. McISAAC enquired, Whether it is the intention of the Government to make provision, this Session, to rebuild the breakwater at Cape George, N.S.?

Sir HECTOR LANGEVIN. I am not in a position to give a definite answer to-day, because the matter is now receiving my attention.

#### IMPORTATION OF SPIRITUOUS LIQUORS.

Mr. KIRK enquired, Whether it is the intention of the Government to accede to the request of the United States National Distillers' Association to modify the existing Customs Laws and regulations so as to admit of the entry of spirituous liquors into Canada from foreign countries in packages of less quantity than the regulations now admit?

Mr. BOWELL. It is not the intention of the Government to make any change in the regulations affecting the importation of spirits into Canada.

Mr. BLAKE.

#### WITHDRAWAL OF TROOPS FROM HALIFAX.

Mr. BLAKE, in moving for despatches, Orders in Council and reports on the subject of the withdrawal of the troops from Halifax, said: A statement has been made in the papers with regard to a rumor as to there being some discussion and correspondence concerning the withdrawal of the troops from Halifax. I do not know the facts, but if there be any grounds for the statement it will be well to know them.

Sir JOHN A. MACDONALD. There have been no despatches, Orders in Council, or reports concerning the withdrawal of the troops from Halifax; but there has been some correspondence—I forget whether it was confidential or not—as to the reduction of the forces.

Mr. BLAKE. Well, papers with reference to the reduction of the forces.

Motion agreed to.

#### CUSTOMS DUTIES.

Mr. BLAKE, in moving for a statement of the values of agricultural implements, &c., on which have been based the proposed new specific duties, with the data such values were fixed, said: I have found much difficulty to make correspond with the information I have received, the general statement of the hon. Minister of Finance as to the effect of some of the duties, specific and *ad valorem*, on some articles. We should have the material on which that statement is based, in order that we may apprehend what really is the character of the change.

Sir LEONARD TILLEY. The Customs Department were directed to arrange the amounts, specific and *ad valorem*, so as to cover the 25 per cent. duty. The data, therefore, on which the result is based must be in the Department.

Mr. BLAKE. Unless they guessed it.

Motion agreed to.

#### OFFICIAL DEBATES.

Mr. CURRAN, in moving that a copy of the *Hansard*, containing the Debate on the introduction of the National Policy in 1879, would be of great advantage to the hon. members of this House, and that measures should be taken to provide them with such copies, said: I do not think it is necessary to make any observations on this motion. I understand that these copies can be procured easily, as there are a large number in print. It must be evident to all that a copy of this work would be exceedingly valuable, especially to the new members, as references are continually being made to the speeches during that Session, and it is necessary for them to have the book almost constantly on hand.

Mr. WHITE (Cardwell). This would involve reprinting the volume.

Mr. BLAKE. This is not in order.

Sir JOHN A. MACDONALD. The hon. gentleman must strike out the last part, that measures be taken to procure copies, because it would involve an expenditure of money. There can be no objection to the statement that a copy of the *Hansard* would be of great advantage. I have no doubt it will be of great service to those hon. members who were not in Parliament in 1879. I would ask the hon. gentleman if he contemplates, in the motion, reprinting the *Hansard*, for it will cost some money.

Mr. CURRAN. As I stated a moment before, I am informed the copies are actually in print.

Mr. BLAKE. The object is, of course, to get some more *Hansards* that are in print. I am one of those unfortunate members who were not here in 1879, and I had to go to the

library to get the *Hansard* of that year. But I have survived the loss, and I am not disposed to vote money to supply the hon. gentleman with a copy of that *Hansard* at the public expense. There have been other important debates upon the National Policy even since 1879, and many hon. members might desire to have those debates also. If all hon. members must know what has taken place in the Parliament of the country, during the periods when they were out of it, I think the proper way would be to pass an Act compelling those members who formerly represented the constituencies to give up their *Hansards* to the present members, so that, like the Order of the Bath, or the Order of St. Michael and St. George, the insignia may descend from generation to generation. I think we must give up the idea of supplying past *Hansards* to all new members who come into the House.

Mr. MACKENZIE. If we are to reprint the Tariff speeches of the *Hansard*, we ought to have the Tariff speeches of the hon. leader of the Government in North Middlesex. I am always greatly influenced by the hon. gentleman's speeches, and I would like to have them in the *Hansard*.

Mr. BOWELL. Including the speeches of the hon. gentleman in Dundee, Scotland.

Mr. CURRAN. I shall exempt the hon. member for West Durham from the statement that the great majority of the public, as well as the members of this House, know that the speeches that have been made on the National Policy, ever since 1879, contain nothing new—although I except the speech of the hon. gentleman—but were mere reiterations, in a new form, of the arguments used then; and I think, in common with a great many others, that if we could only digest that great debate, on which the giant intellects of the Dominion were engaged—many of whom, perhaps, unfortunately for the country, are no longer in a position to discuss that question in this House—we might greatly refresh and enlighten our minds, and store our intellects with the great efforts that were then made. We, new members of this House, cannot be so well aware of the course of the debate at that time as those hon. gentlemen who were then members of this House.

Mr. ROBERTSON (Hamilton). I have no doubt whatever that the hon. gentleman would find a great deal of interesting, though perhaps heavy, reading in the *Hansard* of 1879; but I am surprised he does not go a little further back, and ask for the *Hansard* of 1877 and 1878, so that he might read the very interesting speeches of the hon. gentleman for North Norfolk, and the hon. gentleman for South Brant—speeches so necessary to a knowledge of the history of the National Policy; but I think it is going a little too far to ask this House to provide the hon. gentleman with the speeches of a bygone Parliament. I think hon. gentlemen ought to equip themselves with that literature before they enter Parliament. It is an easy matter for my hon. friend, if he wishes to get possession of the *Hansard* of 1879, to put his hand in his pocket and pay for it, as I have done, and as other hon. gentlemen have done.

Mr. SPEAKER. The last part of this resolution seems to involve a charge, and is not in order.

Motion withdrawn.

#### WATER LOTS IN THE HARBORS OF LAKE HURON AND SUPERIOR.

Mr. DAWSON, in moving for correspondence between the Government of the Dominion and the Government of Ontario, in reference to the disposal by the latter of lots covered by water, in the Harbors of Lakes Huron and Superior, to private individuals, said: In making this motion, I may say it is very much to be desired that the

Dominion Government, and the Ontario Government, should come to some understanding about water lots on Lakes Huron and Superior. The Government of Ontario claims and exercises the right of selling land under the water. Now, the sale of land pre-supposes the right of the individual to utilize it, and if the Ontario Government sells the land under water in a harbor, it might lead to very serious complications in the use of that harbor for public purposes afterwards. I know that this has been done on Lake Superior. In one place four thousand acres of land under water has been sold in one block at Thunder Cape Harbor near Silver Island. I believe the intention of the Government of Ontario in doing that, in the first instance, was to protect the rights of miners. I think the object was a good one at first, but now people who have bought those lands under water claim the right to utilize them. At Prince Arthur's Landing, also, lots have been sold under water. I may say that quite recently a lot was sold under water in the harbor which was actually in use, and necessary to the ground covered by a wharf built by the Dominion Government. I imagined it was by mistake, but still that mistake has not been remedied. I do not think that the Government of Ontario would have made that sale otherwise than through mistake, or seek to embarrass a great public undertaking such as making a harbor; but the fact, nevertheless, remains, that lands under water have been sold at Prince Arthur's Landing at Thunder Cape, and other places. The object of the sales at first, was to protect the rights of miners, and very properly so in several cases. I observe, by reference to a return brought down, that correspondence took place some years ago between the Dominion Government and the Ontario Government about a reserve at Thunder Bay. The Dominion Government has been for fifteen years in possession of that reserve. They cleared it down to the water's edge, put up expensive buildings on it, and ran a wharf out. I see by these returns that, in 1870, the Dominion Government applied for a patent for that land, but the patent appears not to have been granted through some mistake—I do not know how it could have arisen—and last fall the Government of Ontario sold a portion of that reserve with a Dominion building upon it. I believe it was done by mistake, but whether it was by mistake or otherwise, there remains the fact: that a patent has been issued to other parties for ground which the Dominion Government had been in possession of for fifteen years, and which it had cleared up, and on which it had erected expensive buildings. In view of this state of things, it is very desirable that some understanding should be arrived at between the Dominion and Ontario Governments in regard to cases of this kind, because there is no saying where it might end. The Dominion Government might select a harbor, and speculators might go there and say: "Here is an excellent chance for speculation." They would buy land under the water in the harbor, and claim the right to put up wharves. I call attention to this subject in order that something may be done in regard to it, and some understanding between the two Governments arrived at so as to prevent embarrassment in the future.

Mr. BLAKE. With respect to the first transaction to which the hon. gentleman has called attention, it will be found, I think, speaking from recollection of events ten or twelve years ago, that the grant was a proper one, and that it was not proposed by the Government to give the grantees any right to interfere in any way with navigation. That is my recollection of this particular grant, with which I had something to do.

Mr. DAWSON. That is the grant at Silver Islet, and it was given with a very proper object at that time. I feel quite confident it was intended not to interfere with navigation.

Mr. BLAKE. I think the grant was made on that ground.

Mr. DAWSON. That is no doubt perfectly correct; but the grants to which I more particularly referred were at Prince Arthur's Landing, and are lands taken up by speculators for the purpose of getting some claim which might be valuable to them in the future.

Sir JOHN A. MACDONALD. This is a very important matter, and the whole subject came up some time ago before the Supreme Court here in a case from Prince Edward Island. The court in effect decided that all grants by Provincial Governments of lands covered with water, in any part of the Dominion, were illegal and invalid. The decision goes considerably further than I thought it would go. While it was quite clear to myself that, of course, navigable waters came within the control of the Dominion Parliament, I always thought the land covered by the water, subject to the right of navigation, belonged to the different Provinces; but this decision seems to controvert that, and it is strong and specific in its terms, and the Government of Prince Edward Island have applied to the Dominion Government for payment for all harbor improvements, on the ground that they all belong to the Dominion, and not to the Province.

Mr. BLAKE. Does the hon. gentleman understand that the decision applies to inland waters?

Sir JOHN A. MACDONALD. I think it will apply to inland waters if it applies to harbors, as the principle is the same; however, I am not quite sure that it is so. The decision is not that below low water mark the land belongs to the Dominion, but that the portion of land covered by water in every harbor belongs to the Dominion.

Mr. BLAKE. It does not deal with fore shores generally?

Sir JOHN A. MACDONALD. No.

Motion agreed to.

#### STEAM SERVICE BETWEEN CAMPBELLTON, GASPÉ AND INTERMEDIATE PORTS.

Mr. FORTIN, in moving for correspondence relating to the steamer running in connection with the Intercolonial Railway between Campbellton, Gaspé and intermediate ports, said: In moving this resolution, I desire to offer a few remarks to the House. Before the Intercolonial Railway went into operation, we had, on the coast of Gaspé, for ten or fifteen years, a service of steamboats which ran from Quebec to Pictou, calling at several places in the counties of Gaspé and Bonaventure and ports in New Brunswick. This service was performed by two very good steamers, the *Secret* and *Miramichi*, with efficient captains and crews. The people were satisfied with that service. When the Intercolonial Railway went into operation, the Government thought proper to discontinue the subsidy to the Gulf Ports Steamship Company, and consequently they ceased to run one of their steamers, and the remaining vessel does not run in Baie des Chaleurs. The Government, in order to obtain the traffic of the coast of Gaspé and the coast of Bonaventure, engaged a steamer to run in connection with the Intercolonial, from Campbellton as far as Gaspé, stopping at eight or ten places coming and going. The people did not find fault with that arrangement. The first vessel engaged for that service was called the *St. John*; she was properly a steamboat, and consequently not built for the service. Before I proceed further, allow me to describe the route. The route may be divided into two sections: one of inland navigation from Campbellton to Paspébiac, on Bay Chaleur, sixty miles distant; consequently any vessel may navigate there because in case of a north-east wind blowing she can find shelter at several places. The other section extends from Paspébiac to Gaspé, on the Gulf of St. Lawrence, distance 80 miles—that is sea navigation, and consequently requires a sea-going vessel, and when the wind blows from

Mr. DAWSON.

the offing, unless it is a first-class vessel, she is not able to perform this service. Well, the *St. John* performed the service tolerably, but not in a proper manner. After running for three years, the Government made another arrangement, and we then obtained another steamer, the *St. Lawrence*, which, in the opinion of a great many people, was a better, and larger, and speedier vessel. For the *St. John* a subsidy of \$10,000 a year had been given; and for this new steamer \$12,400 a year. The *St. Lawrence* ran three or four—and perhaps more—trips, and the people seemed pleased with her; but all at once she was taken from the route, and a smaller, and in every respect very inferior, vessel was put on, and kept on the route all summer, greatly to the disappointment of the people of Gaspé. Instead of being, as we all expected, that after a few trips she would be removed from the route, she continued her trips until the rough weather came, and was then placed in winter quarters in one of the ports of New Brunswick, and apparently the owners wished to run her again this coming season. Under these circumstances, I, as the representative of the county of Gaspé, and having seen the vessel myself, knowing that she was not in proper condition, and was always, when the water was a little rough, behind time, and that she missed several trips from Paspébiac to Gaspé, thought it my duty to make proper representations on the subject to the hon. Minister of Railways and Canals, who has control of the Intercolonial Railway, in connection with which this vessel runs, on what is called a side line. I wrote a letter to the hon. gentleman setting forth these grievances, and received in reply a very kind and very frank letter, in which the hon. Minister of Railways informed me that it was the fact this steamer was not a proper vessel, but that a good and proper vessel would be placed this year on the route. It should be remembered that the people of the coast of Gaspé and Baie des Chaleurs are shut out from communication with the outside world during the winter, and in the spring they have to procure their outfits for the fisheries, which must come from elsewhere. It is from Quebec, Montreal or Toronto that the provisions are obtained, and it is consequently necessary that the steamer should begin her trips as early as possible in the spring. If a good vessel were on the route these people would obtain their provisions at the proper time; and again in the fall, when the results of the fall fishing are prepared to be sold and sent into the interior of Canada—to Quebec, Montreal and Toronto—the vessel, not being adapted for rough seas, ceases her trips just about the beginning of November, at the very time when thousands of quintals and barrels of fish are ready to be shipped to the places which I have mentioned. Under these circumstances, I was greatly pleased to receive a letter from the hon. Minister of Railways, telling me that an efficient vessel would be placed on this route; and since its receipt, I had the pleasure of an interview with the hon. gentleman, when he informed me that such a vessel had been bought in the States, which gave me great satisfaction. I make this motion, in order to give to the hon. gentleman an opportunity for stating to the House what he has done, and what he intends to do in this relation, so the people of Gaspé, who during the past five or six years have suffered so many inconveniences from the causes which I have detailed, may definitely learn that this service is to be improved and rendered efficient. I consequently move, for an Order of the House for correspondence relating to the steamer running in connection with the Intercolonial Railway between Campbellton, Gaspé and intermediate ports.

Sir CHARLES TUPPER. There is no objection at all to the correspondence upon this subject being brought down. What the hon. member has said is quite true. This is a very important route, and its business has very largely increased since the steamer was placed on it; and I have no doubt, that, if the service is properly performed, not only will very great facilities be given, but a very large and

extensive and important district of the county, which is absolutely required for the successful prosecution of their business, will be advantaged, and a very considerable additional traffic will be brought to the Intercolonial Railway. A contract was made with the St. Lawrence Steam Navigation Company for this service; but in consequence of the loss of one of their boats by fire, the service was very much deranged; and I have no hesitation in saying that the complaints made were well founded on the part of the persons interested in this service, as to the very inadequate manner in which it was performed. So much was this the case, that the Government refused to pay over the subsidy provided, and a very considerable deduction was made owing to the failure to perform the service in a thoroughly efficient manner. The company were then notified that the contract would be entirely withdrawn, unless they provided and properly equipped a thoroughly good steamer, which was capable at all seasons of the year to keep up constant and thorough communication. There was not a suitable boat, I believe, to be found in this country, and the company sent to New York, and obtained a suitable steamer. Having reported this to the Government, I asked the hon. Minister of Marine and Fisheries to send down an inspector, who was qualified to judge as to the capacity of the boat, before she was accepted. This steamer, I believe, will be found to be admirably adapted to the service, and I hope that in the future it will be carried on to the entire satisfaction of that large and important section of the country, which is so deeply interested in this matter.

Mr. BLAKE. The hon. gentleman has stated that the putting of the steamer on this route has largely increased the traffic of the Intercolonial Railway?

Sir CHARLES TUPPER. I said it did.

Mr. BLAKE. I observe, however, that this increased traffic of the Intercolonial Railway is not charged with the expense of maintaining this steamer, as far as I can learn from the Public Accounts. The hon. gentleman obtains an increment of the traffic of the Intercolonial Railway, and does not charge to the expense of running it the machinery by which this increased traffic is obtained.

Sir CHARLES TUPPER. It has never been done. I may say, for the information of the hon. gentleman, that this service was established by the late Government.

Mr. BLAKE. I know it.

Sir CHARLES TUPPER. The same system that was then, is still followed. It will be quite impossible, as the hon. gentleman will see, to charge—in establishing a new service of that kind—and a mail service as well—to the Intercolonial Railway, and the lines of steamers that may be established in connection with the mail and other services in that relation. It has always been maintained as an independent service.

Mr. MACKENZIE. The hon. gentleman will remember that we gave a very small subsidy to this steamer—\$4,000.

Sir CHARLES TUPPER. And it was found to be quite inadequate for the purpose.

Mr. MACKENZIE. This Government raised it to \$10,000. We intended to carry the mail principally by land, and occasionally by steam communication of that sort, without incurring one-half the expense to which the hon. gentleman has gone, independent altogether of its being a feeder of the Intercolonial Railway. The trade from that quarter in any case went to the Intercolonial, and it was only in connection with the carrying of the mail that we asked for a subsidy at the time when it first originated, and at that time the road was not quite finished, and certainly not open, and nothing could be charged to the running expenses in that department.

Mr. CAMERON (Huron). I understood the hon. gentleman to say that the vessel—the *Admiral*, I think she is called—was purchased, or to be purchased, by the contractors who have this service in charge.

Sir CHARLES TUPPER. By the St. Lawrence Steam Navigation Company.

Mr. CAMERON (Huron). I understood that an inspector was sent to New York, and that he has sent a report to the Government. I would like to know if there is any objection to this report being laid on the Table.

Sir CHARLES TUPPER. No.

Mr. CAMERON (Huron). The fact is that I have had a different account of the vessel from that which the hon. gentleman has given. I will not say anything on the subject just now; but I hope the report when it is brought down will not confirm the information I have on the subject. I would like to know if the vessel has been actually purchased by the company, and whether she is intended to be engaged in the service.

Sir CHARLES TUPPER. I presume she has been purchased. The report that they were prepared to put her on this line for the performance of this service was made to the Government; but before we accepted her as a suitable vessel the Government took measures to send down the ablest officials they could obtain to have her properly inspected. It was only after she was reported to be thoroughly adequate for the service, and a thoroughly good steamer, that the Government consented to accept her. The report of Mr. Croker, the inspector sent down by the Department of Marine and Fisheries, and of the person whom he engaged to do that portion of the work of the inspection which he was not expected to perform, will be brought down.

Motion agreed to.

#### THE POSTMASTERSHIP OF FLORENCEVILLE, NEW BRUNSWICK.

Mr. IRVINE moved for all copies of all letters, reports and other documents relating to any complaint or charge preferred against Stephen G. Burpee, Postmaster at Florenceville, New Brunswick, since 1st January, 1879.

Mr. CARLING. I have no objections to bring down papers, except of course any confidential reports or letters that may be in the Department.

Mr. BLAKE. Is a man allowed, by the practice of the Department, to make a confidential complaint.

Mr. CARLING. No.

Mr. BLAKE. Then if there be any complaints they should not be so treated.

Sir JOHN A. MACDONALD. The hon. gentleman referred to the report.

Mr. BLAKE. I was not speaking of a confidential report; but this hon. gentleman spoke of confidential letters or reports.

Sir JOHN A. MACDONALD. Exactly; but a report might be a letter, or a letter might be a report. The hon. gentleman knows that no letters or reports written by the officer in charge should be brought down, and that it is contrary to all practice to have them brought down. Any complaint, however, that may be made might be brought down.

Mr. BLAKE. Yes; but my hon. friend's language was so wide that I thought it might include the proposition that it was a letter of complaint, which, of course, should not be secret under any circumstances.

Sir JOHN A. MACDONALD. Certainly not.

Motion agreed to.

APPOINTMENT OF JAMES JACQUES AND CHARLES KEARNEY TO THE CIVIL SERVICE.

Mr. IRVINE, in moving for copies of all correspondence which passed between any Department of the Government and any person whomsoever in relation to the appointment of James H. Jacques and Charles Kearney, of Carleton county, New Brunswick, both or either of them, to positions in the Civil Service of Canada, said: I have no doubt that if I were a supporter of the present Ministry, it would not be necessary for me to make a motion of this kind, as I probably could send across the floor and make application to the Department, and get the information I require. Unfortunately for me in this respect, however, I was elected as an avowed opponent of the Government and of that protective policy which has imposed such unnecessary burdens on the people of New Brunswick without any compensating advantages. If I may believe the reports which have been published in the Government press of Canada, I am led to believe that unless I vote with the present Government, upon every occasion and on every question, I am not to be consulted, nor is any man in Canada to be consulted, no matter what constituency he represents in reference to any appointment to the Civil Service, or the dispensing of the patronage of his own county. The question might be fairly asked by hon. gentlemen whether those appointments were previous to the Election of 1881, or since. I think I may fairly say that I was pleased by the declaration made by the hon. First Minister a few weeks ago in reference to the appointment of a Committee in this House according to the complexion of the members thereof, and he professed to have a grave respect for the wishes of the people. I could wish, if I were not asking too much, that that respect should not only be given according to the complexion of parties in this House, but also according to the complexion of every constituency which sends a member to Parliament. If these appointments were made in the public interests I have not a word to say—I calmly submit to the will of this Government. They have laid down the principle that for a member to obtain the patronage of his county he must yield an unswerving support to the Government; but if these appointments were not in the public interest we wish to know whom to hold responsible for them. We wish to know what man in the county is entrusted with the patronage for the county or whether the hon. Minister of Customs is himself responsible, because so far we have not been able to find a man in Carleton county who will acknowledge the responsibility for these appointments.

Sir JOHN A. MACDONALD. Not even their own fathers and mothers.

Mr. IRVINE. I am speaking politically, not personally. It is incumbent upon me, as the representative of the county of Carleton, N.B., to show to this House and this Government, that the appointments then made, at least one of them, never should have been made, not being in the public interests. The western boundary of the county of Carleton forms part of the eastern boundary of the State of Maine, and it is very well known to those acquainted with the topography of that county, that there are two high-ways connecting that county with the State of Maine. The first runs from Woodstock, on the St. John River, to Holton, in the State of Maine, and the other from Florenceville, on the St. John River, to Bridgewater, in the State of Maine. Between those two roads, a distance of twenty miles, we have no less than four preventive officers—Mr. Ivory Kilburn, on the Richmond Road; Mr. Henry T. Scholey, at Centreville, on the Florenceville Road; Mr. H. Wolhaupter, on the Blomfield Road; and Mr. Charles Kearney, at Florenceville, on the Florenceville Road.

It being Six o'clock, the Speaker left the Chair.

Sir JOHN A. MACDONALD.

After Recess.

Mr. IRVINE. From Florenceville, on the River St. John, to Bridgewater, on the American side, the distance by the road is some eight miles; probably on an air line it would be a mile less. On that road an officer was appointed during the Mackenzie Administration in the double capacity of preventive officer and sub-collector. There never had been a preventive officer on that frontier on the Florenceville Road, I believe, till then; but it was understood that it would be convenient to have an officer there to receive duties instead of importers being compelled to go twenty miles to Woodstock. That officer I am willing to admit, was a very vigilant one; perhaps the only offence laid to his charge was that he had too much zeal. The duties at first collected at that office were comparatively small, but I think they rose to something like \$700 during the past fiscal year. In my judgment one officer is sufficient for that district, and when another officer was appointed at some four miles distant, I came to the conclusion that his office was simply a sinecure. I have more than one reason for holding that opinion. In the first place, I think if the Government were earnestly desirous to enforce the fiscal regulations of the country, they would not appoint a man doing a mercantile business of, perhaps, \$10,000 or \$15,000 a year. I imagine that such a man would not find it convenient to give a great deal of attention to his duties as a preventive officer. You might as well appoint a merchant in the city of Ottawa to enforce the Customs regulations on the border of Carleton county, as to appoint Mr. Kearney, at Florenceville. I wish it to be understood that I make no charge against Mr. Kearney as a man; he is a very respectable and honorable man; but I wish to point out that while we have four officers between the Woodstock Road and the Florenceville Road, the American Government, to my certain knowledge, have never had more than one on their side. I am not referring to the officers in the town of Woodstock, or Holton, but to the officers along the border. Previous to the introduction of the National Policy, as everybody acquainted with the fiscal regulations of both countries knows, the inducement to smuggle from the Canadian to the American side was always the greater. Any man who would consult the Tariff of both countries would find that at one time woollens and other dry goods were imported from the Old Country, and traders along the border know very well the rich harvest they made out of the American trade. From the introduction of the high Tariff to the present time, the Americans have not thought it necessary to put more than one officer on that frontier. At present the people of the county which I have the honor to represent, and which is the best agricultural county in New Brunswick—sell all their sheep and potatoes to the Boston market, and also carry on a good trade with the Americans in horses and cattle. The inducement is still stronger for the Americans to smuggle from our side than for our people to smuggle from the American side, yet they guard that frontier with only one officer. If the hon. Finance Minister be correct in saying that cotton goods are as cheap here as the same class of goods in the United States, there can be no inducement to smuggle, and no necessity for four officers on twenty miles of road. The hon. gentleman could not make his financial statement before ascertaining what changes were made in the American Tariff. In reference to tobacco, he said our Tariff had to be assimilated to theirs, because if there was a great difference it would induce smuggling. He has, however, reduced the duty on tobacco for the purpose of making it as cheap on this side of the line as on the other, thus making it unnecessary to keep up a large staff of preventive officers on the frontier. As our farm produce is sold on the other side, the temptation to smuggle is greater with the Americans, and if they can guard their

frontier with only one officer why should we require more. We have two officers on the one road, one within four miles of the boundary, and the other four miles from him. This is a purely nonsensical arrangement which no sane man would recommend, and both the Government and the man who recommended it should be ashamed of such an arrangement. Having noticed this point I will refer to the other officer, Mr. Jacques, against whom I do not make the same objection. His office was created by the Mackenzie Administration on the completion of the New Brunswick Railway from Fredericton into the State of Maine. As goods had to pass over this road in bond, it was necessary that an officer should be stationed at Woodstock. What his exact duties were I cannot explain—no doubt the hon. Minister of Customs can—but I believe his business was to see to the arrival and departure of trains and the forwarding of bonded goods, and he was called a tidewater. The Conservatives of the town and county at that time declared that the office was a sinecure. Over and over again, they said the office was unnecessary, and that Mr. Merritt, Collector of Customs in Woodstock, should discharge the whole duty. Mr. Drysdale resigned in March 1881—at least according to the Trade and Navigation Returns that is the date at which his salary ceased, and therefore I presume the date of his resignation. The office remained unfilled until the 27th June, 1882, and it was thought, of course, by the Liberals of the county, from the view taken by the Conservatives, that it would never be filled again. Since that date Mr. Jacques has been reappointed to perform the same duties. He is no longer called tidewater, but a preventive officer, though the duties are unchanged. I simply refer to this to show that the persecution to which that officer was subjected was undeserved, and that the office has been found necessary. I will not further take up the time of the House, but will simply emphasize my declaration that I think it foolish—I will not use a stronger term—on the part of any Government to appoint Mr. Kearney a preventive officer at Florenceville in Carleton county.

Mr. MOFFAT. It surely does not lie in the mouth of the hon. gentleman to charge the Government with wrong doing after the statement as to the necessity of the office. If the statement he made in reference to his constituents is true, the Government had very little to choose from. In this sweeping character he gave his constituents, he did not have even the saving clause that was left during the memorable argument that preceded the destruction of the cities of the plains. They were protectionists by day and freebooters by night. No doubt, therefore, the official, who had also been an opponent of the hon. member for Carleton, must be an unworthy holder of the office. The hon. gentleman gave his speech in a very lachrymose style, and had reason for it, since as his county is divided into ten, it is only appropriate he should come here in a tearful manner.

Mr. BOWELL. I have no objection to bring down whatever correspondence there may be in the Department; but at present I am not aware of any that would be of interest to the hon. gentleman, or his constituents. With reference to the appointment of the gentleman to whom he has referred, and to which he makes so much objection, all I can say is that it was made in the interests of the revenue, and that it does not always follow that the best place to station a preventive officer is at the very point at which the smugglers enter. On the contrary, though an officer may live some miles from the border, it is very often at some central point at which different roads from the American frontier centres. Representations were made to me that goods came in at various points along the frontier of the United States, not always upon the main road to which the hon. gentleman refers. But I must confess this is the first time I have heard that this gentleman is one of the largest importing merchants of that

village, and that is a matter, I assure him, that is worthy of consideration. He must remember that when he was speaking on the Tariff last Session he informed the House and country, and that has been very properly referred to by the hon. member for Restigouche, that nearly every man in his county obtained his supplies without payment of duty from the American side of the border; and if that were true, his constituents have only him to thank if additional officers have been put on in order to protect the revenue. If, however, upon investigation, it be found that there are more officers in that locality than are necessary, I have no doubt Government will be very glad to relieve the revenue of any charges it may have incurred in connection with their officers, and relieve them of responsibility. The hon. gentleman has told the House that three of the officers were appointed by the late Government. It is true that the preventive officer to which he has referred was appointed by this Government and for purposes which I have pointed out. As to the persecution which he says Mr. Drysdale received from the Conservative party, I know nothing of it, and the only complaints that were made in reference to Mr. Drysdale were to the effect that he refused to perform certain duties that appertain to his office, and that he was carrying on a large business, which, I suppose, was much more lucrative than his office, as he refused to give up the business. He preferred to attend to his own private business, which was that of a manufacturer, and I suppose in connection with it, at least it was so reported to me, an importer also. I freely admit that Customs officers should not be selected from those who are importers. Though they might be honest they would always be open to the imputation of using the position in order to benefit themselves; and I say to the hon. gentleman again, that is a point which will receive the attention of the Government. Mr. Jacques was appointed because it was represented that assistance was required, in the town of Woodstock properly to perform the duties of collection, and the duties which were necessary to be performed at the railway station, and frequent applications were made for the post by those who were in a position to know the facts. I do not know what Mr. Drysdale was called. I believe, however, that in New Brunswick the title of tidewater was very often applied to officers that were regularly appointed, even in the interior. I did not so style him, but I gave him the same title that is given to officers holding the same position in different parts of the Dominion not upon the sea-board, that is landing waiter, imposing upon him the duties of a clerk in the office to assist the collector. I have not yet heard that either immorality or want of qualification can be brought against Mr. Jacques. The hon. gentleman himself has not brought any charge against him or his qualifications, and the only point was as to whether the appointment was necessary. It was found that the increase of business at that port, not only at the office proper, but at the railway station, was such that Mr. Merritt needed an assistant, and Mr. Jacques was appointed to fill that position.

Mr. IRVINE. I did not use the word "reprimand" in my former remarks. Nor did I mention the name of the hon. member for Restigouche in reference to the complaints. The hon. member has got the matter somewhat muddled. It was the hon. member for Charlotte (Mr. Gillmor), not I, who said that Tories were Protectionists in the daytime and Free Traders all night.

Mr. BOWELL. Well, it is among you.

Motion agreed to.

#### CUSTOMS LAWS AND REGULATIONS.

Mr. KIRK moved for all correspondence, papers or telegrams that have passed between the Government of the Dominion or any member thereof, and the Government

of the United States of America or any member or officer thereof, and any member or officer of the United States National Distillers' Association, in relation to the modification of the existing Customs Laws and Regulations of this Dominion, and all Orders in Council in relation thereto, and also all petitions, correspondence and telegrams from persons or associations in this Dominion relating to the subject.

Mr. BOWELL. I have no objection to the motion, but I can tell the hon. gentleman that there is no Order in Council in connection with the matter. The correspondence between the United States Government and the Secretary of the Distillers' Association, and this Government, will be brought down at the earliest convenience.

Motion agreed to.

#### THE ELECTION IN BOTHWELL.

Mr. HAWKINS. Mr. Speaker, in rising to move the motion of which I have given notice, I am fully aware of the responsibility which I assume. In so far as I myself am individually concerned in connection with the recent election in the County of Bothwell, I could very well afford to await the verdict of the courts in this case; I could very well afford to await the verdict which comes in the ordinary course of justice, and which, like a great river when temporarily dammed, still will find its way eventually to the great ocean of justice. Four years experience of the Election Act, passed in 1874, convinced Parliament that it was necessary to add something still further to the machinery whereby the Election Act might be worked out fairly and impartially to every one concerned. Under the Act of 1874 no provision was made for a recount, and frequently it was found that if there had been machinery whereby a recount of the votes as recorded and as summed up by the various deputy returning officers could have been had, a good deal of litigation and of after trouble and expenses might have been avoided. To supply this want in 1878 the county Judge was given certain duties to perform in connection with the administration of the Act. Down to that time Deputy Returning Officers were, as they are now, in the habit of making up their returns, of counting and re-counting the ballots, and of deciding most important points upon which the representation of the country depends. Now, we all know that, in the rural districts especially it is very difficult to obtain twenty, twenty-five or even forty officers in the various constituencies who shall be in every respect men perfectly competent, not only to perform their duties but to learn from the Act and study out for themselves the real responsibilities which they have assumed. It has been the custom of the courts to receive their work when questioned with a good deal of leniency, for the reason which I have stated. Then, again, the returning officer is a man who, in many instances, has not all the legal attainments necessary to form a correct judgment of the responsibilities and duties which he assumes. But if any one were to suppose that either a deputy returning officer or a returning officer in assuming the duties which they do assume, do not thereby incur a heavy responsibility, not only in respect to their standing before their neighbors and before their country, but also in respect to heavy penalties which are imposed for any dereliction of duty or criminal negligence on their part, such a person is seriously mistaken. As I have said, in order to obviate the difficulty which was found in operating the Act of 1874, it was enacted, in amendment to that Act in 1878, that there shall be, under certain circumstances, a recount before the County Judge of all the ballots cast in the Election. I am aware of the painful nature of the duty imposed on me to-night, and, as I have said, if no one were concerned except myself I would await the course of the trial of this case, should it ever come to trial.

Mr. KIRK.

But when I tell this House and the country that the returning officer has been pursued in a most violent manner, that even his wife and family have not been free from insult in the streets of the town in which they live; that one of the leading organs published in Ontario, issuing daily perhaps 6,000 or 7,000 copies, has continuously, from the 20th June last down to the present time, maligned this man and accused him of every species of fraud and wrong doing in his capacity of returning officer, I think it is high time this case should be placed before the country. I say that a leading organ has acted thus, but I should include almost every organ in Ontario published in the interest of the Reform party. This returning officer, who is a man of substance and of comparative wealth, assumed certain responsibilities. He is liable to certain pains and penalties if he has acted wrongly, and why has he not been prosecuted in the courts, as he might have been prosecuted under the Act for the enforcement of those pains and penalties? No; they have pursued him in the press, in the *London Advertiser*, in the *Hamilton Times*, and frequently in the *Toronto Globe*, and have denounced him in unmeasured and unwarrantable terms. In order to place the facts fully within the knowledge of the House, allow me, Mr. Speaker, to review briefly the clauses of the Act. Section 59 says:

"The returning officer at the place, day and hour appointed by his proclamation, and after having received all the ballot boxes, shall proceed to open them, in the presence of the Election Clerk, the candidates or their representatives, if present, and of at least two electors, if the candidates or representatives are not present, and to add together the number of votes given for each candidate, from the statement contained in the several ballot boxes returned by the deputy returning officers:

"The candidate who shall, on the summing up of the votes, be found to have a majority of votes shall be then declared elected."

Now this is the doctrine which was contended for the other day by the other side of the House, among others by the hon. leader of the Opposition, when a similar case was discussed by the House. We find sections 60 and 61 provide as follows:—

"60. When, on the final addition of votes by the returning officer, an equality of votes is found to exist between any of the candidates, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer shall give such additional or casting vote, but shall in no other case have the right to vote.

"61. The returning officer shall, immediately after the sixth day after such verification, unless before that time he receives notice that he is required to attend before a Judge for the purpose of a re-count of the votes given at the Election, transmit his return to the Clerk of the Crown in Chancery, that the candidate having the largest number of votes has been duly elected, and shall forward to each of the respective candidates a duplicate or copy thereof, and such return shall be in the form Schedule S to this Act.

"The returning officer shall accompany his return to the Clerk of the Crown in Chancery with a report of his proceedings, in which report he shall make any observation he may think proper as to the state of the ballot boxes or ballot papers as received by him;

"The returning officer shall also transmit to the Clerk of the Crown, with his return, the ballot papers, the original statements of the several deputy returning officers, referred to in section fifty-seven of this Act, together with the voters' lists used in the several polling districts, and any other lists and documents used or required at such Election, or which may have been transmitted to him by the deputy returning officers;

"Such return and report shall be sent through the post office, after being registered."

Now, all of this the returning officer of the county of Bothwell did. According to the terms of the proclamation, he did all things which he is commanded to do here; and going over the returns what did he find? That in several polling places very great irregularities had existed; and allow me here, in passing, to state that the returning officer of the county of Bothwell, appointed at least one-third of the deputy returning officers, who were strong supporters of, and voted for my late opponent, the hon. David Mills. It has been charged that they were partizans and friends of mine; but I state here on the floor of this House—and I challenge its contradiction here or elsewhere—that

I never had the naming of a single deputy returning officer of the whole thirty-three who acted in my Election. Well, we find further that provision is made in the Act for a case where there may be any ballot boxes missing, or lost, or failed to turn up; but where there are none missing, what is the duty of the returning officer? It is declared here in section 59:

"The candidate who shall, on the summing up of the votes, be found to have the majority of the votes, shall then be declared elected."

But the returning officer in this case went further. He procured legal advice and placed himself in the hands of his counsel; and he was advised that there being two ballot boxes in which there were no statements, and several in which there were no sworn affidavits, as to the statements in regard to his duty; and after full consideration, knowing well the responsibility which he assumed, and that he might be sued for a penalty of \$500 for returning the wrong candidate, and that he might be sued, and held responsible for all costs in unseating me, if he returned me improperly as the candidate elected, still he went through with the performance of his duty. At this stage of the proceedings there was another procedure, that could be brought to bear in the matter which probably would have settled the dispute in this case. There was another functionary; and when we speak of the Judges of the land, we ought certainly to speak of them with all respect, deference and reverence, because we are proud to know that there have been but few cases wherein the conduct of our Judges has ever had to be brought into question in this Canada of ours. I remember, a few years ago, before the late lamented Chief Justice Harrison went on the Bench, receiving a letter from him, in somewhat similar circumstances to the present, in which he said, speaking of something which had transpired of a partizan nature, in one of the County Courts: "Thank God, Mr. Hawkins, we still have a tribunal in this country, against whose base the waves of partizanship have as yet surged in vain." He meant the Superior Courts, the high courts of the land. But he was at that time speaking with regard to one of the county courts. I have to say now, with reference to this matter, that here we find the duty of the County Judge or of the District Judges in Lower Canada, or in the other Provinces, laid down just as exactly, just as strictly, and within just as narrow limits as are the duties of the returning officer, or of the deputy returning officers; and in so far as this Act constitutes these Judges a part of the machinery for effecting and carrying out the wishes of Parliament, they are to all intents and purposes, Election officers; and being so, we have a perfect right, and in fact it is our bounden duty to criticise their acts with even more severity than we would the acts of unlearned men, who act as deputy returning officers, and are liable to make errors of the head and not of the heart. We find in the progress of this case, the duty of the Judge defined as follows:—

"67. In case it is made to appear within four days after that on which the Returning Officer has made the final addition of the votes for the purpose of declaring the candidate (or candidates) elected, on the affidavit of any credible witness, to the County Judge of any county, or in Quebec to a Judge of the Superior Court ordinarily discharging his duties in any Judicial District in which the electoral district or any part thereof is situated, that such witness believes that any Deputy Returning Officer at any election in such electoral district, in counting the votes, has improperly counted or rejected any ballot papers at such election, or that the Returning Officer has improperly summed up the votes, and in case the applicant deposits within the said time with the Clerk of the Court the sum of one hundred dollars as a security for the costs of the candidate, in respect of the re-count, appearing by the addition to be elected; the said Judge shall appoint a time within four days after the receipt of the said affidavit by him, to re-count the votes, or to make the final addition, as the case may be, and shall give notice in writing to the candidates or their agents of the time and place at which he will proceed to re-count the same, or to make such final addition, as the case may be, and shall summon and command the Returning Officer and his Election Clerk to attend then and there with

the parcels containing the ballots used at the election, which command the Returning Officer and his Election Clerk shall obey:

"1. The said Judge, the Returning Officer and his Election Clerk, and each candidate, or his agent appointed to attend such re-count of votes, or in case any candidate cannot attend, then not more than one agent of such candidate, and if the candidates and their agents are absent, then at least three electors shall be present at such re-count of the votes."

Here it will be seen, that there is just as clear a restriction and just as exact a definition of who may be present, and who may participate in the re-count before the County Judge, as that with respect to similar proceedings before the returning and deputy returning officers; and yet, what are the facts in respect to this pretended re-count, which was held in the town of Chatham, touching the Bothwell election? Why, there was a mob of upwards of fifty violent partizans, admitted to the room; and when I protested and pointed out, that I had come there in conformity with the law, having no person with me, but my counsel, and being in doubt—as the Act leaves it very doubtful—whether the candidates and their counsel may both be present, yet we find fifty or sixty violent partizans, allowed to be present in a very small room in which the ballot papers, and all the papers connected with the Election, had necessarily to be spread out. We called the attention of the Judge to the fact, that a large number of persons were there contrary to the wording of the law; but he decided that it was an open court and that these people might remain; but the decisions in all the other re-counts, held throughout the country, were to the effect, that those who are named in the Act, and only those named, should be allowed to be present at such re-counts. The duty of the Judge is further defined as follows:—

"2. At the time and place appointed, the said Judge shall proceed to re-count all the votes or ballot papers returned by the several Deputy Returning Officers, and shall, in the presence of the parties aforesaid, if they attend, open the sealed packets containing—(1) the used ballot papers which have been counted; (2) the rejected ballot papers; (3) the spoiled ballot papers—and no other ballot papers."

Here we find the Act in each succeeding clause reiterating over and over again the duties of the Judge, commanding him in the strongest language to proceed with the re-count in the manner laid down under section 55 for the direction of Deputy Returning Officers. Now, we find that section 55 defines the order in which the ballots shall be counted, and how the counting shall be done. That section reads as follows:—

"55. Immediately after the close of the poll, the Deputy Returning Officer shall, in the presence of the Poll Clerk and the candidates or their agents, and if the candidates and their agents or any of them are absent, then in the presence of such, if any, of them as are present, and of at least three electors, open the ballot box and proceed to count the number of votes given for each candidate: In doing so he shall reject all ballot papers which have not been supplied by the Deputy Returning Officer, all those by which votes have been given for more candidates than are to be elected, and all those upon which there is any writing or mark by which the voter could be identified."

Here is the application which was served by the hon. Mr. Mills for this, as I say, pretended re-count:

"In the matter of the election of a candidate to represent the Electoral District of the County of Bothwell in the House of Commons, Canada.

"You are hereby required to take notice that I, on the application of Matthew Wilson, Esq., Solicitor for David Mills, one of the candidates at said Election, and on reading the affidavits of William Thomas Smith and Robert Ferguson and the certificate of deposit of \$100 as required by law, have appointed Monday, the 26th day of June, A.D. 1882, at the hour of eleven o'clock in the forenoon, at my chambers in the Town of Chatham, to make the final addition of votes taken at said election on the 20th day of June, A.D. 1882, and that at said time and place, that is to say, on the said 26th day of June, at eleven o'clock in the forenoon, I will proceed to make such final addition; and I further command you, James Stephens, Returning Officer, and Charles Stephens, Election Clerk, at said election, to attend before me then and there with the parcels containing the ballots used at said Election.

" Dated at my chambers, in the Town of Chatham, this 24th day of June, A. D. 1882.

" A. BELL,  
" Judge of the County Court of the  
" County of Kent.

" To JOHN JOSEPH HAWKINS, Esquire,  
JAMES STEPHENS, Returning Officer,  
and to CHARLES STEPHENS,  
Election Clerk."

We find him following the terms of the command given him in the Statute—the command that the Returning Officer shall bring before him, not only the statements which are found contained in the ballot boxes as made by the Deputy Returning Officers, but shall bring the ballots with him. This was done on Monday morning. It became known to me that a caucus had been held at the house of the Judge, and that they sat until two o'clock in the morning for the purpose of finding means whereby they should not give the fair open count which the Act contemplates. I found that the Judge had stated publicly in the streets of Chatham the course of procedure which he would adopt. He said—and there are those who will come before a Committee and swear to the statement—that he would take in one of the rejected polling places and leave out the other, thereby declaring Mr. Mills to be elected. Now, what are we to think of a Judge who would determine, before hearing the facts, that he would disfranchise between 150 and 200 of the electorate in the face of the letter of the law, which commands him to open the ballot packages and to count them and ascertain exactly the state of the case. I have read the notice which was served upon me. I may say that I received quite a pleasant surprise at an early hour in the morning. We are in the habit, when stopping at hotels, of placing our boots outside the door, and at seven o'clock in the morning I found a notice in one of my boots stating that I should attend at ten o'clock and answer to this proceeding, and say if I had any objections. But I had scarcely got upstairs to prepare to get my breakfast, when Mr. Wilson came along and served me with this paper. Afterwards these rumors were current in the streets of Chatham. I telegraphed to Toronto for counsel, and went to London personally, and was advised by counsel that I had an undoubted right to demand a re-count at the hands of the Judge even under Mr. Mills application. The Act does not contemplate—I defy anybody to say that the Act does contemplate—any such one-sided and unfair proceeding as that whereby, having the ballot papers in his hand—having the packages laid there in the true course of the law—the Judge, sooner than perform his duty, sooner than go through the procedure that is laid down so plainly, would disfranchise from 150 to 200 of the electorate, and thereby take, as I consider, a very high-handed course. Forewarned, it is said, is forearmed; and I was advised by my counsel in London to prepare an application whereby I might demand a re-count in plain open terms. Here is the application as served upon the Judge:

" In the matter of the Election of a Candidate to represent the Electoral District of the County of Bothwell, in the House of Commons of Canada.

" County of } I, James Dawson, of the Township of Sombra,  
" To Wit. } in the County of Lambton, lumber merchant, make  
oath and say:

" 1. That I am an elector of the Electoral District of Bothwell.  
" 2. That I allege that the Deputy Returning Officers for the election holden for the said Electoral District, on the 20th day of June instant improperly counted and also improperly rejected ballot papers at the said election, and that a recount of the said ballot papers is desirable and necessary for the purpose of determining in whose favor a majority of the said ballot papers was deposited.

" Sworn before me at the Town of Chatham, in the County of Kent, this 26th day of June, A. D. 1882.

" J. DAWSON.

" A. McDONELL,  
" A Commissioner, &c., Kent."  
Mr. HAWKINS.

This is accompanied with the necessary deposit, duly sealed by the Deputy Clerk of the Crown and Pleas for the County of Kent:

" In the matter of the Election of a Candidate for the Electoral Division of Bothwell to the House of Commons.

" I, William A. Campbell, Deputy Clerk of the Crown and Pleas for the County of Kent, do certify that John Joseph Hawkins has deposited with me the sum of \$100 as a deposit for the costs of a re-count of the ballots cast at the Election held on the 20th day of June, 1882, before the Judge of the County Court, Kent.

" WILLIAM A. CAMPBELL,  
" D.C.C., &c.

" Dated, January 26th, 1882."

It is true that the *London Advertiser* has denied again and again that any such application was made, but I repeat that this application was served upon the Judge in my presence, before he had proceeded with his resumming, as he called it, in which he threw out the votes of an electoral sub-division. The only answer I may say that he made to it was to fold it up, throw it back to my counsel, and state that he was now dealing with that case. Once he proceeded with the final resumming, the Act does not contemplate that he may at a subsequent stage of the proceedings go on with a full re-count of the ballots. The truth is, on the contrary, that he is to make up the number of votes from the ballot papers—make the final addition, and then issue his certificate to the Returning Officer declaring the candidate having the highest number of votes; but as if to prove that there really was partizanship in the course he adopted, as if to do away with all possibility of the supposition that he was laboring under the belief that he could afterwards proceed with the re-count of all the ballots, we find him taking each one of those thirty-three packages of ballots and duly affixing his seal to each one of them. To break any one of these seals afterwards was to do a highly improper and condemnable action, because there is no authority in the land permitting him or any person else after these seals have been affixed to go on with a re-count of the ballots at any subsequent stage of the proceedings. Knowing this, he sealed them up, and thereby effectually and finally deprived a large portion of the electors of Bothwell, of their due voice in returning a candidate to represent them in this House. Now, I ask whose conduct was most to be censured—that of the Returning Officer who strictly adhered to the letter of the law, who proceeded in a due and orderly manner with the performance of his duty, and who, when he appeared before the Judge, and found that the Judge was about to proceed in what he conceived, and my counsel conceived, to be an illegal manner, demanded before he placed those statements in the hands of the Judge, that the Judge should carry out the intention of the Act; or that of the Judge, who made a partial and pretended resumming instead of the fair and impartial re-count contemplated by the Statute? Sub-section 5 of section 67 of the Act says:

" The Returning Officer, after the receipt of a notice from the Judge of such re-count of ballots, shall delay making his return to the Clerk of the Crown in Chancery, until he receives a certificate from the Judge of the result of such re-count, and upon the receipt of such certificate the Returning Officer shall proceed to make his return in the form of Schedule S of the said Act."

Now, here was the position of the Returning Officer in this case: his commandment is to make his return only upon the receipt of a certificate from the Judge of the re-count that is specifically called for in the Act, in terms so explicit and exact that it is almost impossible to conceive that any man could deliberately mistake their meaning. Now, he knew that there had been no such re-count; he knew that the re-count had been demanded and been refused; he knew that at the time and place the Judge took this proceeding, he had in his hands the ballot papers, and had the power to say really what the will of the people was, and that he deliberately refused to take that course. Well,

under the best advice obtainable, the Returning Officer on the next lawful day on which the declaration should be reversed or re-affirmed, re-affirmed his declaration, and set forth his reasons for so doing; and this has been published to the country again and again. Here is the Judge's certificate to the Returning Officer:

"In the matter of the Election of the Candidate of the Electoral District of the County of Bothwell in the House of Commons, Canada.—Pursuant to an appointment and order made by me on the 24th June, A.D. 1882, and in the presence of David Mills and John Joseph Hawkins, and of James Stephens, Returning Officer, and Charles Stephens, Election Clerk, and after examining the statements and papers produced by said Returning Officer and Election Clerk, and after hearing counsel for all parties, and adding and summing up the votes given at said election for the respective candidates, as shown by the statements of the various Deputy Returning Officers, I find and declare that fifteen hundred and seventy-six votes were given at said Election for said David Mills, and fifteen hundred and sixty-four votes for said John Joseph Hawkins, and that David Mills is elected for said Electoral District by a majority of twelve votes."

Here we find the Judge states that he has summed up the votes, and that he had taken into account the position of the respective candidates. He had done nothing of the kind. He had refused to examine and find what the state of the case was. He had refused to perform his functions; and I have yet to be convinced that any man is obliged to obey a Judge, no matter how high his position may be, when the mandate given by him is outside and beyond his power. The Judge was an Election officer just as the Returning Officer was, and the Returning Officer, knowing that the Judge had refused to make the legal and proper recount and return, made his return, on the following night, as follows:—

"I hereby certify that the member elected for the Electoral Division of Bothwell, in pursuance of the within written writ as having received the majority of votes lawfully given, is John Joseph Hawkins of the city of Brantford, in the county of Brant, Esquire. I further certify upon the grounds mentioned in my Report that after having declared the said John Joseph Hawkins elected a final addition or summing up of the votes given at the said election was had before the Judge of the County Court of the county of Kent, and a certificate issued therefrom by the said Judge that upon adding and summing up the votes given at the said Election for the respective candidates as shown by the statements of the various Deputy Returning Officers, that he found and declared that between fifteen hundred and seventy-six votes were given at said election for David Mills, one of the candidates, and fifteen hundred and sixty-four votes for said John Joseph Hawkins, and that said David Mills was elected for said Electoral District by a majority of twelve votes; but I have been served with no certificate of re-count of said ballots, nor have said ballots been re-counted."

Now, there is the whole matter before the House. I have been urged again and again, in my own interest and on my own behalf, to give to the press of the Conservative party, to which I belong, a full and complete statement of the transactions that took place in connection with this pretended re-count. But, Sir, confident of my own right, confident that, if this matter ever comes to be passed upon or examined into by the courts, I will be found to have pursued the same honorable course that I have ever pursued.

Some hon. MEMBERS. Hear, hear.

Mr. HAWKINS. I defy any man in this House, or out of this House, to charge me, in my fifteen years of political toil, with dishonorable conduct, in the service of my party.

Some hon. MEMBERS. Which party?

Mr. HAWKINS. Because I think that the man who serves his party honorably, serves his country in doing so.

Some hon. MEMBERS. Which party?

Mr. HAWKINS. And I have served without fee or reward on all occasions. An hon. member opposite wants to know which party. I served that party to defeat whose candidate he is commonly reputed to have subscribed \$5,000 in June last, when the hon. gentleman who sits so smilingly before me was confronted, one day early in June last, with the state of affairs wherein the hon. David Mills

was chosen the candidate for West Elgin. It is reported that he subscribed a good deal of money for the purpose of assisting his friend against me in another county. It is quite certain, at any rate, that a resolution was duly and openly passed at the said Reform Convention, pledging them, by every means in their power, to assist the hon. David Mills to defeat me. And the hon. member for West Elgin (Mr. Casey) took such an interest in my affairs at that time that he made me a prominent figure by name in his address in West Elgin, although I was a candidate in another county. So much for the good humor and good nature of the hon. member for West Elgin at the present moment. Now, I have to say this: Is it not a scandalous state of affairs, when a matter is *sub judice*, not that these organs should attack a politician, not that they should attack me—because I have been accustomed to that for years, and the only effect of those attacks upon me personally has been to make me more popular and stronger with my own party—but that the Returning Officer who, for the short period in which he was acting, was not in the capacity of a politician, and I defy any one to show that he in any way contravened or overstepped his authority, or failed to perform his duty that he should be so falsely and maliciously attacked. Therefore, is it not scandalous that he should have been pursued as he has been in this newspaper, the *London Advertiser*. I will only give three extracts out of two or three hundred which I might quote. Here is one:

"The *Free Press* has at last proved equal to the occasion, and in its columns editorials have appeared whitewashing the Returning Officer and attacking Mr. Mills, which read amazingly like Hawkins' speeches. Can it be that our contemporary has lent its editorial columns to J. J. Hawkins to defend one of the most shameless frauds ever committed by a Returning Officer? It was well known before the day of declaration that Mr. Stephens intended to return Hawkins. His son was offering to bet with Reformers that Mr. Mills would not be returned by his father. Mr. Stephens appointed his own house as the place where the declaration was to be made in order to keep Reformers away."

There is not one word of truth in this. Should the matter ever come to trial, it will be found that neither the Returning Officer nor his son, the Election Clerk, were guilty of one iota of these charges made against them in that article. The next extract I will read is from the same paper in the month of August:

"The *Brantford Courier* is very indignant because we said that in the appeal to Judge Bell from the declaration of the Returning Officer in the case of the Bothwell Election, Mr. Mills' counsel did not object to a re-count of the ballots, although he did not ask for it, nor did Judge Bell refuse Mr. Hawkins a re-count."

Here, after having seen my demand, served in his own presence, and in the presence of his counsel, and having heard this counsel contend against the granting of a re-count, after coming from a meeting where it was arranged I should not obtain one, he ventures to affirm that I never asked for a re-count:

"Will the *Courier* tell us when the application was made to the Judge? Against which of Mr. Hawkins' many friends among the Deputy Returning Officers was complaint made?"

I have given the proofs here. Here it is under the hand and seal of the Clerk of the Crown. Here is the affidavit of Mr. James Dawson, and should this Committee be able to proceed with this work, we will be able to produce the evidence that these were served on the Judge before there was any proceeding, in the presence of the counsel on the other side, and in their presence he refused to give the re-count we were entitled to.

"Mr. J. J. Hawkins, the member for James Stephen, made his first speech in the House of Commons in favor of the Orange Incorporation Bill."

I may tell hon. gentlemen opposite who say "hear, hear," that Mr. James Stephens is as respectable a man as any man who sits on the Opposition benches this night, that he was elected over and over again—six or seven times—as Reeve, the highest municipal office in the town in which he

lives, that he is a man of substance and he is prepared to assume all the responsibility of his conduct as Returning Officer. In conclusion, I wish to say that I have felt it to be my bounden duty to lift my voice and demand on behalf of this Returning Officer, on behalf of this man who has been maligned and persecuted, who has scarcely been allowed peaceably to walk the streets of the town in which he lives, whose name is attempted to be made odious throughout the length and breadth of the land, and all because he performs his duties honestly, legally and orderly according to the directions laid down in the Statutes. If he had been present in the gallery of this House recently, when another matter of a similar nature was discussed, he would have been delighted to know that every word that fell from the lips of the hon. leader of the Opposition and several of his most prominent supporters, fully vindicated the course which he pursued as Returning Officer. I have no more to say in regard to this. I am quite able to take care of myself either in this House or out of it, but I have seen fit to raise my voice on behalf of a man who has been pursued with the greatest virulence and cruelty since the events of which I am now speaking. I have done no more than my duty in impugning the conduct even of one of the Judges of the land—not as a Judge, but rather as an officer in the Election. It was found after four years experience, under the administration of the Reformers themselves, that this Act was imperfect, that it was necessary, in order to have a final summing of the votes, that the Judge of the county—a man who should be above suspicion, above lifting his hand against the law—and I contend that the law was made not only for the electorate and for the Returning and Deputy Returning Officers, but for the Judges just as well as for the humblest subject in the land; and I conceived in my simplicity, perhaps, that when a Judge is found exercising that duty in a partizan manner, he is the more worthy of denunciation, and his conduct should be dealt with the more severely, and he should be brought more closely to book, than those who perhaps may have done inadvertently acts not completely in accordance with the letter of the law. Therefore, I contend and hold that the County Judge, in his capacity as an Election officer to re-count those votes, is just as strongly held and bound to perform those duties therein laid down, as the humblest Returning Officer or Deputy Returning Officer who may have had to do with the Election. Why, what had he to do in this case? When those ballot papers were placed before the Judge, he had under his own hands the means of absolutely determining how the electors had cast their votes. He had the means of taking each statement and of verifying it. Everybody knows that the Deputy Returning Officer makes up his statement, and deposits it in the box with the ballots, and everybody knows also that Deputy Returning Officers make mistakes. Everybody knows that in a county where thirty-three Deputy Returning Officers have to decide whether ballots are good or bad, as to whether a ballot should be rejected or counted in, mistakes will occur; everybody knows that there is likely to be a multiplicity of councils prevailing; but when you afterwards bring those ballots and statements to the Returning Officer, has he the means in his hands to make a correct rendering of the state of affairs? He has not, he is bound to take them as he finds them. He is bound to add them all and sum them up just as he finds them. Well, here is a copy of the adding up and of the summing up of the Returning Officer, just as he found those in the ballot box, and the summing up was 1,520 votes recorded for Mr. Hawkins, and 1,504 recorded for Mr. Mills. But when we came to the County Judge, if he had opened those ballot packages, if he had counted them and verified each statement to see that everything was done openly and fairly, all would have been well; and when he came to those two ballot boxes, in which there were no statements, when he came to those two packages of ballot

Mr. HAWKINS.

papers, which he did take into his hands and which he did weigh—why, he was like a young lady receiving her first love-letter; he picked up those packages and he turned them over and over, and up and down, and one would almost fancy he was endeavoring to see into them without opening them to get the state of affairs. Now, why did not he tear open the envelopes and count those ballots? Because he knew that if he opened one package he would be bound to open all, and would have no reason, no excuse whatever, for not going on and counting the whole thirty-three packages. He refused to do this; he refused to perform his duty; he sealed those ballot papers hermetically; although he had never opened them, he placed the seal of the court upon them, and now they cannot be got at except for their scrutiny—an expensive and most tedious process. That is all that can be done, then, instead of the re-count, such as is contemplated under the Act, such as I was willing to submit to, such as I demanded when I found he was not willing to accord it to me. Perhaps this dispute would have been ended and settled long ago, if the person who received the majority of votes cast in that county had been returned regularly. Therefore, I contend that I am justified in hoping that the House will order an investigation into the matter. We all know that a great many more elections may come off, and undoubtedly will come off, before another Election Law is passed; and is it not an improper state of things, is it not dangerous to say that such proceedings shall be an example set to Judges from British Columbia to Prince Edward Island. That they may take first whichever course their leanings may happen to induce them to take, that they may refuse to count the ballots in a case where the statements are imperfect, that they may take a course which will certainly, if it is not checked, introduce great confusion and injustice? This is the first instance of the kind. I challenge any man to instance a case wherein a re-count was made in the manner in which it was attempted to be made in the county of Bothwell. I can very well understand that if both candidates were willing and consenting parties to dispense with the counting of the ballots, it might be possible by legal proceedings, for the Judge to make up his statements without a re-count. But what have we seen in Toronto recently? We have seen in the last election for Mayor the two candidates agreeing to dispense with certain portions of the Election Law, and to submit the case so made to the courts for decision. When the matter came before the courts that agreement was held to be irregular, it was held to be illegal, and the courts refused to carry it out. Therefore, I hold that in this case the Judge did that which he was not warranted in doing, and which renders him liable to the suspicion of having acted partially in the case. Therefore, I expect that every hon. gentleman in this House will say by his vote here to-night that while the Deputy Returning Officers shall be held liable in penalties of \$500, while the Returning Officers shall be held liable in penalties of \$1,000, with the addition of imprisonment for one or two years in certain cases, it shall not be said that any Judge or any man, no matter how high his position, may lift his hand with impunity against the majesty of the law, as I contend was done in this case. I therefore move for a Special Committee to examine and report upon the conduct of the County Judge of the County of Kent, Province of Ontario, in refusing to re-count the votes or ballots cast at the election for a member to represent the Electoral District of Bothwell in the House of Commons of Canada, held in the month of June, 1882, though application therefor was duly made, accompanied with a deposit receipt showing that the necessary deposit in money had been made with the Clerk of the Crown and Pleas for the County of Kent, by James Dawson, a duly qualified elector of the said district, on behalf of J. J. Hawkins, one of the candidates at the said election. And

that the said Committee be composed of Messrs. Beaty, Daly, Macmaster, Macmillan (East Middlesex), Tupper, (Pictou), Amyot, Weldon, Wells and Davies, with power to send for persons, papers and records.

Mr. BAKER (Victoria). I would like to ask the hon. gentleman why he has singled out the Judges of British Columbia and Prince Edward Island, as those to whom a special example should be set?

Mr. CAMERON (Huron). I think the question of my hon. friend from Victoria is a poser. I must say that, being in Parliament for some years, I have listened to many extraordinary motions, and have listened to a great many extraordinary speeches, but a more extraordinary motion than has been submitted to this House just now, or a more extraordinary speech than has been made by the hon. gentleman who has just taken his seat, I think I never listened to before on the floor of Parliament. The hon. gentleman's motion says:

"To examine and report upon the conduct of the County Judge of the County of Kent, Province of Ontario, in refusing to re-count the votes or ballots cast at the election for a member to represent the Electoral District of Bothwell, in the House of Commons of Canada, held in the month of June, 1882, though application therefor was duly made, accompanied with a deposit receipt showing that the necessary deposit in money had been made with the County Clerk, by James Dawson, a duly qualified elector of the said district, on behalf of J. J. Hawkins, one of the candidates at the said election."

Half the hon. gentleman's speech was taken up with adulation of his friend the Returning Officer. I am not surprised that the hon. gentleman who occupies the seat for Bothwell should have lauded the Returning Officer for Bothwell. The hon. gentleman has good ground for lauding him; he has good ground to say that Mr. James Stephens, the Returning Officer, is an exceptionally good man; he has received from him favors and considerations that few men who are returned to Parliament receive at the hands of a Returning Officer, and therefore he has good reason to be thankful and to be grateful in his inmost heart for the kindness and consideration shown to him by James Stephens, Returning Officer for the Electoral District of Bothwell. He complains that Mr. Stephens is hounded and abused—that his family, his children, cannot walk the streets of the little village in which they live without the neighbors insulting them. I think any respectable man in any community, unless he has committed a serious wrong—and then he ceases to be respectable—can walk the streets of his own town without being insulted by the boys and neighbors. When the hon. gentleman talks in this way, it convinces one that there was something wrong with this respectable man in being thus treated by his neighbors. The hon. gentleman has pursued an extraordinary course. He has pursued a course which few men in Parliament would pursue, and I venture to say few men out of Parliament would pursue. He has availed himself of the opportunity to place a motion on the Notice Paper, with a view of vindicating, if he could, the character of the Returning Officer, and with a view to having a slap at the County Court Judge of Kent. I do not know what are the Judge's politics, if Judges on the Bench have any political sympathies. But I say it is an unheard-of proceeding, it is a cheeky proceeding, while a case is pending before the Courts that an hon. gentleman interested in it should be allowed to rise in Parliament and, under the pretence of investigating the conduct of a County Court Judge, attempt to vindicate an officer whose conduct is scandalous and is now before the courts of Ontario. The hon. gentleman tells us that he was advised by his best friends to publish a statement of the whole facts of the case in the Conservative press of Ontario, but that the hon. gentleman's native modesty prevented his publishing such a statement of the case. The hon. gentleman was entirely too modest to give to the country through the press his vindi-

cation of the conduct of the Returning Officer. He was not too diffident or modest to avail himself of the privilege which the Returning Officer has given him of vindicating on the floor of Parliament the conduct of the Returning Officer. He tells us that nothing prevented him from publishing a statement in the public press except the fact that the case was in the courts, and it would therefore be highly improper for the hon. member for Bothwell to publish in the public press, in the Conservative press, a statement of the case. But it is not at all improper for the hon. gentleman and his friends, or inconsistent with his position and duty as a Member of Parliament, to go over the whole details of the case in the House and give his version of the facts, because he knows perfectly well it will be published in the whole press of the country, and will be reported in *Hansard*. And this the hon. gentleman thinks is consistent with his duties and his position, occupying as he does the seat of a man who should have been returned to Parliament, to avail himself of the power the Returning Officer gave him to attempt to blacken and ruin the character of a Judge who had no opportunity to defend himself. The hon. gentleman says it is a scandalous thing when this case is before the courts, that the Liberal press, the *London Advertiser* and the *Toronto Globe*, should, day after day, assail the Returning Officer. I ask the hon. gentleman if he does not think it a scandalous and outrageous thing—a thing no man should do—that, while this case is pending in the courts, and the Returning Officer's conduct is before the courts, that the hon. gentleman should avail himself of the opportunity the procedure of Parliament gives him to vindicate, as best he can, the conduct of the Returning Officer, to assail the character of one of the Judges of the land. The hon. gentleman tells us he has done so in vindication of the conduct of the Returning Officer. I do not think the Returning Officer will be at all obliged to him when all the facts are revealed; and recollect that, so far, we have only received the hon. gentleman's own statement. Although I deprecate as strongly as I can possibly do, the conduct and the motives of that hon. member of Parliament who, for his own purposes and to vindicate his own friend, will see fit to place such a motion on the paper; still I do not regret the course pursued by the hon. gentleman; because the conduct of the Returning Officer will not appear in the most favorable light when carefully investigated. A few words as to the motion before the House, before I proceed to deal with the merits of the case. In my judgment, the hon. First Minister, as representing the Crown, and the hon. Minister of Justice, should not have allowed this motion to be put. It is a motion, if not out of order, at all events it is one of a kind that never has been put, either in the Canadian Parliament or Imperial Parliament, based as it is only on the statement of a member without anything to support it. When a motion was made, some time ago in this House, to enquire into the conduct of a Judge, I submitted one or two propositions, to all of which the hon. First Minister substantially agreed. If the hon. gentleman agreed with those propositions in the case to which I have referred, it was evidently his duty to have stopped further consideration of this motion. What is the nature of this motion? The motion is to examine and report upon the conduct of a County Court Judge. There are certain duties imposed upon him by Act of Parliament, but he is not an officer of this House, and the motion does not say that he is an officer. Stripped of verbiage the motion is simply one to enquire into the conduct of a Judge and ascertain whether he performed certain duties assigned to him or not; to ascertain whether he is guilty of wrong-doing or not—and that is an impeachment of a Judge, and should not be proceeded with in this manner. I say that charges against a Judge, of all men, should be entered upon with care and caution, and with all the formality the law and the practice of Parliament

require. No Judge should be open to be attacked by a side issue and without notice being given him, and simply on the motion of an hon. member who avails himself of the opportunity given him to make a statement of alleged facts. I doubt whether they are facts or not. I prefer not to take my facts from the hon. gentleman. I have read the petition against the hon. gentleman and the answer of the Returning Officer, and I prefer getting my facts from this petition and answer or in some other way than out of the mouth of the hon. gentleman. I say no gentleman should allow a Judge to be attacked in the manner in which the hon. gentleman has seen fit to attack this Judge. It is contrary to the practice of Parliament and the precedents laid down in the English and in our own Parliament, and I was amazed at the hon. gentleman who leads this House, and who is supposed to be the guardian of the reputation of our Judges, that he should have sat silent and still while the hon. gentleman launched a tirade of abuse against the Judge of the County Court of Kent. The course pursued by the hon. gentleman is unprecedented and illegal. This the hon. gentleman must know, that at the last Session of Parliament we passed an Act here providing the mode in which, when complaints were made against County Court Judges, they should be tried in cases of alleged incapacity, inability, or misbehavior. The hon. gentleman has complained of the Judge of this County Court for misbehavior, and if so, he and his friends have only one remedy, and that is prescribed under the Statute passed in the Session of 1882. But proceeding under that Act would not serve the hon. gentleman's purpose; he could not then make a speech—a speech that would go to the country and vindicate his friend the Returning Officer; he could not then point out how this his friend had been scandalized and black-guarded and abused, and how the *London Advertiser* had said that the member for Bothwell was not the member for Bothwell, but the hon. member for Jim Stephens. Instead of making an application to the Government to try this Judge for misconduct, if he were guilty of it, the hon. gentleman, in a most cowardly manner, availed himself of his position in this House for the purpose of abusing, slandering and defaming this Judge. Now, I say, another rule is laid down by the highest authorities on the practice of Parliament, that where Judges are liable to impeachment before Parliament, it could only be done in one way: by petition presented to the House, setting out the facts on which the grounds of complaint or the charges were based. The hon. First Minister knows that this question was up for consideration in the application made against the late Chief Justice of the Province of Manitoba; and I cited during that discussion, some authorities, I think, on that point from the English Parliament, and the hon. gentleman knows, that the only mode in which, even under the old practice and procedure, we could reach a Judge, was by impeachment through the High Court of Parliament; and in that case the impeachment or resolution had to be based on a petition presented to the House. That course was pursued in several English as well as several Canadian cases. The hon. gentleman will recollect one case which was referred to. Fox, one of the Irish Judges, against whom complaint was made before the Imperial Parliament, that complaint was based on a petition setting out the facts complained of in the conduct of that Judge. So in the case of McLellan, also an Irish Judge, a Member of Parliament presented a petition showing certain grounds of complaint, and this petition, I believe, was referred to a Committee. Chief Baron O'Grady, also an Irish Judge, was proceeded against in the same way; and again, a Justice of the Peace of Wales, and a Justice of one of the Courts of Wales, was proceeded against similarly. There was also an English case. The

Mr. CAMERON (Huron).

hon. gentleman will recollect many years ago, that a complaint was made to Parliament against the Chief Baron of the Court of Exchequer, and a long discussion took place in the House on the subject. In the case I have just referred to, of the Chief Baron, the proceedings were by petition; and so with one of the Judges of the Dominion here, Judge Loranger. A petition was also presented against the late Chief Justice of the Supreme Court of the Province of Manitoba. In all these cases, the proceedings were initiated by petition presented to the House by a member, setting forth distinctly and clearly, the grounds of complaint against the Judge; and I think I can challenge the First Minister to refer to a single case, in which a Judge was impeached either in the Imperial, or in a Colonial Parliament, in which the proceedings were not based on petition. But here, without any petition, without any notice, to the implicated Judge, or to anybody acting for the Judge—if anybody could act for him in such a case—sprang on the House by forty-eight hours' notice, the hon. gentleman assails the character of a Judge here;—and I say, it is the duty of the hon. First Minister in his place in Parliament, to vindicate this Judge, at all events, against the aspersions cast upon him by the person who has just taken his seat, and who has acted entirely out of order, in not proceeding in the ordinary and regular way. In addition to all this, however, certain other duties are imposed on the hon. First Minister, to which I beg to draw his attention—and I drew his attention to them before and the hon. gentleman then agreed with me—that no proceedings should be had against a Judge, that a Select Committee should not be appointed to enquire into the conduct of a Judge, unless on certain well-understood conditions, according to the practice of the Imperial Parliament, and, I submit, equally well-understood conditions according to the practice of the Canadian Parliament. I say, that before we can enter on a Parliamentary enquiry—and the hon. gentleman now seeks to make Parliament investigate into the conduct of this Judge—into the conduct of a Judge, the Ministers, or the First Minister, should himself investigate into the charge against the Judge, with the view of determining whether he ought to facilitate the interference of Parliament. I ask the hon. First Minister, if he knows the first thing about the charges made against this Judge, except what has issued from the lips of the hon. gentleman who has just taken his seat? If he has made the slightest enquiry as to whether or not a single statement uttered by that hon. gentleman is based upon facts or not? I ask him whether he has made any investigation as to the conduct of this man, or rather as to the facts, upon which the allegations made by the hon. gentleman are based. Todd, on page 742 of his valuable work on this subject, enunciates the doctrine which I have first stated, and says:

“The House of Commons should not initiate, and the Ministers of the Crown should not sanction, any attempt to institute criminal charges against anyone unless on some distinct and definite basis, and in the case of a Judge, such charges should only be entertained by the House, or by the Government, on allegations of misconduct which should be sufficient, if proved, to justify the removal from the Bench.”

Now, can the hon. gentleman say that he has made such an investigation, as will lead his mind to the conclusion, that if these charges were proved, they would justify the removal of this Judge from the Bench? I am quite satisfied that the hon. gentleman has not done so; and further, that when the hon. gentleman enquires into it, he will say in his place in this House, that, if every one of the statements made in this motion were correct, that would not justify the removal of this Judge from the Bench. What are these statements: that this Judge refused a re-count? The reasons why, are not before us; whether or not, the motion was made in time, or regularly, or not; a score of other reasons, by which a Judge might be influenced in refusing to direct a re-count, are all absent from our informa-

tion, and the hon. gentleman cannot say, that he has given this matter such consideration, as would lead his mind to any conclusion. There is another proposition clearly laid down :

"The House of Commons should not initiate, and the Minister of the Crown should not sanction any attempt to institute criminal charges against anyone, unless upon a distinct and definite basis."

I ask the hon. gentleman, what distinct and definite basis is here? This Judge, it is alleged, refused the re-count; but the reason why is not given; and there may be a good reason. The Judge may, in the exercise of a sound discretion, have refused the re-count; and yet we are asked to refer the conduct of the Judge to the investigation of a Secret Committee upstairs, where he will be on trial in a sort of Star Chamber fashion. There is another principle laid down: a charge should not be entertained by the House, or by the Government, against a Judge, unless upon allegations of misconduct, that would, if proved, justify his dismissal. That rule is laid down and referred to by Fodd in the quotation which I have just read to the House. I submit—apart from the merits of the case altogether, on which I have a word or two to say—that the hon. First Minister is bound to refuse and reject this motion, having regard to the rules which we have already laid down, and the practice which has hitherto prevailed in Parliament; but the hon. gentleman says that he bases his application upon the merits of the case. Now, I regret that we have to consider the merits of the case at all; and that the hon. gentleman should have invited the House to the consideration of the conduct of the Returning Officer and Judge. I regret that he should have invited the consideration of the House to his own conduct in this matter, because it is not altogether free from blame; and I am quite sure, on the facts within my knowledge, at all events, Mr. Speaker, that the conduct of the Returning Officer, is conduct that no man can justify—I do not care on which side of the House he may be on. I regret having to say anything about the conduct of this Returning Officer; but the hon. gentleman, by his own conduct, has invited comment on that subject, and for that reason I cannot allow his speech to go to the public without, in my humble way, attempting to answer it. The hon. gentleman has carefully abstained from a minute investigation of the circumstances and facts before the Returning Officer. He has carefully abstained from a minute investigation of the facts that were before the County Judge on his summing up of the votes cast for the respective candidates for the Electoral District of Bothwell. It would not serve his purpose, which is to justify the Returning Officer and abuse the County Court Judge. This case is before the courts, and the hon. gentleman's justification of the one and his abuse of the other, will not influence the Judges when they are considering whether the hon. gentleman represents improperly the Electoral District of Bothwell in this House, or whether or not the hon. David Mills is the man who is fairly entitled to the seat. I find by the papers in my hands that there were four polling divisions in which there were irregularities. In No. 1 sub-division, in the township of Camden, the Deputy Returning Officer returned the ballot box with the statement in the ballot box, inside of an envelope which had marked on it the number of votes for each candidate; and the statement itself contained the number of votes cast for each candidate; the statement was not signed by the Deputy Returning Officer, and because it was not so signed by this Deputy Returning Officer—this extraordinary good man, this honest man, this fair man, whose name is known in all the churches of Bothwell, declined to count for either candidate the number of votes cast for each of them respectively in this sub-division. Will the hon. gentleman deny that statement? No, Sir, he will not, because he cannot. I have the facts under my hand. At that polling sub-division

the hon. David Mills happened to have a majority of twenty-eight. The Returning Officer refused to count that statement because it was not signed—he improperly refused to count it, he had no business to reject it, as the law does not require that it shall be signed by the Deputy Returning Officer. All the law requires is that the blank statement shall be filled up with the number of votes cast for each candidate and enclosed with the ballot box and returned to the Returning Officer. This Returning Officer—this pet of the hon. gentleman—this man who is hounded through the county, returned the hon. gentleman by a majority of sixteen, although if Mr. Mills had had the benefit of the majority in polling division No. 1, Camden, it would have left the hon. gentleman at home, and he would not have had the opportunity of writing M.P. after his name for five years at least. The Returning Officer rejected these votes, and he counted in—that is the proper expression—the hon. gentleman who now occupies the seat. The Returning Officer was told that there was no necessity for signing the statement; he was asked to adjourn the declaration for a few hours or a day or so to enable Mr. Mills to get the Deputy Returning Officer to sign the statement, but he would not do that, although when the declaration commenced he stated openly where the declaration took place, that if the statements were not all correct he would adjourn the declaration in order to have them corrected. But when it turned out that the statement in polling division No. 1, Camden, was not correct according to the Returning Officer's view of the law, and when he was asked to adjourn the declaration in order to correct it he would not do so. Still we are asked to believe that he performed every duty imposed on him by the law, with the honesty that should characterize every Returning Officer—this friend of the hon. member for Bothwell—this millionaire who is such an object of respect and reverence by everybody—this man who does not fear the penalties of imprisonment—this man who took advantage of an oversight on the part of one of his own deputies to count in his pet candidate, is, according to the present member for Bothwell, to be lauded and commended. But this is not all. In polling division No. 3, Dawn, the hon. Mr. Mills had a majority of five. The statement was put in the ballot box, but was not filled in at all; it was a dead blank—there was nothing in it. Now, it is possible that the Returning Officer might not be justified in refusing to receive that statement, because there were no figures in it, but it was only a question of a majority of five either way, and the deputy returning officer of that sub-division, while the declaration was under consideration, while the investigation was going on, arrived at the Returning Officer's house, and the Returning Officer got him to fill up and sign the statement, and put it in the ballot box. I will not say whether the Returning Officer was right or wrong in so doing in that case; but that is what he did, and that would give Mr. Mills a majority of five in that sub-division which, added to the twenty-eight in No. 1, Camden, would have given Mr. Mills a majority of thirty-three, if he had received justice, and if the statements that should have been counted had been counted. In the village of Dresden Mr. Mills had a majority of twelve. I gather from the paper which has been sent to me that the statement in that case was filled up, the votes were marked on the envelope and in the statement paper, but it was not signed by the Returning Officer. I believe that division was counted and properly counted, but there was another polling sub-division, that of No. 2, Camden, where the majority was not for Mr. Mills. The hon. gentleman who now occupies his seat had a majority of forty-eight in that sub-division. I am told on authority which cannot be impeached, that in that ballot box there was no statement filled up and signed—that the statement paper was a blank. The Deputy Returning Officer arrived at the Returning Officer's house while the dispute was going on, and through his instrumentality, or in some other

way, the seal which the Deputy Returning Officer put on the box was broken open, the statement filled up and put in the ballot box. The result of that was that the gentleman who now occupies the seat for the county of Bothwell had a majority over the other candidate. Camden No. 2, gave a majority of forty-eight in the hon. gentleman's favor, and Camden No. 1, gave a majority of twenty-eight in Mr. Mills' favor, which left the gentleman now occupying the seat in a majority of sixteen. In Camden No. 2, the statement was a blank; in Camden No. 1, the statement was not a blank, and the only informality was that the Deputy Returning Officer did not sign it. In the one case the Returning Officer counted the statement, in the other case he did not do so. I ask if there ever was a grosser outrage perpetrated? The result was that the hon. David Mills was left in a minority of sixteen, whereas, had all the papers been counted, he would have been in a majority of seventeen. That was the state of affairs. The Returning Officer refused to return Mr. Mills, though he had a clear majority of the votes polled, and he made no effort to compel the Deputy Returning Officer to complete his return, although he lived within one mile of his house; and I may add that during the progress of the summing up, notice was given to this Deputy Returning Officer to skedaddle, and he got out of the way. It is a marvellous thing that in these three sub-divisions, Mr. Mills had a majority of forty-five that these three Deputies were the warm partisans of the hon. gentleman who now occupies the seat, and that in these three sub-divisions these mistakes occurred. It may have been an accident or an oversight; but, if it was, it was a very extraordinary one. But in any event these were the facts. What was left for Mr. Mills to do? He made application to the Judge of the County Court under the advice of his legal advisers, for a re-summing up. The County Judge, it is said, has no right to entertain an application of that kind; and with all the authority that a constitutional lawyer could assume the hon. gentleman says that the Judge went beyond his duty in entertaining an appeal for a summing up from the Returning Officer. I am not going to argue that question; it is not a matter of much consequence; but there are good grounds for arguing that Mr. Mills was perfectly correct within the spirit of the law in appealing to the County Judge against the Returning Officer's conduct and against his summing up, and that the Judge was perfectly right in granting it. In 41 Vic., chap. 6, section 14, the law is laid down:

"In case it is made to appear within four days after that on which the Returning Officer has made the final addition of the votes for the purpose of declaring the candidate or candidates elected, on the affidavit of any credible witness to the County Judge of any county, or in Quebec to a Judge of the Superior Court ordinarily discharging the duties in any Judicial District in which the Electoral District, or any part thereof is situated, that such witness believes that any Deputy Returning Officer at any election in such Electoral District in counting the votes has improperly counted or rejected any ballot papers at such election"—

In this case, the Deputy Returning Officers did not make any mistake in counting up; the mistake was in not signing the statement; so that the language of the section so far could not apply to this case; but the law goes on to say:

"Or that the Returning Officer has improperly summed up the votes,"—

There is the point:

"And in the case the applicant deposits within the said time with the Clerk of the Court the sum of \$100, as a security for the costs of the candidate, in respect of the re-count, appearing by the addition to be elected, the said Judge shall appoint a time within four days after the receipt of the said affidavit by him, to re-count the votes or to make the final addition as the case may be."

I think there is good ground for argument that this section applies to this case, and that the County Judge acted properly in re-summing up. The application for the re-summing up came before the County Judge, and he disposed of that

Mr. CAMERON (Huron).

application. At the hour fixed for the investigation, the counsel of the sitting member appeared before the County Judge. As the hon. gentleman has seen fit to read to the House certain documents, I propose to read to the House a letter from the candidate on the other side, stating exactly what took place at that summing up; and I ask the House to attach just as much importance to the letter of the hon. David Mills as they do to the statement of the gentleman who now occupies the seat of the hon. David Mills. Mr. Mills says:

"When the time appointed arrived and the Judge was proceeding with the work, Hawkins' counsel said, 'We object to a re-summing up, and demand a re-count.' The Judge replied: 'This is a complaint against the final addition made by the Returning Officer on behalf of Mr. Mills; a re-addition by me is asked for. If Mr. Hawkins wants a re-count he must make application in proper form and make the necessary deposit.' His counsel said: 'We will make application now, and make the deposit, and we ask to have the final addition stopped.' My counsel said: 'We do not object to a re-count, but do not ask for it.' The Judge said, 'I must proceed with this addition, and the parties will be in the position they would be in if a proper addition had been made. My impression is that I have not any right to take evidence, and I shall on a re-addition confine myself to the information which is found in the ballot boxes. If Mr. Hawkins or Mr. Mills wants a re-count of the ballots, application must be made, based on the proper affidavits, and the money required by the Statute deposited.' Hawkins' deposit was made. He was advised against applying for a re-count, and withdrew it on the evening the time expired."

I ask the hon. gentleman if he withdrew the money, and when?

Mr. HAWKINS. I withdrew the money two months after I deposited it.

Mr. CAMERON. I am bound to take the hon. gentleman's word; but Mr. Mills says that the money was withdrawn, and I attach as much importance to what Mr. Mills says as to what the hon. gentleman says. The letter goes on:

"It was left, I have no doubt, to prevent, as it was thought it would, a re-count being asked for by my lawyer."

Now, you have what Mr. Mills says on the subject, and you have heard what the hon. gentleman says; I am not going to say what is the truth of the matter. The Judge in summing up had these statements before him; he had the statement from Camden, No. 1, which gave Mr. Mills a majority of twenty-eight. If that statement contained the addition required by law, showing the number of votes polled for each candidate, if it was in the ballot-box, I lay it down as incontrovertible law that that statement did not require to be signed, and that the Returning Officer was bound by law to count the votes polled in sub-division Camden No. 1. If he had counted the votes polled in that sub-division, the hon. gentleman to whom we have just listened would not be in his place to-night, representing the constituency of Bothwell. The Judge counted these statements, but the Judge left out No. 3 division, Dawn, because it was not filled up. The result of the summing up was that Mr. Mills was in a majority of twelve, and the Judge sent his certificate to this effect to the Returning Officer. Having received an authority and a certificate like that from the County Judge, it was the bounden duty of the Returning Officer to obey that certificate, and to have declared elected the man that had the highest number of votes. If there is anything clear, from the papers submitted by the hon. gentleman himself, from the petition presented against him and the Returning Officer, from the answer of the Returning Officer, in which he admits he did not count sub-division No. 1, Camden, it is that the hon. gentleman who has just taken his seat is a minority member. He is not the only minority member in Parliament now, and it is of the first possible consequence that we should understand what the duty of Returning Officers is, with reference to this matter. I discussed a similar question in connection with another case some weeks ago, and I only wish the Government of the day had acted as they should have, by seating the man fairly entitled to the seat, and leaving to others the remedy provided by law. The hon. gentleman complains of

the conduct of the County Judge. The hon. gentleman has no grounds for complaint. Everything appeared to me to have been done fairly and above board. He complained that the notice served on him was placed in his boots, but the hon. gentleman ought to be the last man to make a charge of that kind, for he is to-day standing in another man's boots. The conduct of the Judge should not be attacked, and his motives misrepresented in the way the hon. gentleman has seen fit to adopt on this motion. I cannot understand what induced the hon. gentleman to make this motion. Does he expect to make political capital out of it? Does he expect it to clear his character by ventilating his grievances on the floor of Parliament? Does he expect that his widespread reputation—extending, as he told us, all over this Dominion—is going to be benefited by taking the case from the Judges, who are the proper men to deal with it, and transferring it to the floor of Parliament? This hon. gentleman has no grievance. The hon. gentleman was jubilant over his supposed election to a seat in Parliament. Let me read what the hon. gentleman said when he returned from this magnificent victory that he achieved over the Grits of Bothwell:

"After having fairly and honorably won the victory, a dastardly attempt had been made to cheat him (Mr. Hawkins) of his laurels, but this attempt failed miserably and he stood before them in his unassailable right, as the first Conservative member ever returned for Bothwell."

The hon. gentleman had great ground for triumph. In the first place he was nominated for a constituency so gerrymandered as to give him a majority of 254—a constituency carved out for this special benefit—with a Returning Officer appointed at his request, a Returning Officer, who was his own creature, and who appointed all his deputies violent political partisans; yet with all these advantages he was left in a minority of seventeen by the independent electors. Why, the hon. gentleman knows he is no more the member for Bothwell than I am, yet he undertakes to congratulate himself on having fairly and honorably won this triumphant victory—he, the first Conservative candidate for Bothwell. I did not know until he announced it that the hon. gentleman was a Conservative. He has been on all sides of politics. I recollect some years ago when he was in my county posing before a convention as a Liberal candidate, and where he obtained seven votes. On that occasion he said the hon. First Minister's sun had set in a sea of political infamy. Now he triumphs over the victory he has won—as a Conservative. I never knew a man who had less reason for self glorification, and more reason to be thankful for the good offices of a friendly Returning Officer, than the hon. gentleman has.

Sir JOHN A. MACDONALD. I am exceedingly obliged to the hon. gentleman for giving me a lesson as to my duties. His great Parliamentary experience and impartiality on all political subjects give him a special right to lecture anyone in this House. I had understood that in Parliament all members were equal and had the same rights; that an hon. gentleman who was elected yesterday had precisely the power and right to lay any matter before the House as the leader of the House had, no matter how strong might be his majority. The hon. gentleman says I ought not to have allowed any hon. gentleman to introduce this motion. If any hon. gentleman on that side had made the motion, and I had tried—improperly, without any reason—to stop him, I would have been told to mind my own business, and no one would have said so in language more unmistakable than the hon. gentleman. The hon. gentleman says my hon. friend has attacked a County Judge behind his back in a most cowardly manner, that these public officers must and ought to be protected; and yet what is the speech of the hon. gentleman in return? If an attack was made against the County Judge, what was the hon. gentleman's language against the Returning Officer? He was a public

officer; he had the same rights as the County Judge, the same character to defend, and as great responsibility in case he acted wrong, illegally, or corruptly. But what did the hon. gentleman, who professes such horror at the cowardly conduct of the hon. member for Bothwell in attacking a man behind his back, do but use slang as hard as he could—because the coarse language of the hon. gentleman deserves no other term—and abuse Mr. Stephens, the Returning Officer, in every possible way. The hon. gentleman, a man of Parliamentary experience, who poses as a great legal and constitutional authority, who knows and ought to know the respect a public officer should receive until he is proved guilty, sets to work and deliberately abuses, in the grossest and unparliamentary language, Mr. Stephens. I do not know whether Mr. Stephens or the County Judge is right. Until this discussion was brought on, I had never read anything about this case. I had too much to do, and I avoid sedulously, before circumstances force upon me legally, to enter into these matters. Whether this Judge is right or wrong, whether Mr. Stephens acted legally or illegally, I do not know, nor do I care to know until I am informed in legal form. I do not think this House can accept this motion. I think that as it is *sub judice* the hon. gentleman ought to have postponed his motion until after the final decision of the case. There will be time enough to bring it up; but I am not at all surprised that the hon. gentleman—especially as the hon. gentleman has only sat in Parliament a couple of months—I am not surprised that he should in his place, when he is attacked, and the Returning Officer is attacked, and everybody concerned in supporting him is attacked, that he should get up in his place, smarting under these attacks—as he believes undeserved attacks upon the Returning Officer—that he should state his grievance, and I think he stated it in a calm way enough, and in Parliamentary language. The hon. gentleman says this is an unheard-of thing, that a statement of this kind should not be received in Parliament at all, because it did not commence by petition. Why, Mr. Speaker, he says that I knew it; he says I knew that no complaint could be made against a Judge unless it was by petition. He was quoting a case where a petition must be presented. Why? Because all these petitions were presented against a Judge whose tenure of office depended upon a vote of both Houses. But neither this House, nor the other House, nor the two Houses together can, by any action of theirs, remove a Judge—they cannot remove a County Judge. That is another and a different tribunal. It is said, and said truly enough, that when a Judge is attacked, he can only be attacked when the charge is sufficient to warrant his removal. That is quite true, because the House ought not to discuss the character of a Judge unless they take the responsibility of removing him under power given by the Statute. Now, in the same way, a County Judge holds his tenure during good behavior, and the two Houses cannot remove him. I have no doubt that, if both Houses addressed the Crown, and the Crown did not remove him, there might be very considerable difference of opinion, and, perhaps, difference of action, between the Executive and the Legislative power. But I am not at all prepared to say that a County Judge, although he holds office during good behavior, cannot be removed by the Governor in Council. The Judge of a County Court holds office during good behavior and his residence within the county; he may be removed from office, by order of the Governor General in Council, from old age, inability, ill-health, misbehavior, or any other cause established to the satisfaction of the Governor in Council, provided that the circumstances respecting the inability, incapacity, misbehavior, have first been enquired into by and under order of the Governor in Council, and that the Judge has been given notice of the time and place of enquiry, and has been afforded an opportunity, by himself or his counsel, of being heard thereat. The hon. gentleman says that the hon. member for Bothwell'

instead of making his statement in this House, ought to have proceeded first before the Governor in Council, ought to have acted on the Statute of last Session. Does the hon. gentleman mean to say that the Government ought to have received such a petition? Does the hon. gentleman mean to say that, when the matter was before the courts to decide whether the Judge was right or wrong in his act in this matter, we should, if a petition had been presented, have acted, as the hon. gentleman said the Government ought to have acted, to entertain the petition, and to have tried the County Judge upon what their idea of the law was, when the matter was before the courts? No, Sir; I am quite satisfied that no Government, whether the present Government or the Government which was led by the hon. gentleman from East York, would entertain any such position; however strongly they might have felt that the Judge had acted illegally or with improper motives, they would not have entertained it until the election matter itself had been settled by the courts. But I am not at all prepared to say—I do not think any hon. gentleman opposite, in protection of the rights of the electors, is prepared to say—that, after the matter has been decided, and after the courts have decided, that the Judge acted illegally, if a charge against a County Judge was brought before the Government of the day, and if, as very likely might have been said, that the County Judge was improperly shielded in his misconduct, because he was a friend of the Government, or because, as County Judge, he had decided erroneously, from improper motives, in favor of a supporter of the Government—I am not at all prepared to say that, after the final decision of the court, this House would not have a right, in protection of the liberty of the subject, to enquire into the conduct of the Judge, that being specially an Election matter in which the final right of decision would come before this House. That seems to me, Mr. Speaker, a very doubtful thing. I should be very sorry to see it laid down without great consideration that if a County Judge had by judgment seated a Ministerial supporter, and if, upon petition against that Judge before the Government, before the Ministry, and that the Ministry had acted improperly and had shielded the Judge in his misconduct, that this House would have ultimately to enquire into the matter. Sir, this is a case that ought not, until the case is decided before the courts, and cannot be dealt with by this House, either by the Special Committee moved by my hon. friend, or by sending it to the Committee on Privileges and Elections. It cannot, it ought not; and I hope my hon. friend will not press his motion. But I must say that I think that the hon. gentleman who has spoken last, while he reproved my hon. friend for bringing this matter before the House at all, might have acted in a more judicial spirit than he did, when he betrayed his failing in every word he said. At all events he made up his mind that my hon. friend has no right to a seat in this House, and that the hon. David Mills has. He has given his judgment, the court has decided, and I think that, should this matter ever come before this House in any way whatever, the hon. gentleman has precluded himself, by the positive manner in which he has decided the case, from exercising a calm, deliberate and impartial judgment on the case.

Mr. CASEY. The right hon. leader of the Government says he is obliged to my hon. friend from West Huron, for giving him a lesson in Parliamentary practice. He says he always understood that the youngest member of the House has an equal right to bring any subject before the House with the leader of a Government, no matter how strong. Well, Sir, if the right hon. gentleman did understand things literally in that sense, I think he should have been obliged to my hon. friend from West Huron for pointing out his mistake; but I have not the slightest idea that he ever did hold that opinion in the literal sense of the words. It would imply that the youngest member of this

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House would have as good a right to bring any measure before this House as the right hon. gentleman himself. I do not think he has ever been willing to concede that right to the youngest or any other member of the House. Above all things it would imply that the youngest member of the House has as good a right to institute proceedings against a member of the judiciary in this country as the leader of the Government, the custodian of public morals and whose special duty it is to see that justice is properly administered. Now, the right hon. gentleman would not for a moment admit so much. He does not suppose that the hon. gentleman who sits for Bothwell, has as good a right to institute proceedings against a Judge as he has himself.

Sir JOHN A. MACDONALD. I mean to say that any member has as much right as I possess to proceed against a Judge and bring the impeachment of a Judge before the House. If the hon. gentleman will look into the cases he will find that such cases have been brought forward in England by private members and not by members of the Government. Indeed, I am not aware, among the cases which I now remember, that they were brought up by the Government.

Mr. CASEY. The important case of Chief Justice Wood of Manitoba was not brought up by one of the youngest members of the House. The serious case of Judge Loranger was also not so proceeded with. Proceedings in the latter case were commenced by petition to the Executive and afterwards to this House, and the motion was made by "Mr. Blake, seconded by Mr. Cartwright," that the evidence be printed and be referred to a Special Committee, empowered to take evidence on oath, for enquiry. In that case proceedings were taken by the hon. Minister of Justice. The hon. Minister who had special charge of the administration of justice conducted the impeachment, and it was through that channel that action should come in this case; or if it be not taken by the Premier or the hon. Minister of Justice, the matter should proceed only after consultation with the hon. Minister, and after full consideration by the Government as to whether the proceedings should be taken. The hon. leader of the Government said he could not have prevented the gentleman who sits for Bothwell from moving this resolution. One would almost imagine that the hon. gentleman had grown more diffident than he used to be, and was afraid of losing influence with his followers. We remember times when the hon. leader of the House has asked older members than the gentleman who sits for Bothwell to stay their hands for reasons best known to the hon. gentleman, and they have done so; but now the hon. gentleman is timid and diffident and dare not ask even the gentleman who sits for Bothwell to stay his hand, because the Government did not think it desirable to bring on the question. It may be possible that the hon. First Minister was not consulted in this matter; it may be possible on the other hand, that he was consulted and thought it better to allow the gentleman who sits for Bothwell an opportunity to air his grievances, and do as he had done to-night, attack, I may say slander, a County Court Judge, his allegations to appear in the Debates and be published in the press, and then give the gentleman who sits for Bothwell a gentle little snub by telling him he had commenced in the wrong way, and let the whole matter rest with the allegations made on both sides of the House. The action of the hon. First Minister in allowing things to go so far, well knowing that it was not possible for them to go further, was derogatory to the dignity of the Bench, and of this House, and unworthy of his own position. It made no difference whether the Judge was a County Court Judge or a Judge of a Superior Court. It might make some difference as to the manner of impeachment, but no one should be allowed to attack the character of the Judge unless the hon. Premier was prepared to push the attack to completion and deprive the Judge of his position. By allowing such an attack to

be made on the judiciary, it tended to lower the dignity of this House. Coming to the *tu quoque* argument, the hon. Premier has told the hon. member for West Huron (Mr. Cameron) he is a bad boy for abusing the Returning Officer. The language used on both sides was fairly strong. I do not know whether the language of the hon. member for Huron was as strong as the occasion demanded. I do not see that it is as strong respecting the Returning Officer than was the statement of the gentleman who sits for Bothwell, who told the House that the effect of the Returning Officer's conduct upon his own neighbors was such that he and his family were hooted on the streets. We may recollect that the Judges are not in the same position as the Returning Officer. The latter was an officer of the House, and was liable to attack, abuse and censure in the House; but our Judges occupy a different position. The hon. First Minister would not permit similar action to be taken towards Judges who try Election petitions. The Judges are acting in a judicial capacity, and although doing work assigned by Parliament in connection with Elections, they are not subject to criticism and attack as was the case with Returning Officers. Whatever may have been the merits of the Returning Officer, whether the hon. member for Huron was correctly informed as to the facts, he was perfectly justified in saying what he believed to be true respecting the officer. It appears to have been quite as much the object of the gentleman who sits for Bothwell to whitewash the Returning Officer as to blackwash the Judge, and the hon. gentleman was allowed to say all the pretty things he chose about the Returning Officer, and they would have gone to the country as established facts if they had not been denied on the other side; and assertions based upon the facts brought to the knowledge of the hon. member for West Huron by the best evidence, were equally proper to go to the country on the other side. When all is said and done, what is the direct object of the motion which the evil genius of the gentleman who sits for Bothwell led him to move? The hon. gentleman says he is able to take care of himself, either inside or outside of the House. We have no knowledge of the hon. gentleman's ability to take care of himself out of the House, but if he has to-day shown his ability to take care of himself in the House, I do not know that hon. members will subscribe to that statement. The second youngest member of the House might with advantage be appointed to supervise his parliamentary action, and see that he does not again propose such a motion. He has been complaining that the Returning Officer has been hooted through the streets of his native town, on account of his action in this case. He has told us that the Reform papers throughout Ontario, call himself the "member for Jim Stephens." One would think it was bad enough to have the papers publish this through the length and breadth of Ontario; but the hon. gentleman, not content with that—not at all satisfied with the celebrity which he has made for himself in his own Province, wishes to be as celebrated all over the Dominion, and to have Jim Stephens just as celebrated. He has, consequently, taken care to publish to the House these facts, and to make the country throughout the length and breadth of Canada, from British Columbia to Prince Edward Island, know that the hon. member is the "member for Jim Stephens," and that owing to Jim Stephens' action in connection with this matter, he cannot go through his own neighborhood without insult. If this is not getting himself into a mess, I do not know what is, and if that is proof of his ability to take care of himself in this House I do not want to take care of myself in the same way. Perhaps he has succeeded to the height of his expectations in one respect, for certainly he has drawn the attention of the House and of the public to himself to an extent which he could not secure in any other way. Of course it was something to be the man who had beaten the hon. David Mills. That was a mark of distinction, where he was known. The hon. David Mills was a man of im-

portance in the House. Notwithstanding the sneering laughs of hon. gentlemen opposite, he held even almost as high a position in the estimation of the House as the hon. member for North Huron (Mr. Farrow), who is sneering at him; and he held almost as prominent a position as his successor is likely to hold, and it was a mark of distinction in Conservative ranks throughout Ontario to have beaten Mr. Mills, even in the way he did. And how did he do so? With a manufactured, a gerrymandered majority in the riding of 250 votes in his favor? Did he beat him with that, though he went to the polls with that majority at his back? No. After the riding had been specially cut, and carved, and contrived, to give the hon. gentleman a majority at the polls, he did not get it; but he had another engine at the back of that—the Returning Officer, appointed at his own nomination, I suppose, as he does not deny it. He appointed the Returning Officer himself for the purpose of returning him to Parliament, and this officer was more faithful to his duty than was the supposed majority of 250, which was not sufficient to elect the hon. gentleman. They went back on him. The 250 Conservatives felt the injustice of the act, of the cutting and carving of the riding, and the contrast between the two candidates, to such an extent as to give Mr. Mills, a noted clear Grit, a majority of seventeen over the champion, sent down from Brantford to run as their own candidate. So he had to fall back on the Returning Officer, who was more faithful to his trust than the 250, and the Returning Officer did his duty. What does the hon. gentleman say? "It was the duty of the Returning Officer to return the man having the majority of the votes;" and then, he says: "the Returning Officer, in this case, went further." Yes, he did. He returned the man having the minority of votes. He says this officer knew he might be sued for \$500, and was liable to the costs of unseating him, if he were unduly returned; but the officer did his duty. Yes; he did the duty for which he was appointed—the duty of returning the hon. gentleman. And after this glorious victory, so gloriously achieved and having sated himself with the admiration of his friends in Western Ontario, he—the gentleman who sits for Bothwell—has taken the extreme and peculiar course of publishing this wonderful victory throughout the length and breadth of Canada, and making it apparent to the whole Dominion, how and why, and by the act of what particular individual he has obtained his seat in this House. I shall not go into the question of how the Judge has acted at all. I think that this was well attended to by my hon. friend from Huron. Moreover, it is beside the question now, since the Premier has decided that we have nothing to do with it. My hon. friend said he had been frequently asked to give these details to the press and had refused. My hon. friend from Huron said he did not do so, on account of his modesty. This is one way of putting it; but I think there is another reason for it. The hon. gentleman had another reason. He has accused the County Judge of the County Kent of malfeasance of office—of holding a caucus in his rooms to decide and determine, how to evade and get around the law, and of informing his opponent beforehand, what his decision would be. These are accusations of direct malfeasance. These are libellous statements for which he would be criminally liable, if he made them in a newspaper, and could not prove them; and he dare not make them in a newspaper, because he was afraid of his criminal liability if he could not prove the charges afterwards, and so he comes here, and shelters himself behind his temporary privilege as a member of this House.

Hon. MEMBERS. Order. Order.

Mr. SPEAKER. I think that the hon. gentleman should forbear using such language with respect to an hon. member of this House, as sheltering himself behind his privilege to evade a criminal action.

Mr. HAWKINS. I rise to another point of order; the hon. member alludes to me continually as the hon. gentle-

man who sits for Bothwell. Now, I am the member for Bothwell.

Hon. MEMBERS. Hear, hear.

Mr. CASEY. We do not know that; it is a question *sub judice*.

Sir CHARLES TUPPER. I rise to a question of order; and I think it is a point which it is desirable to settle. I submit that the hon. member for Bothwell has a perfect right—and will be sustained by this House in that right—to insist that no member, no person returned to this House, who approaches that Table and is permitted to take the oath, and is instructed by you from your place in the Chair, and you having instructed him to take his seat in this House, shall be referred to as a person who sits in this House but who is not a member of it. I submit whether it is competent for any member of this House to insult any other member of this House by any reference of that kind.

Mr. CASEY. I wish to reply to the point of order. I did not say that the hon. gentleman was not the member for Bothwell. I said he sits as the member for Bothwell; and that is a correct description of the fact.

Mr. SPEAKER. I should not have allowed the debate to proceed to such length, and I cannot allow it to proceed further in this strain. No offensive or insulting language should be used by any member towards any member of the House as long as that member has a seat in this House, and is a member for a constituency.

Mr. CASEY. Very well; in deference to your ruling, I will allude to the hon. gentleman carefully in future, as the member for Bothwell. I did not say that he was not the member for Bothwell. If anybody chose to draw that inference, it was not my fault. I also abandon the particular language which I was about to use, when first called to order, and I will put it in this way: that the hon. gentleman, instead of giving his charges to the newspapers, has stated them here on the floor of the House, and this is a mere statement of fact which cannot be challenged, where his privilege shelters him from any attack as to the statements which he may make. The hon. gentleman made a personal allusion to myself, which I will only touch upon in passing. He said that I contributed \$5,000—as nearly as I can understand it—to secure his defeat in the Riding of Bothwell, and to secure Mr. Mills' election. I did not contribute it for very good reasons; first, because I could not spare \$5,000, and second, because it was not needed, as the result shows. Mr. Mills was able, without the assistance of a dollar or a cent or a day's work from me, to beat the hon. member at the polls. I was not asked to contribute one dollar or one cent, and it was not necessary to give a day's assistance to Mr. Mills. I confess my willingness to have done anything in my power to assist Mr. Mills; and at the convention at which I was selected as the candidate for West Elgin, we pledged our support as individuals to secure Mr. Mills' election; and the result appeared to show that he was successful. I understood the hon. gentleman to say that Mr. Mills had been selected as the candidate for West Elgin. But, Sir, Mr. Mills did not offer himself as a candidate for West Elgin. He never offered himself to the convention, and he declared his intention of sticking to the riding he had so long represented, and of fighting out the contest to the final result under the adverse circumstances under which it had to be fought out. I do not intend to refer any further to these matters. I am quite satisfied, if the hon. member for Bothwell is satisfied with the result of his motion to-night. I can assure him that I and most of my friends here—I can speak for those from Western Ontario, at all events—are perfectly well satisfied with having had the opportunity of ventilating this matter, and having had him ventilate the matter. We are satisfied that

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even his own statement of the facts should be published to the House at large and to the whole Dominion of Canada.

Mr. ROSS (Middlesex). I do not know whether the hon. member for Bothwell wishes to close the debate, but if he does, I desire to say a word or two. I am glad indeed that the hon. First Minister has decided that the motion should be withdrawn. I am only sorry, Sir, that that decision was not arrived at before we had the speech of the hon. member for Bothwell. It is very much to be regretted that a man who holds such an important position as a County Court Judge holds, should have such gross reflections and imputations cast upon his conduct without being in a position to enter his defence. I do not wonder at—I am not going to say that I blame the member for Bothwell for defending the Returning Officer, but that might have been done without casting such aspersions upon the County Judge as he has cast upon the County Judge of Kent, and I must blame him and the hon. First Minister for allowing the discussion to take the range which it did take. Is it not too bad that a County Judge should be charged in this House and through the press of this country, with permitting a caucus to be held at his private residence to determine what the law was, in order that a decision might be arrived at whereby Mr. Mills should be returned for Bothwell, and not Mr. Hawkins? I am not saying whether that statement is true or is not true, but I am personally acquainted with the Judge—

Mr. HAWKINS. Repeat the charge.

Mr. ROSS. The charge was that a caucus was held at the Judge's residence to decide what the law was in this particular matter, and after it was decided what the law was that they proceeded to re-count the ballots. I say I am personally acquainted with the Judge, and I believe that he is utterly incapable of receiving a statement from either party, before assuming the Bench or acting in any judicial capacity. This is the most disagreeable form which this matter has taken before the House. I am aware that in previous charges against the Bench the hon. First Minister was among the first members in this House to rise in his place and say that the charge should not assume such a form as would discredit a Judge unless the Judge was put in a position to enter his own defence. I think that was fair; and I also remember—if the House will pardon me for alluding to previous debate—that in the discussion the other night with regard to Mr. Dewdney, the hon. First Minister was very careful to say that no aspersion should be cast on the character of an officer without his entering a vigorous defence for that officer. But we had no defence from the hon. First Minister of the County Judge of Kent, either directly or indirectly. I regret this exceedingly, because in these Election trials our political lives are, to a certain extent, in the hands of the County Court Judges. We have all an interest in seeing that their characters are maintained, and that no reflections are cast upon their judicial conduct which would lower their final decision in the estimation of the public. But the hon. gentleman was not content with making what I call a gross and unpardonable attack upon the judicial character of the Judge; he was not content with lauding the impartiality and the substantiality of the Returning Officer, but he must also include himself in some of the laudations presented to this House. "He was capable of taking care of himself," he said, "either inside or outside of Parliament." Who is questioning his capability? He was compelled, by a process which the hon. member for Huron characterizes as very peculiar, to put himself in a position whereby he could take care of himself inside of the House, and we who have met him on the public platforms throughout the country know that he can take care of himself outside of Parliament, as I believe every hon. member can. We are not infants—we are not under age—and we are all

quite capable of taking care of ourselves, so that it was quite unnecessary for him to make that boast. But there was a boast which the hon. gentleman made which is somewhat open to question. He boasted of his career as a supporter of the party—an honorable career, he said—and the question was asked, from this side, which party he meant. I suppose hon. gentlemen are not aware that the hon. member's political career is not, perhaps, the most consistent one—or, shall I say, the most straightforward one?—using the word in a Parliamentary sense. The hon. gentleman was, in the earlier part of his career, a strong supporter of the Liberal party; but, as he said in his speech which he delivered in my riding on the 17th of September, 1874, he saw reason for changing his political course. In that speech, delivered in Glencoe, he said:

"He was one of those Reformers who, in 1867, went in for the new order of things—went in for carrying out the great objects of Confederation. They were aware that at that time they had the sanction of some of their leaders for the course that he had pursued. To say nothing with regard to the time at which such Reformers should have separated themselves from the Conservatives, with whom they then went into coalition for the purpose of carrying out Confederation; he would say that he believed the time had now come, and more especially in Ontario, when all such Reformers should withdraw themselves from the connection which they made at that time, and become again united with their old friends."

So the hon. gentleman withdrew himself from that coalition and united himself with his old friends. He then went on to refer to the Election Laws, and he used the following language in the same speech:—

"They found that the law which had been obtained mainly through the advocacy of the hon. Edward Blake in regard to elections was being administered with rigid severity. The sword was falling without fear, favor or affection in every quarter where corruption had been used, and only in this way could the country be purged from the corruption which had eaten into the core of our electoral system and had been fostered by the late Dominion Government.

As an old Reformer, who had voted with the Reform party up to 1867, and who, though not exactly in accord with them since that time, had been able to command their respect and confidence, he believed that it was incumbent upon him, as a man who knew none but Reform principles in the conduct of the affairs of the country, to again unite himself with the party from which he had been temporarily separated. This he should do heartily and thoroughly, and he believed that all old Reformers who were now in the Opposition ranks would come to the same conclusion if they considered the state of public affairs dispassionately. He had been present at the firing of the last gun when the political sun of Sir John Macdonald went down for ever in the winding up of the nefarious Pacific Scandal transaction. From a mistaken sense of honor, from a feeling that it was dishonorable to desert a man in an hour of misfortune, he had followed a falling man until the firing of the last gun in North Huron, when his sun went down for ever. He did not say that the Opposition would never again get into power, but if they did he believed it would be under the leadership of very different men from those who were at present seeking the suffrages of the people, and endeavoring to secure the reins of power in this Province mainly with a view to again secure possession of power in the larger sphere of the Dominion."

Now, I was present when the hon. gentleman made that speech, and I thought it was an exceedingly good speech. He made it with a great deal of unctious. We appreciated the motives from which he made that speech; we believed he was sincere, and he gave evidences of sincerity. He looked so sincere that I doubted if ever that look would leave his countenance. But we found the hon. gentleman as sincere in a year or two afterwards advocating the cause of the party which he said was connected with the nefarious Pacific Scandal. He pursued the same line in Provincial politics. He said he has been an honorable supporter of the Conservative party for the last fifteen years, and has labored and toiled in its support. But he also supported the Liberal party in Provincial politics. Let me read what the hon. gentleman said in regard to the enterprise of the Ontario Government. He spoke at London in the same year as follows:—

"But we know the Premier (Mr. Mowat) is not the man to cast dirt in their eyes—he will say that is true and right or he will not speak at all. He (Hawkins) could say that so long as the Government of the Province is conducted by such men as hon. Mr. Mowat, hon. Mr.

Pardee, and that young and rising statesman, hon. Mr. Fraser—there need be no fear but that the country will be ruled honestly and well."

I am delighted with these expressions of appreciation from the hon. gentleman. I do not think either of these parties need any certificate of character from him; but still, when we get such a strong certificate of character from an opponent, we must conclude that either he was not sincere then, or that he is not sincere now. Of course, being able to take care of himself, he thought he ought to take care of his friends, and he did it in a kindly way. Now, he is not returning to his first love, but clinging to the skirts of his second love; and now he boasts of his honorable career. I will not say anything about that; but will leave the House to judge of it. He speaks of fifteen years of toil and service. Well, let the hon. gentleman boast. The House knows that an hon. gentleman, who bestows such plaudits on one party at one time and reverses them at another time, is an hon. gentleman whose boasts have to be discounted; and when he assumes to take a position in this House, and boasts of that position, then we have a right to enquire as to the soundness of his political views. I feel a little sorry for the hon. gentleman to-night—not for his inconsistencies, but that being a young member of the House—and I know what it is to be a young member—he should have been "sat upon" by the Government—should have been literally snuffed out by the hon. First Minister, and should have had his resolution, not simply ordered to be withdrawn, but condemned and censured by the hon. leader of the Government. I do not want to be personal to the hon. gentleman, but we read that

"Fools rush in where angels fear to tread;"

and young members of Parliament sometimes rush in where older members fear to tread. I hope he will take the lesson which he has got to-night—a lesson which I think will not be forgotten by the hon. gentleman. We, at any rate, will not allow it to be forgotten, and it may be necessary for us occasionally to remind him of it. The hon. gentleman certainly placed himself in a very uncomfortable position, when he forced the hon. leader of the Government to tell him that his motion must be withdrawn, that it was improper, and not such a motion as he could permit the hon. gentleman to have a vote upon.

Mr. McCALLUM. What I understood from the boast of the hon. member for Bothwell, was, that he did not care anything about the slanders that was circulated about himself, but was able to take care of himself. It is somewhat amusing to me to find hon. members opposite, taking the Judiciary under their protection. We remember how they slandered a Judge of the Bench, because, in giving a judgment, he referred to a certain "Big Push" letter. I myself, have been accused in this House of securing the appointment of a Returning Officer. I had nothing to do with it. I believe the Returning Officers of this country have done nothing but their duty. To show how hon. gentlemen opposite do business, I will state that at a local election in my county, at which there was an open nomination, the Returning Officer forgot himself so far as to come down from the stand and encourage the people to make a disturbance, in order to prevent me from speaking to the electors. He published a paper for five years to try to keep me out of Parliament; and these hon. gentlemen afterwards rewarded him by creating an office, and paying him \$500 a year. I have not spoken of it in the House before, and I would not have done so now, but that hon. gentlemen opposite and their press are always making charges, without caring whether they are true or false. I venture to say that they cannot prove one tittle against the Returning Officers in this country. The hon. member for Bothwell, may feel perfectly safe from the sympathy from the hon. member for West Middlesex. The hon. gentleman says: "You were with us for a time, and you went away from us." Well, he could not say

with them, and he left them like a great many others in this country.

Mr. BLAKE. Before the discussion closes I wish to say a word or two with reference to that which is, after all, the most important part of this discussion in its permanent form. It is, no doubt, of very great consequence to us that Returning Officers should do their duty. It is, no doubt, of great consequence to us that the Judges, in so far as they interfere with our elections, should also do their duty. But in so far as the conduct of this Returning Officer is concerned, it is supposed to be under investigation, a petition has been filed and is now pending, and I believe the hon. member for Bothwell has objected to the jurisdiction of the court or made some preliminary objection, which has prevented trial of the case and which, perhaps, has given us the pleasure of the hon. gentleman's presence in Parliament and the speech we have just heard. The question of the conduct of the Judge, or the action of the Judge, may or may not come under investigation in the course of this petition, but I wish to refer to the mode in which the circumstances under which the conduct of the Judge has been called in question this afternoon. There is no function of ours of higher importance or greater consequence to the public weal than the function that we hold of enquiring into or censuring, or dealing with the conduct of the Judiciary. Upon the character of the Judges rests, no doubt, to a large extent, that confidence in the masses of the population in their decisions, which is essential to the good administration of justice, and that their conduct should come in question in a political assemblage of this kind, and particularly in connection with the discharge of a judicial duty, closely concerned with an election, is a circumstance which shows how delicate our relations are to a Judge in this particular regard. I am not one of those who at all object to this great, this highest court of all, this grand inquest enquiring by proper means into the conduct of the Judges. As I have said, I believe that to be our highest, our most important and also our most delicate function. We have had occasions before now in which the conduct of Judges, of a higher rank, holding their offices by a tenure in one sense more secure than of a County Court Judge—we had occasion to consider what the procedure should be, what manner of crime or offence it should be that would be properly imputed to a Judge in order that his conduct might be here called in question. I have no quarrel with the statement of the hon. First Minister, in part, when he declared that a Judge's conduct ought not to be attacked, at any rate, with view to an enquiry such as this, unless the charge against him be one of serious impropriety—a charge, I think the hon. member said, which, if true, would warrant his dismissal from office. That is a just proposition to which I assent. Now, that being the nature of a charge which alone, under any circumstances, should form the foundation of an enquiry into the conduct of the Judge, we have also to consider what the proper steps should be before such enquiry is proposed in this House. The hon. Minister objected to the language of my hon. friend from Huron, who mentioned the course of a petition as being the sole proper one and said that applied only to the case of a Supreme Court Judge, who may be dismissed upon an address from both Houses. I do not think the observation was just. I do not know that a petition is more essential in one case than in the other. I believe it to be essential in all cases that that, or some procedure of that nature, should be adopted for this reason, that where you attack the conduct of a Judge, you ought at any rate to give him that measure of notice, which is involved in the statement of the accusation made, in plain terms, some little time at least before the House is asked to proceed upon it. What does the hon. gentleman put upon the paper? He puts a notice of motion for a Select Committee to enquire into the conduct of the Judge in refusing

Mr. McCALLUM.

the application made on his behalf for a re-count of the votes. The Judge may have been right or may have been wrong in refusing the recount. I purposely abstain from discussing a single word of the particulars. It is not because he was wrong in law that we would enquire into this case any more than we would enquire into the case of an erroneous judgment in the discharge of any judicial function, for I differ from the hon. member for Bothwell in the opinion that we have the right any more to interfere with a Judge in the discharge of this judicial function than in the discharge of any other. We did not make him an officer of the House, but we imposed upon the County Judges of Ontario and of some other Provinces, and the Judges of the Superior Court of the Province of Quebec, certain functions in their judicial capacity; and I would have been one of the last to sustain the proposal that these functions should have been imposed on the Judges, had I dreamed for a moment it could ever be suggested that they could discharge those functions in any other than a judicial capacity, had I thought they could be considered in any other sense than as Judges discharging that particular function, under all the sacred obligations which appertain to a man that fills the Bench of Justice. In this matter we must hold, all the more because these are matters that do excite party feeling, that the Judge who is discharging this political function is discharging it in the same spirit, protected in the same manner, and subject to the same liabilities as in the discharge of any other judicial function. We could not complain of a Judge because he erred in his judgment, or misconstrued the law, or misapplied the facts. Why? What have we Courts of Appeal for? We have one Court of Appeal after another. You find the County Court Judges' decisions reversed in the Court of Appeal, those of the Superior Court reversed in the Court of Appeal, and those of the Appeal Court reversed in the Supreme Court which may find that the primary Judge is right, and the Judicial Committee of the Privy Council finding something else altogether. There is a constant error of judgment, because Judges, like other men, are fallible, and it is an error in judgment that should form the subject even of an observation here. Therefore, upon the face of the hon. gentleman's notice of motion which simply said: I want a Select Committee to enquire into the conduct of this Judge for refusing to grant me a re-count: we could find nothing, we could find no accusation against the Judge, we could not even find subject for an argument as to whether the Judge was right or wrong in refusing the re-count, or as to whether there had been a proper application made at the proper time, accompanied by the proper formalities, and what the reasons were. We had none of that even before us for an interesting legal argument. But that would not have been enough if we had had all that. What was the cause, then, which could properly bring this Judge's action under our consideration? It was a charge of impartiality, of malfeasance in office—not that the Judge erred, for all may err in judgment, but that he degraded his office, betrayed his trust, wilfully and knowingly did a wrong thing, perverted justice and judgment—that is the nature of a charge which could alone make it proper to have been brought here. Of that there is no allegation in the notice of motion; of that there was still less statement of fact, and it was not until in the course of his harangue, which was largely devoted to the vindication of the Returning Officer rather than to the attack upon the Judge, that the hon. member stated that there had been some caucus—I think he called it—in the office of the Judge, of political parties to decide—or the residence of the Judge, to decide what course should be taken. He then proceeded to state that it had been declared upon the street before hand, the Judge had declared precisely the course he was about to take in the court. Now, Sir, I maintain that these statements, which are the gravamen of the charge against the Judge which the hon. gentleman has brought forward,

ought in common justice, in common decency, to have been stated beforehand, so that that officer might have had an opportunity of making his statement to the tribunal before which the charges were brought. What opportunity has he had? What opportunity is he now to have to make his statement and to clear his character? The hon. gentleman does not state his charge against him, he does not make it public until he springs it in this House in the evening, and in an hour afterwards the motion is to be disposed of, and it is to be disposed of out of this High Court without the Judge having an opportunity to say a word. I say then, Sir, that in whatever form you choose to observe the essentials of justice and of propriety, when we are engaged on this matter, the Judge should have an opportunity to give an answer to the charge. What is now to happen? It is now to happen that the hon. gentleman has had an opportunity of making his attack upon the Judge. He kept it bottled up, corked up and secreted in his breast until he put it forth in this Chamber, and to the whole of this country to-morrow, not giving the man he was about to accuse the slightest opportunity of making his answer. Now, Sir, Judges occupying a high position have thought, and I believe rightly, that it was proper they should answer such charges. I do not mean to say that a Judge would be bound to answer them. The hon. member will recollect very well the case of the petition presented to the House of Lords by Earl Russell, by Mr. Wasson, accusing Lord Chancellor Thesiger of gross misconduct, with reference to an Election petition, of a species of misconduct, which, although it was not in his judicial capacity to perform—for he had not yet achieved the Bench—would have been of a character to render it impossible to have continued there. The petition lay upon the Table for a time, and was to be brought up for the consideration of the House. In the meantime the learned Judge had had that opportunity, which this learned Judge is not able to have by this procedure. The petition had, of course, reached his cognizance, and he communicated with—I forget whether it was to a member of the Government or an ex-Chancellor—and made his statement of the case, which he would have communicated to the House of Peers, coincidentally with the first step taken upon the petition in the House. It was the general sense of the House that every statement made by Mr. Wasson had been so satisfactorily answered that Earl Russell was recommended by those of the greatest name, weight and authority, instead of moving the reception of the petition, to ask leave to withdraw it, and it was withdrawn, and the whole matter was thus set at rest. I state that as a case which shows to you the justice and propriety and decency of adopting a course different from the course which has been adopted on this occasion. Now, the essentials of practice are always the same. This is the course which we would have insisted upon had it been the case of a Superior Court Judge, removable only upon an address; this is the course which we should insist on as preliminary in the case of a County Court Judge. It is true that we cannot remove a County Court Judge ourselves, but we can, as the right hon. gentleman has said, address the Crown for his removal, or we could address the Crown to issue that preliminary enquiry which, under the Act of last Session, is a necessary pre requisite to further proceedings. We would not do either of those things without an investigation of our own. We would ascertain whether there was a *prima facie* case against the Judge, as in the case of a Judge long ago upon petition presented from the county of Ottawa in the first or second Session after Confederation. I think that we ought, considering that that would be the course which we would take if malfeasance had been charged against this judicial officer, to insist that our course of procedure should give him some opportunity to answer the charge, to state his case when it was being debated before this House, as we would

give to any other judicial officer. It is for this reason, and for this reason alone, that I have spoken. I hold, as I have said, that we have a right, and it may be our bounden duty, to enquire; but I hold that exercising that right and discharging that duty we ought—and it is the least we owe to the Bench and to the administration of justice—to give to them what we give to the meanest criminal who appears before their bar, an opportunity of answering the charge, and not leave the Judge, as this Judge is unfortunately to be left, without that opportunity of answering here to us now the present charges which the hon. gentleman, by the course he has pursued, has made, in my opinion, most unwarrantably in point of form, whatever may be the truth of their substance.

Sir JOHN A. MACDONALD. Although I have spoken already, perhaps the House will allow me to make a remark on the legal question. I have not much objection to what my hon. friend opposite has stated; in fact, we agree in the conclusion. But he rather misapprehended my argument about the necessity of a petition being required only with regard to Judges of the Superior Court. The hon. member for West Huron took the technical objection that as such proceedings against a Judge must be commenced by petition, my answer was, that that technical objection only applied to Judges of the Superior Court. Originally a Judge of the Superior Court could only be removed by an appeal or impeachment presented by the House of Commons to the House of Lords, and a trial by impeachment. As that was an inconvenient form and almost effete, the law was altered, and instead of impeachment by the Commons and trial by the House of Lords, the mode was substituted of an address by both Houses for the removal of a Judge. It was thought that, that being our substitution of the practice of impeachment, the petition should be prepared and presented setting forth all the essential matters with the same particularity as in criminal cases; and that there was, therefore, a technical reason why, with regard to Judges of the Superior Court, a petition must be presented. That was the extent of my argument. I want further to show that the same reason did not apply with respect to charges against County Court Judges, but the hon. gentleman goes further and states, that in the mode adopted by my hon. friend of making his statement in Parliament, and afterwards withdrawing his motion, the Judge has had no opportunity of answering the charge. Whether it commences by a statement made by a member in his place in Parliament or by a petition, the same result may occur. I know myself of two occasions on which, in consecutive Sessions, petitions were presented against a Judge of the Superior Court. I will not mention the name, because no results followed these petitions. It attacked the Judge's character and conduct and his fitness for the office, and the charges were broadly stated in that petition. As it was presented to the House it was read, it appeared in the minutes and it was in the newspapers. I took the ground that the petition was insufficient, as even if it were true it was so vague in its terms that no final action of dismissal could properly be found upon it. The Judge suffered all the same, because the attack was made. The next Session the petition was renewed and made more particular; but I took the same ground that, although it was more specific than the first petition, yet it was not specific enough, and did not amount to an impeachment or indictment. The petition was withdrawn, but still the Judge had to suffer from the fact that the petition was presented and the contents became known. So I take it that if the hon. gentleman makes a statement, whether against a judicial officer or a member of the Government, the result is the same whether it be made by written petition or verbal statement, the effect on the person whose character is assailed is precisely the same. The petition is printed, it is published and a copy by the practice must be served upon

the Judge, who must have every opportunity of being heard on the petition. But the petition may be withdrawn before it has been served on the Judge. In the same way if a statement is made affecting the character or honor of a member of the Government or a Judge, although it be verbal, it goes to the public and is published in *Hansard*, and in either case I take it that if a member takes the responsibility of making a statement impeaching his conduct, Parliament will give time, but the effect on the Judge will be the same whether the charge is verbal or written. It is just as well that this discussion has taken place. I do not like to say positively without having looked the matter up, but I think, if I am not very much mistaken, that there has been a series of charges brought in the House of Commons against County Court Judges in England, and one especial charge was made against a Judge of eccentricity in his decisions without the slightest attack being made against his honesty or honor. This was a series of charges made, not by written petition, but by hon. members in the House, acting on their responsibility. I cannot speak positively as to the mode in which the charges were brought before the House, but the result was that the Government insisted upon the Judge resigning, although there was no charge against his honor or integrity.

Mr. BLAKE. I suppose he was incompetent.

Sir JOHN A. MACDONALD. He was eccentric.

Mr. BLAKE. So eccentric that he was mad, very probably.

Mr. HAWKINS. Before this matter is finally closed and dealt with, I wish to say a few words in reply to hon. gentlemen opposite who have spoken on it. I quite agree with the hon. leader of the Opposition as to the necessity of our holding a very high opinion of the position of the Bench in this country. I quite agree with him that the Judges should not for light causes, but only for very grave causes, be charged in the manner that I have charged this Judge. But I fancied, and I still imagine, that a Judge in his capacity as a Judge administering the law is one thing, and a Judge who is made a portion of the machinery by which the will of the people at the polls may be declared, is another thing. I believe that in this case the form of procedure may be wrong, as the hon. leader of the Opposition has said; but, nevertheless, if that is all we disagree upon, if that is the only point at which I am at fault, it is one which may hereafter be rectified. The charges remain and they shall remain, and in this form or in some other form they will be pushed home to, I believe, convincing proof to the House and the country. But while the hon. gentleman is so careful in regard to the treatment and the measure of estimation we should have for the Judiciary, does he not think it was rather beneath him and his position as leader of the Opposition and of the great Reform party to go to Bowmanville, as he did last fall, and there make a savage onslaught on this Returning Officer, who was equally under the protection of the court?

Mr. BLAKE. I am responsible for what I said at Bowmanville.

Mr. HAWKINS. And again at the Reform Convention at Toronto he made reflections on this Returning Officer; and in this House, by a sort of side wind, not by a direct and open charge, he hinted that there was a member sitting in this House who was returned by a Returning Officer.

Mr. BLAKE. So there is.

Sir JOHN A. MACDONALD. There are 211 such members.

Mr. HAWKINS. While hon. gentlemen opposite have been so mealy-mouthed in this House, and have had so little to say against my right to sit here, the organs of the Reform party have teemed for months past, and are teeming to-day,

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with charges and statements which they dare not attempt to substantiate in this House.

Mr. BLAKE. Because the case is before the courts.

Mr. HAWKINS. If that be the reason, why should not the same measure of protection be extended to the Returning Officer? There is another matter in connection with the Bothwell Election which I forgot to mention. We know that in all portions of the country the Election of 1882 was held upon the rolls of 1881. I have an additional charge to make against this Judge. I charge that, in the only Conservative township in the county of Bothwell, the electors were forced to vote on the roll of 1880, while in every other township the electors voted on the last Revised Assessment Roll, the difference being seventy or eighty votes against the Conservative candidate. This also was in connection with that Election. Now, if we can conceive the immeasurable distance from the leader of the Opposition to the member for West Elgin, perhaps you will pardon me for devoting a few moments of my time to that gentleman. The celebrated French philosopher, Rochefoucault, says: "that some men have the gift of talking a great deal, and of saying very little." Now, I think, that this exactly fits the case of our friend, the hon. member for West Elgin, and when it goes out to the country to-morrow that in some sense an attempt was made to answer my presentment by the hon. member for West Elgin, I do imagine that the only effect will be a broad laugh throughout and over the whole face of the country. Why, his own side of the House have frequently made him the butt of their ridicule, owing to the fact that he is continually bobbing up and speaking on all manner of questions, altogether regardless of the amount of information which he may have in regard thereto. Now, while the hon. gentleman carefully denied that he had subscribed \$5,000 to assist in defeating me—if it were possible—he carefully abstained from denying, that in consideration of Mr. Mills retiring from the nomination of West Elgin, the Reform Convention of West Elgin pledged themselves by resolution, to do all in their power to succeed in returning Mr. Mills for Bothwell; and he also carefully refrained from denying that he inserted my name in his address to the electors of West Elgin at the late election. The hon. gentleman speaks of his friends in the west; but who are the friends of the hon. gentleman in the west? Are they to be found in Kent, in North or South Essex, in North Middlesex, in East Middlesex, in Bothwell, in North Huron, or in what was formerly Centre Huron? In fact, are they to be found at all, except in three or four places, on the whole face of the western part of the Province of Ontario? Why, if there ever came back a battered, a defeated and a discredited party before the House, it is the party that the hon. gentleman from West Elgin claims to be composed of his friends. Let any person cast his eyes over the front benches of the Opposition, and see who are missing therefrom: where now is the Speaker of this House, who was chosen in 1874?

Mr. ROSS (Middlesex). That is old.

Mr. HAWKINS. Where is Sir Richard Cartwright?

Mr. PATERSON (Brant). In Kingston.

Mr. HAWKINS. I fancy that he will remain there for a long time; and I fancy that my hon. friend from South Brant, who says, he is in Kingston, hopes sincerely from the bottom of his heart, that he may long remain there.

Mr. PATERSON (Brant). Oh, no.

Mr. HAWKINS. And where is David Mills, where is Sir Albert Smith; and where are the rest of them?

Mr. SPEAKER. When I permitted the hon. member for West Middlesex to read the long speech which he read to the House, I saw that it would lead to just what is now taking place, which is altogether foreign to the question before the

House, and I hope that the hon. member will refrain from continuing the remarks in which he has just been indulging.

Mr. ROSS, (Middlesex). I hope that you will not punish the hon. member for Bothwell for my shortcomings, Mr. Speaker.

Sir JOHN A. MACDONALD. No; but for your long-comings.

Mr. HAWKINS. Under that ruling, Mr. Speaker, I will only say this in reply to my hon. friend from West Middlesex, that the only genuine laugh which I have seen on his countenance during the last half hour, appeared when you announced that this portion of the discussion had better be dropped.

Mr. ROSS (Middlesex). I laugh all the time.

Mr. HAWKINS. I have recently been in the hon. gentleman's county, and there has been a great reversal in the state of affairs in that county; and if we are correctly informed, the hon. gentleman has reason to feel very uneasy in respect to his own position.

Mr. ROSS (Middlesex). That is not true.

Mr. HAWKINS. With respect to the hon. member for West Huron, I can only say that his speech was made up entirely of a re-hash of articles that have constantly and continually been appearing in the organ of the late hon. member for Bothwell. I myself read three or four extracts from the *Advertiser*, and if I had continued to read, if I had read a dozen of them—I would have found that every word uttered by the hon. member for West Huron in respect to what happened in this and that polling division, and at the Returning Officer's house, would have been anticipated; and the House has witnessed only a re-hash, and a careful studying up of the charges which have been bandied back and forth for months and months past in the organ of the late hon. member for Bothwell. Now, I believe that the time of the House has been sufficiently taken up.

Hon. MEMBERS. Hear, hear.

Mr. HAWKINS. Hon. gentlemen opposite seem very glad that this discussion should come to an end, but before I close I will only say this: it does seem extraordinary that a proposal to examine into the reasons why the plain letter and the plain enactment of the Election Law of 1874 and 1878 was disobeyed by one of the officers who were to carry it out, has evoked such feelings from the Opposition side of the House, as it has done to-night. I can only say before I sit down, I was charged with having formerly been a supporter of the Reform party. Now, Mr. Speaker, down to 1874 my record is well known on many a hard-fought field, and on many a hard-fought field I met many of these gentlemen who are now so anxious to stand up in their places and attack me to-night. In 1874, it is well known to the House and to the country, and to my worthy and respected leader, that I was for a few months not in accord with the party with respect to some questions; and it is further known, that for a few months, after Mr. Mowat had come down from the Bench, and we had formed a better opinion with regard to that Government, and before he began to do all those things which the country has recently condemned, I did say a few kind words about him; but have I not the right to range myself in company with the 40,000 Reformers, who went to the polls in 1878, and swept their own leaders out of office, together with the supporters and the friends of hon. gentlemen opposite? With respect to the pretended speech quoted from here to-night, by the hon. member for West Middlesex, I can only say, that it came from the same impure source—the same journal.

Some hon. MEMBERS. Hear, hear.

Mr. HAWKINS. Yes, "hear, hear." I can only say, that it came from this organ, the *Advertiser*, of London, which

has pursued me in season and out of season during years past, and from which paper, searched during the last eight or nine years, it will be found that a great deal of space and time has been devoted to as—I think—the very unnecessary work of endeavoring to hound me down. It emanated from there, and was doctored there, and in fact, it is substantially untrue, and was never uttered by me in the shape presented. Now, I have done. I understand that the manner of procedure ought somewhat to be changed; and consequently if it is the desire of the Government and of the right hon. leader of the House, that this motion of mine should be withdrawn, I will withdraw it upon the request of the Government, because it appears that this is not the proper method of pursuing the end in view; but I pledge myself, by all legitimate means, when the time comes, that it shall be pursued, and in the manner in which it should be pursued; and I will then endeavor to prove substantially everything, that has been advanced and charged here by me, to-night. I withdraw the motion.

Mr. BLAKE. I object to the withdrawal of the motion. Motion negatived.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Statement, in Trade and Navigation Tables form, of the importation into Manitoba and the North-West of agricultural implements, also of waggons, sleighs, and carriages, from the 30th June until the 31st December last.—(Mr. Sutherland, Selkirk.)

Statement, in the same form, as near as may be, of the Trade and Navigation Tables, of all agricultural implements, carriages, waggons and sleighs shipped in bond to Manitoba from the other Provinces of the Dominion, from the 1st of July to the 31st December last.—(Mr. Sutherland, Selkirk.)

Correspondence and Orders in Council, &c., since the commencement of last Session, in reference to subsidies or grants for the Province of Manitoba.—(Mr. Sutherland, Selkirk.)

Statement in the form as near as may be, of the Trade and Navigation Tables of all agricultural implements, carriages, waggons and sleighs shipped in bond to Manitoba from the other Provinces of the Dominion, during the fiscal year ending the 30th of June last.—(Mr. Sutherland, Selkirk.)

Copies of all Orders in Council, regulations and correspondence with agents as to the withdrawal from homestead and pre-emption of all lands south of the main line of the Canadian Pacific Railway; also, copies of the existing regulations in respect to the disposal of said lands.—(Mr. Sutherland, Selkirk.)

Statement of the amount collected for wharfage at the public pier at Digby, Nova Scotia, for each year from 1879 to 1882, inclusive.—(Mr. Vail.)

Copies of all correspondence between the Government and the Lake St. John Railway Company in relation to the subsidy granted to the said Company, and a statement of all sums paid to the said Company on account of the said subsidy up to this date.—(Mr. De St. Georges.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 12 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

TUESDAY, 10th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## SALE OF INTOXICATING LIQUORS.

Sir JOHN A. MACDONALD moved, that as Messrs. Ross (Middlesex), Blake, Burpee (St. John), Laurier, Casgrain and Robertson (Shelburne), have declared that they decline to sit on the Select Committee on the paragraph of the Speech from the Throne read on Friday, 16th March, Messrs. Shakespeare, Bowell, Burns, Gigault, Landry and Allison be appointed Members of the same, and that the 78th Rule of this House be suspended for that purpose.

Motion agreed to.

## FISHERY LEASES AND LICENSES.

Mr. McLELAN moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to amend "The Fisheries Act," by making better provision for the issue of fishery leases and licenses, and with respect to the use of nets and other apparatus for the capture of salmon, by providing for the definition of the tidal boundary of estuary fishing, by making more stringent provision with regard to the seizure and confiscation of materials, implements and appliances used in contravention of the Act; by giving the prosecutor (not being a fishery officer) a share of fine or forfeitures incurred by the offender prosecuted by him; and by making provision with respect to appeals from convictions under the Act, and for the protection of officers employed under the Act by extending to them the privileges and rights given for like purposes to officers of Her Majesty's Customs.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. McLELAN. The necessity for this has arisen in consequence of the decision of the Supreme Court lately given. It has been found necessary that we should have the power to lease and issue licenses with respect to the time and mode of fishing, and to define the tidal boundary of estuary fishing. We also propose an alteration in respect to the fishery officer. In the Act at present he is entitled to a share of the fines and forfeitures. We propose to abolish that and allow him only his salary. We propose, also, to make provisions for the protection of the fishery officers. The original idea was to give them the same protection as to Customs officers; but as the Customs Bill has not passed we thought it best to strike that clause out.

Resolution reported.

Mr. McLELAN introduced Bill (No. 101) further to amend the Fisheries Act.

Bill read the first time.

## GENERAL INSPECTION ACT, 1874.

Mr. COSTIGAN moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to amend "The General Inspection Act, 1874," by adding the City of Winnipeg to the cities mentioned in the second section of the said Act; and further by providing that Flinty Fife wheat, when grown in the Province of Manitoba or the North-West Territories, may be inspected as higher than No. 2.

Motion agreed to; and the House resolved itself into Committee.

Sir JOHN A. MACDONALD.

(In the Committee.)

Mr. COSTIGAN. The necessity of this amendment arises from the fact that in section two of the Act of 1874, the city of Winnipeg is not named, and it is necessary it should come under that Act. The next clause is to alter the classification of wheat in Manitoba and the North-West Territories. It has been found that the kind of wheat known as the Flinty Fife wheat is the best quality of wheat for that country, and the best adapted to it. The millers give a higher price for it than for any other class of wheat grown in that country, and the Canadian Pacific Railway Company have offered to carry that kind of wheat, when intended for seed purposes, free of charge, everything indicating that in that country that class of wheat is held in the highest esteem. Under the Act as it is now we have the power of appointing inspectors, but they cannot rate the wheat higher than No. 2, and this amendment is simply to declare that wheat grown in Manitoba and the North-West may be classed higher than grade No. 2, and as high or as low as its quality may warrant.

Resolution reported.

Mr. COSTIGAN introduced Bill (No. 104) further to amend the General Inspection Act, 1874.

Bill read the first time.

## THE MILITIA OF CANADA.

Mr. CARON, in moving the second reading of Bill (No. 31) to consolidate and amend the laws affecting the Militia of Canada, said: In moving the second reading of this Bill, I beg to make a few remarks concerning our Militia force, which, I hope, may be of some interest to hon. members. The Militia organization which now controls the Militia force of Canada has been in existence since 1868; but if we penetrate more deeply into the history of the Militia force of Canada it will be found that the organization, as a Militia organization, dates far back into the history of our country to a period as remote as 250 years ago. Sir, it is of some interest to those who have studied the history of our country to find that military events have been mixed up with the history of the people of our country more than with any other colony, and possibly more than any other country. A large proportion of our population can trace their descent from a military ancestry. Whether you study the history of the old French colonists of *La Nouvelle France*, under a different flag from the one which now presides over the destinies of this country, or whether you study the history of the English portion of our population, you will find that a great many of both nationalities can trace their descent from military men, and from men who took an active part in the military events of the country. Sir, it is a pleasure for me, in introducing a Bill to consolidate the old Militia Laws of Canada, and introducing the changes which are required from the great development of the country, to take a retrospect of our past military history, because I believe that we cannot too jealously cherish this part of our history, nor value too highly the records of the progress which has been made by our people, more especially as they are composed of two nationalities who at one time fought against each other, but who, ever since the English flag has waved over this country, have fought side by side the battles of their native land. Sir, I am happy to say that the record of the Militia force of Canada, is one of which any country might be proud, and one which must always form the most important part of the history of Canada. Mr. Speaker, in this material age of ours it may look somewhat sentimental for me to go far back in our history and recount the most important circumstances attending our military history. From 1636 to 1883, the Militia force of Canada have taken part in fourteen or fifteen wars, not speaking of Fenian raids, and some of these wars lasting for years. I can only refer to some of the most important engagements

which have taken place on Canadian soil. Those who have studied our history will remember the ever memorable struggle between the French and Indians, which took place at Long Sault, in 1660, when Dollard, Desormeau, and a few Canadians, supported by fifty or sixty Indians, resisted the whole powers of the Iroquois nation, and fought a battle which lasted twenty-six days. On this occasion, they prevented the city of Montreal from being attacked by the Iroquois, who were meditating a blow upon the city of Montreal, which they hoped would annihilate the French colony in Canada. In all that period the military force, those who comprised the Militia of Canada, like to-day, whenever the call of duty was sounded were ready to go and fight their battles without counting numbers; and they succeeded in preventing, as I have just stated, what might have been at that time a death blow to the growing colony of France. Not only in the battle of Long Sault, but in the defence of Quebec in 1690, the Militia force of Canada and the military element came promptly to the front fighting the battles of the country, and doing the duty that should be imposed on a Militia force, which is a defensive force. The Militia of Canada to-day should be proud of having these records of the past, these precedents which must naturally and necessarily contribute to the maintenance of this military spirit which exists among our population, and which more than anything else contributes to make the Militia force what it is to-day. Then we had the war of Spanish succession, from 1701 to 1713; the campaign from 1744 to 1749, and the seven years' war, from 1754 to 1760, which terminated, as we all know, in the transfer of this colony from the French flag to the English flag; the American invasion in 1775-76—and I can say that when this war took place and the French population were called upon to fight the battles of their new flag and new allegiance, the people of Lower Canada fought side by side, with their friends and brothers belonging to other nationalities, the battles of their country, and they fought them as bravely as any other nationality. I am proud to say, that upon our records we are able to show victories of which, I think, any nationality and people would be proud of. If I have gone back into the history of the past, it is not merely for the purpose of bringing before the House this record of the battles and military achievements of the people of Canada, but it is for the purpose of showing that there is a reason why, at the present moment, there should exist a deeply-rooted love for military life, and that deep sense of military duty which has always been shown to prevail among the people of Canada. We have the evidence of gentlemen who have been in a position to appreciate that deep feeling which exists among our people, and they testify that there is a love of military life, a sense of duty, a determination to do what is required of a soldier in the way of discipline; and if that feeling exists so eminently among our people, it can only be traced back to that record of the past which has turned the people to that military life which I consider to be one of the most prominent features in the history of our own country. When all these wars, which I have had the honor to bring prominently before the House, were over, after the peace of 1815 was proclaimed, one would have imagined that the people would have forgotten all their military antecedents and given up all that which constitutes to-day so prominent a feature in the military history of Canada, and that they would have given up all idea of military life; but it is a very extraordinary fact, nevertheless it is still a fact, in the historical records of the country, that the people lost none of their military ardor, and on receiving scant notice when again called upon to organize a Militia force, the old spirit which had been fostered by our historians and by our poets, who had composed songs relating to past events in our military history, and which were sung in our hamlets, recording the

military deeds of their forefathers, revived; and this training, these records, and this past history, were sufficient to maintain that military feeling which, at very short notice, enabled the people of Canada to constitute a Militia force which, to-day, is an honor to any country, whether a colony or a nation. I do not speak of the continental nations of Europe, which keep up large standing armies, under an entirely different system; but I speak of Canada, on this continent, as a colony, and of the nations on this continent, and I say our Militia force is a credit to us, and would be a credit to any nation on this continent. The other day, when I was preparing the consolidation of the Militia Acts, and was reading over the proof sheets of a Bill, a pensioner called at my Department to draw his pension. His papers were produced, and the record of his military achievements was laid before me, and it really constituted a most interesting page of history. The man's name was Roderique, and, no doubt, it was the old Spanish name which is met with to-day in several of our French parishes. This man told me he had fought for Canada from 1812 to 1815; in 1817 he fought on Red River. From 1820 to 1830 he was fighting in Bermuda and the West Indies. He was in the Mexican war of 1847. There was a tinge of sadness about him when he told me that in 1863 he had been rejected when he offered his services to the American people to fight the battle of the North against secession. He told me, they refused me—*parce que l'on m'a trouvé trop vieux*—in consequence of his advanced age; and having fought in all these battles, he considered that the American people had done him an injustice in not accepting him as one of the warriors who was prepared to fight the battles of the country. This veteran who told me what he had done is only one of a class which, during those years which I have cited, existed in this country, as an element in it, and, as is perfectly well known, these were men who were fond of a military life, and ever ready to fight battles in what they considered to be a just cause. They were always prepared to engage in military services; and I believe that to-day the same spirit still lives among the people of Canada. On the 31st of March, 1868, when my illustrious predecessor, Sir George E. Cartier, that statesman whom we have always deeply regretted, and whose departure from amongst us can never be too warmly deplored, introduced his Militia Bill, he stated—and I read his words from the speech which he then delivered:

“I consider the passing of this measure necessary to complete Confederation. I have already stated on a former occasion that we have in this Confederation the three elements necessary to constitute a nation. We have the peasant, the territory, and the maritime element, and when those three elements of national strength and power have been attained, there is still one other element to crown the whole edifice, and that is the military element.”

He stated that no nation can pretend to be a nation until it has attained the military element, or power of defence; and he knew his country as well as any statesman who has been called upon to introduce an important measure in any Legislative Assembly. I do not desire to secure a military organization for any aggressive purpose; our ambition is to quietly and peacefully work out the field before us at home, since our Constitution permits us to extend our frontiers from the Atlantic to the Pacific. Sir George Cartier, in introducing his Bill, called attention to the important fact, that during the then past few years several new measures affecting the Militia had been proposed without meeting with success; but nevertheless public opinion was favorable to the passage of such a measure as he proposed. He stated that the great difficulty experienced was to establish, with a small sum, a system which in other countries had always been very expensive. In Sir George Cartier's time, as now, fortunately, we did not require a force for any aggressive purpose, or any other purpose, save securing the safety of the person, protecting property, and defending ourselves

against any attack which might, as previously, give us occasion to resist and repel any disorganized, or small organized band crossing the frontier, as was attempted in 1865, but without success. But outside of this, as Sir George Cartier stated, it was indispensable for every nation to have some kind of organization, which might at any time be used to help the Government in enforcing the laws, and resisting disorder at home. Between 1815 and 1868 nothing had been done in Canada, as far as forming or perfecting a military organization was concerned. The same old spirit existed, but there was no organization, no regularly organized body of men existed, save the old Militia, which, on St. Peter's Day, used to meet to count heads, when the captain called out his men, and made his returns to the Government; but with this exception, if you look into the matter as I have had occasion to do, in the records of the Militia Department, you will find that there was no organization; and in 1868, Sir George Cartier had to create almost everything. He had to find men, to educate officers, and to equip them all; and, moreover, as we all know, he had to fight against some opposition which then existed to the scheme. It is wonderful how rapidly the old military spirit of our people came to the rescue of the then hon. Minister of Militia, who was trying to organize a force, and no sooner were military schools organized than they were filled. People from the country, from the great commercial centres, and from every part of the country, flocked into them. The result was that in a few short years, as those who then went through these schools are well aware, we had officers perfectly competent to take in hand the command of companies or regiments, and to perform all the duties of military men. At that time the military schools were organized; and shortly afterwards, as we know, a movement was organized among some of our people, owing to which a large number of our French-Canadian friends joined the Pontifical army, and went off to Italy to fight a foreign battle. They there acquired a knowledge of military life and experience, which once obtained can never be forgotten; and, in addition to this, we saw 50,000 Canadians enter the American army to fight the battles of the North against the South. From these indications we may see that, although for years and years the people of Canada have not been called upon to take any prominent part in military matters, still the old military feeling existed, and they promptly availed themselves of the first opportunity which presented itself, to go abroad and acquire that military experience which I believe has permeated the population of Canada, and which is of so great advantage to us. Shortly after the Bill of Sir George Cartier was introduced—something like two years afterwards—the two batteries, "A" and "B," were organized. The education and instruction which is given in these batteries is exactly the education and instruction which is acquired in the very best training schools of that class in England; and I may here take the opportunity, as Minister of Militia, of saying how much we were indebted to the Imperial Government for sending out to us men who started our organization, so far as these batteries were concerned. They were the men who had the experience, which was acquired in the permanent, continuous service, which only can exist in a country like England, or other countries where a permanent army is kept up. I can say to these gentlemen that we are much indebted to them for the instruction they gave to us; and when the leave of absence of these officers had expired we were able to have them replaced by Canadian officers—young men who had enjoyed the advantage of having been trained by these officers who knew their business, and who certainly have succeeded remarkably well in taking the places of those from whom they received their instruction. The result of this instruction is that today we have at the head of our batteries Canadian officers—

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I do not say Canadians only in the sense of their belonging to this country, but men who have been educated in Canada by these officers of the Imperial Service. Outside these batteries enough men have been trained, who are now living in the different Provinces of the Dominion, that in case of need they could be looked upon with confidence as the best possible men to organize a force, or to act as instructors in organizing any force which might be required in case of necessity. Some years after, under a different Administration, the Royal Military College was established in Kingston. It may be a question whether it was premature to establish this college or not; but I say that, in my view, this College, organized as it is, and producing the results which it is producing, ought to be looked upon as a permanent institution in the country, and one which has already contributed much advantage to our Militia force. We have, moreover, established in the Dominion a cartridge factory for small-arm ammunition. This, again, I look upon as a step in the right direction. Previous to its establishment the Dominion was called upon to import large quantities of ammunition. The interest on the money which was expended on this ammunition, as it accumulated during a number of years, represented a very large amount of capital; and besides, as is well known, the ammunition which was kept for so long a period was not just as good as it might be expected to be if it were manufactured within a short time, and not kept in store for a long period. We have in this factory an establishment which, if it were called upon to work to its fullest extent, could manufacture any quantity of ammunition within the shortest possible period of time. I am proud to say that in the establishment of that factory, it was the privilege of the Minister of Militia of that time to send over to England a Canadian officer who was trained at Woolwich, who passed the examination required for a person taking charge of a factory of that kind, and that that officer is now at the head of the cartridge factory in Quebec. That shows that we have been taking advantage of the facilities for military education to be obtained for our own people in England, and that whenever the chance has presented itself to give Canadians positions of trust and importance we have invariably taken advantage of those opportunities. As I have already stated, when Sir George Cartier introduced his measure, everything had to be created. There was nothing which had existed in the way of a permanent organization up to that time. Let us look back these fifteen years past, and see what progress we have made. Let us see what has been accomplished by the liberality of the different Parliaments of Canada, and the feeling which exists amongst the large proportion of our people, that this military force is not only a necessity but an advantage to us. When Sir George Cartier introduced his Bill, we were absolutely dependent upon a foreign market for everything which was used by the Militia force; but today we are not altogether dependent upon other countries for these supplies. Through the policy which has introduced into this country so many manufacturing establishments we have been able to provide our militiamen from our own market with most of the articles required in the different branches of the Department. We have been able to substitute Canadian made blankets for the blankets which we formerly imported from England. We have been able to provide for the Military Schools, for the Royal Military College, and for the different batteries, the shirting, sheeting, and everything required in the way of linen, from our own manufacturers. All the harness received in the different batteries, all the new saddlery, has been provided by our own manufacturers. We have provided in the same way the head-dresses of the soldiers, except some of the more expensive ones, which could not be manufactured in Canada except at a much greater cost than we could obtain them abroad for. We have also been

able to obtain in Canada the rifle butts, which used to be imported. Most of the new gun carriages are manufactured in Canada. I should like to be able to add that we have also been able to manufacture our own guns; but although we have proved the possibility of manufacturing heavy ordnance in Canada, the attempt so far, for various reasons, has not been of any practical value. Now, Sir, comparing our position to-day with our position in 1868, I can say that we have a staff at headquarters, and in the twelve military districts, that any Department might well be proud of. We have men who have been devoting the best years of their life to the service of their country, in a profession which, in a country like ours, is not a money-making profession. They have given up their different occupations and pursuits in life in order to pursue their military profession in a professional way, and the result is that we have a staff which would be a credit to any country and to any organization. These gentlemen have been improving their knowledge of military matters in every way. When I visited the different districts, and went into the offices of the deputy-adjutants-general, and into the headquarters of the different batteries, I was surprised and glad to see that they had brought from England and the continent, at their own expense, the best reviews and the best books that could be collected on military matters. Well, Sir, as their pay is not very large, I think the zeal which they display in procuring for themselves that military knowledge which would become of great value to their country in time of difficulty, deserves to be commended; and I am glad to be able to say so here to-day. Before passing on to explain the changes which are intended to be made by this Bill, I wish to say that our stores, as the returns to this House have shown, are under the control of most competent men. Many of our storekeepers are men who belonged to the British army, and who came to this country with a complete knowledge and training. Under their valuable tuition, we have been able to train men, selected from among young Canadian militiamen, to such a state of efficiency that they are now competent to take the place of their instructors. Now, it may be said that, since 1868, we have had no opportunity of testing the efficiency of our Militia force. Let me say that, since 1868, we have had the Red River troubles, the Fenian troubles, workingmen's riots, and various other troubles which imposed upon the Government the necessity of putting that force to the test. With regard to the Red River expedition, let me cite the opinion of the leading General of England to-day. When Lord Wolseley, then Colonel Wolseley, was called upon to take the command of the Militia force, organized for the purpose of going to the Red River, he stated that he would not wish for a better army than he had on that occasion. This is a testimony that we may all be proud of, apart from our own prejudice in favor of our own people. The Canadian Militia force may also feel proud when a man like Lord Wolseley is able to state that he could not wish for a better army than an army of Canadians. I wish to save hon. members any trouble in going over the old law as it existed, and as it will exist, under the new Bill. All the changes are in italics so that hon. members will find it easy to distinguish them. As its title indicates, the Bill is a consolidation of all the existing laws relating to the Militia. It is also a Bill providing, in addition, for changes rendered necessary by the altered condition of our forces. It will be seen that sub-section six has been amended so as to provide for only two divisions of Militia—active and reserve Militia. This will simplify considerably the distinctions under the old existing law. At present the Militia will comprise the two great divisions of active and reserve Militia, land force, and active and reserve Militia and marine force. Section seven, of the existing law, provides for the consolidation of the forces in the different Provinces.

When Confederation took place each Province had its own Militia organizations, and when the Bill of 1868 was passed, it became necessary to introduce a clause whereby these different organizations would not be completely destroyed, but would be gradually brought under the new system contemplated by that Bill. When the Bill of 1868 was passed it became necessary to introduce a clause whereby these different organizations would not be completely destroyed, but be brought gradually under the new system provided in section seven of the Bill for the consolidation of the forces of the different Provinces; but now, all being under the one control of the Dominion, the section has been amended so as to provide for the continuance of the existing force while striking out the provision with regard to reenrolment which is no longer required. Sections ten and eleven, which also provided for the transition stage at Confederation are not now required, and have been dropped; consequently the sections up to twenty-two have been renumbered. Number one clause of section twenty-one provides for the organization, in addition to the ordinary active Militia force, of a troop of cavalry, three batteries of artillery (of which two shall be the "A" and "B" Batteries, now embodied), and three companies of infantry. This is the most important feature of the Bill. I should like to read to the House, and comment as briefly as possible upon these changes which are really indispensable, provided it be conceded that Canada wishes to keep up a Militia force. Section 21 provides for the organization of three infantry schools, also for a troop of cavalry being organized with very little cost to the country. This troop it is intended to divide between Quebec and Kingston, and I shall explain why it is intended to organize this troop in the way provided by this Bill. In Quebec, as is well known, we have "A" Battery; in Kingston, "B" Battery, which is also used for the training of the cadets of the Royal Military College, and of any officer who wishes to pass an examination for the purpose of giving instructions, whether in infantry or artillery, in the various branches of the service taught in that school of instruction. The intention is to divide a troop of thirty-two horses between Quebec and Kingston, attaching half to "B" and half to "A" Battery. In providing for that addition to the strength of the batteries, it is intended, at a very small cost, to provide for a school of instruction, which I consider to be of the greatest possible importance so far as our Militia affairs are concerned. The late events in Egypt have shown us to what good purpose the mounted infantry were put. It is impossible to suppose that there can be any efficiency in any force which requires a mounted officer to command it unless that mounted officer be able to command his horse as well. It is absolutely necessary that our officers, before they can get promotion, should be taught how to ride, so that in case of emergency they can take the position of a mounted officer. Clause twenty-one says:

"It being necessary in consequence of the withdrawal of Imperial Regular troops, to provide for the care and protection of forts, magazines, armaments, warlike stores and such like service, also to secure the establishment of Schools of Military instruction in connection with corps enlisted for continuous service, it shall be lawful for Her Majesty to raise, station, and maintain, in addition to the ordinary Active Militia Force, one troop of cavalry, three batteries of artillery, (of which two shall be the "A" and "B" Batteries of Artillery now embodied), and not more than three companies of infantry, the whole strength of which several Corps shall not exceed seven hundred and fifty men. The officers shall be appointed during pleasure, and the men shall be enlisted under regulations to be made by the Governor in Council, for periods of three years, continuous service."

According to the rules and regulations of the Department of Militia no officer in any infantry battalion can get his commission unless he has passed a qualifying examination and has a certificate thereof. Since the disappearance of the military schools, organized under the *regime* of Sir George E. Cartier, we have really had no schools of instruction except "A" and "B" Batteries which have rendered such valu-

ableservices to the country—noschools of instruction wherein military officers could follow a course, take a certificate and get their commission. Mr. Speaker, you know, as a military man, that the most important feature of a military organization is to have thoroughly instructed officers and non-commissioned officers. Such officers properly trained, and thoroughly educated, can, within a very short time, take the raw material and organize an effective force that can do good service in time of need. The most important feature in the Bill relating to these infantry schools is that providing for the means of giving a military education and training to infantry officers who intend to make a profession of the military life. It is intended to give in these schools all the instruction which artillery officers in their branch of the service, acquire in the schools of instruction at Quebec and Kingston. It is spending money uselessly to have a Militia force in Canada unless you have a properly trained, drilled and educated lot of officers and non-commissioned officers. If this Bill becomes law it is the intention of the Department not to give a commission, nor to allow non-commissioned officers to be promoted from the ranks, until they have a certificate to show that they have gone through this infantry school, and are qualified to perform the duties of the position which they assume in the Militia force. I believe it is money well spent to organize the force on a proper footing. We see, to-day, what great results have followed the establishment of "A" and "B" Batteries; we see scattered all over the Dominion men who, having been but a short time in those schools, possess a very competent military knowledge, as far as artillery is concerned; and I do not hesitate to say that some of these men who have been three or four years, or perhaps six or seven years, in those batteries, are as well trained as any regular you can find in the British Army. The intention is to provide an instruction in these schools which will render the same service to the infantry that "A" and "B" Batteries give to those who attend them in artillery matters.

Mr. ROSS (Middlesex). Will the hon. gentleman be good enough to tell us where he intends to open those schools?

Mr. CARON. I can say that there will be a school of infantry for the Maritime Provinces. There may be one for the great Province of Ontario, but I am not quite sure that it will be located in the hon. gentleman's county; and there may be one for the Province of Quebec.

Mr. ROSS. That is near enough.

Mr. CARON. A sub-section has been added to section twenty-nine, providing for a Quartermaster-General at headquarters, who shall have the rank of Colonel in the Militia. To those who have looked into the question, I need not point out the importance of such an officer in a force organized as our force is. He may be appointed or not, but we make a provision for the appointment. As I do not wish to trouble the House very often by asking for amendments to the Bill, a sub-section has also been added to section thirty, to provide that two or more districts may be amalgamated for administrative purposes, and only one Deputy Adjutant-General to be appointed for the districts so amalgamated. Section thirty-seven has been amended so as to strike out the original clause exempting Militia officers from taxation. The reason why this change has been made is because I consider that clause altogether *ultra vires*. This Parliament has no power to interfere with the taxation of any individual, which subject is left altogether within the jurisdiction of the Provinces, and to the municipalities in which members of the force may live. I thought it useless to allow that clause to remain upon the Statute-book, and, consequently, I ask the House to strike it out. Sections forty-five and forty-seven have been amended, so that officers and non-commissioned officers shall receive drill pay according to rank, instead of the pay which they receive

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to-day as provided by the existing law. Also, that when corps are ordered to assemble in camps of exercise for drill they will be provided with rations and shelter in addition to their drill pay. I must say, Mr. Speaker, and all those who have belonged to a Militia force know it, that shelter and provisions are furnished according to the practice of the last fifteen years. Such has always been provided, as I have said; but on looking over the Statute I found no clause which really made it a part of the existing system of law which controls the Militia organization, and I thought, on consolidating and amending the law, I would introduce this clause, so as to carry out legally what has been done for the last fifteen years. The remaining changes relate to discipline. Section sixty-four has been amended by striking out the words "and also while wearing the uniform of ... corps." A sub-section, each taken from the Imperial Army Act, has been added to sections seventy-three and eighty-three, to provide for the punishment of persons summoned as witnesses who refuse to give evidence before courts-martial, and to provide for the punishment of persons who entice militiamen to desert. As far as this clause is concerned, it will be found that it transfers to a civil tribunal, where a court martial may have been holding its sittings, the case which came before the court-martial; and if the civic tribunal considers that the act complained of is a contempt, and should be punished, this clause leaves the ordinary tribunal to deal with the case and not with the court-martial called for the purpose of judging the military offence. Section seventy-five has been amended so as to provide for the punishment of persons who claim pay for annual drill in more than one corps. We find there are instances where men of one corps have drawn pay for drill from another corps, and we considered it was necessary to change the law so as to be able to meet this irregularity in the service. I have now submitted to the House all the changes contemplated by the Bill. I believe this is a Bill which will be acceptable to the country, and to those who take an interest in the Militia force. It has been my pleasure to meet several of those gentlemen, and I have always endeavored to elicit their views upon the most important points relating to the organization, as it applies to the people of Canada, and from all I have been able to ascertain from those hon. gentlemen who have read the Bill, it is looked upon as one which will be acceptable. I am sorry to have occupied the attention of the House for so long a time. I may say, however, that it is not often I trouble the House, and so I hope it may be forgiven, especially when it is remembered that I take not only the interest which my Department exacts from me as Minister, but also a personal interest in the force, having for some time, at a period when that force was supposed to be likely to be called upon for active service, taken a great deal of interest in it. I have endeavored, to the best of my ability, and after obtaining all the information within my reach, to frame a measure which I believe will be to the advantage of Canada and to the Militia force.

Mr. VAIL. Mr. Speaker, I do not intend to occupy the time of the House very long. I am sure hon. members must feel under great obligation, as I do, to the hon. Minister of Militia for the very interesting history he has given of the Militia force for the last twenty five or thirty years, or perhaps even longer. I quite agree with what he said in respect to the Militia; that it is a very valuable force, composed of men who are equal to the Militia force of any country. I am quite sure if the force was called upon to turn out in the defence of the country, it would give as good an account of itself as the force of any other country. I believe, not only the Militia would turn out in the defence of Canada, but every man, not only in this House, but in the country, if such was necessary for the general defence. So we are pretty much on the same footing, but the Militia as a body, composed of paid men, would be obliged

to turn out in the first instance. If the House is prepared at the present time to pass this Bill, I, as having occupied the position of Minister of Militia and Defence during three or four years, would be the last one to object to it, because I would like to see the Militia system made as perfect as possible. But it seems to me that up to the time the Military College was established, the Minister of Militia at that time would have had very good reason to have brought down such a Bill, and provided for the schools provided for in this Bill; but I consider that day is past, and that the amount of money now spent for the Military College, where the young men of the country are being instructed in military branches, will in future time provide all the trained men who will be required in the Dominion. We now spend \$59,000, according to the Estimates, for the Military College, and if we are to establish, under this Bill, what may be called a standing army—for it is nothing more nor less than that—the expenditure involved will be from \$250,000 to \$300,000. I see no objection to it. The hon. Minister has not told the House what it will cost, but it cannot be less than the amount I have stated, when it is remembered that two batteries cost from \$125,000 to \$128,000, and we have never had a strength of over 150 men in either "A" or "B" Battery, and at present "A" Battery is much weaker. The hon. Minister has told us that was the only important change. I grant you, Mr. Speaker, that is the most important change. But there is another clause to which he has referred which will add a further expense to the country, in the shape of fixed expenditure to the amount of \$2,300 as I observe by the Estimates. I do not desire to cut down the expenditure which may be really necessary, but the House should understand that this amount will be for a fixed salary. I do not know who performs all the duties of a Quartermaster General, but there should be somebody, and it should not be necessary to increase the staff by another official at headquarters at an expense of \$2,000. There is another matter to which the hon. Minister has referred, and that is the equipment and clothing of the men. The hon. Minister has told us that, of course that money will be expended in the country. I am sorry the hon. gentleman has not followed out that rule heretofore. I have noticed that whenever an hon. member has risen in the House and said that Canada must be for the Canadians, he has been applauded from one end of the House to the other. What do hon. gentlemen find in the expenditure for last year? When I was at the head of the Department Canada was for the Canadians, and we expended the amount voted for clothing in Canada. Was that done last year? No. As the Public Accounts show, \$53,000 were expended in England for Militia clothing. Is that keeping Canada for the Canadians? It seems to me it does not look like it in the Public Accounts. I do not pretend to say that all we require in the shape of clothing could be as well manufactured in this country as in England; and this House could not have objected in our time, if we imported all this clothing from England, because we never pretended to restrict anybody importing when it was of advantage to the individual, or to the country, to import; but as the Government have laid down the policy of Protection, and that Canada must be for the Canadians, I think that they ought to restrict the expenditure, not only of the Militia Department, but of all the other Departments, as far as they can, to the Dominion of Canada. It is not necessary for me to occupy the time of the House further. This Bill, I suppose, will go through the second reading, and when it is considered clause by clause, we will try to scrutinize it as far as we can; and if it is to be passed by the House, we will endeavor to make it as perfect as possible; but I must give the country to understand that the Government of the day and the hon. Minister of Militia must take the responsibility of increasing

the expenditure in connection with the organization of the Militia.

Mr. O'BRIEN. I am sure that the House listened with great pleasure to the speech of the hon. Minister of Militia, and especially those who, like myself, have spent a great deal of time, and a little money, and have performed a great deal of hard work in keeping up the force under existing circumstances. I think that the best evidence of the hon. gentleman's statement that Canada is—I will not say a military people, because I believe a people may be military without being warlike, a warlike people, is to be found in the fact that the Militia force exists at all under present circumstances. Now, the only part of the hon. gentleman's speech with which I am not cordially inclined to agree, was the remark he made of a somewhat apologetic nature, with regard to the increased expenditure; and I observe that when any one rises to speak in this House, he must always bring in an apology in this relation. The hon. Minister of Finance, when he announced to the House, a few days ago, a slight increase—some \$10,000—in the Militia Estimates, in one particular, thought it necessary to apologize for being obliged to make that statement. Now it is very poor encouragement to many hon. gentlemen who have worked as many hon. members of the House have labored, and who are still connected actively in this relation, that the Militia force, and everything connected with it, is to be treated in that sort of spirit; and I think it ill-becomes the late Minister of Militia to raise the question in the way in which he did with regard to the possible appointment of a staff officer whose services certainly would be required if any serious contingency arose. Now, we always got quite enough of one thing: pleasant speeches, and complimentary remarks; but the people in this country seem to think, and I am sorry to say that too many representatives in this House take the same view, that the force can exist without a reasonable expenditure; and no reasonable effort is made to increase its efficiency without this sort of apology being deemed necessary, on the ground of seeming extravagance. I think that the easiest way of disposing of this matter, is to call the attention of the House and the hon. Minister of Militia to the fact that no people pretending to have anything like a military organization pay as little for a military force as do the people of Canada; I think that at Confederation there was a sort of understanding—that I am unable to find evidence of it, but I believe it is admitted that it did exist—that this country on receiving the remainder of the ordnance lands—this being part of the question—were to expend for a certain number of years, not less than \$1,000,000 annually in organizing and maintaining an active force; and what is that to the population of the country? I think, if my arithmetic is correct, that it is something like 25 cts. a head; and yet you and the House know, as a matter of fact, that for a very large portion of the time, during the last ten years at any rate, our Militia force has not cost the country much more than three-quarters of that sum, and sometimes very little more than \$500,000. Many gentlemen are very fond of referring to our neighbors on the other side of the line; and we may at times reasonably do so, not as a principle—because we have very little in common—but with regard to practical points, respecting which we can frequently take lessons from them. Perhaps hon. gentlemen will be surprised to know the amount of money which the United States spend annually in their military expenditure, leaving altogether out of consideration the navy. I find that, from 1872 to 1882, during these ten years, when all the expenditure of the war was over, the American people, through the Federal Government, spent on an average about \$40,000,000 a year on their army alone. Well, that, at a very easy calculation, is something like \$1 a head, according to their average population during these ten years; and, in addition, it is just as well that we

should know that a number of individual States also spent sums of money, large according to their population, which was very nearly equal to what we spend for the whole Dominion of Canada; and if anybody will take the trouble of looking into the reports of the Adjutants-General of the different States, I think he will be somewhat surprised to find that several States in the Union have been going steadily on, until they have a force equipped and armed—I cannot say equal to ours—but very little difference is to be perceived. They have men properly enrolled, and under conditions quite as severe as ours; and the term of service is seven years in several of the States. The men are under the same terms of service that we have, though, of course, under different titles; they get a certain amount of pay. And what will most clearly show the interest which they take in the matter is this: The State of New York spent, in 1880, which is the last return I can find, no less than a trifle under \$500,000 on the State Militia alone—nearly as much as we spend on the whole of the Militia of the Dominion of Canada—\$481,679. The State of Massachusetts spent \$172,000, and Pennsylvania spent \$300,000; so it is evident from this, if any practical lesson is to be learned from the manner in which our neighbors across the line carry on their affairs of Government in this relation, that if they think it necessary, in addition to a standing army costing forty times as much as our Militia costs us, to spend very nearly as much per head as we do on our force on their State Militia alone, nobody can reasonably find fault with the expenditure which we make on our Militia, intended for the service of the whole Dominion. One point of some importance was referred to by the hon. Minister of Militia, and by his predecessor in office: the establishment of the Military College. I quite agree with the hon. Minister of Militia, that it having been established, it would be a great pity to do away with it; but I would like to ask the hon. gentleman, whether he cannot devise some scheme by which it can be made of some practical use to the active force; for at the present moment it simply robs the active force of money which otherwise might be spent upon it. What we want is, not a highly trained staff of officers, but regimental officers, and these the Military College does not supply, and it never will do so as long as it lasts. I would like to ask the hon. Minister of Militia to consider whether he cannot devise some plan, whereby the talent and the high attainments employed in carrying on this college could be utilized more practically; could there not be some course of instruction appointed which would be useful to officers in the active force? By this two great ends would be gained: First, instruction, which is so much required, would be given; and, second, the college would be brought in harmony with the feelings of the active force, which is at present not the case. Several other regulations might be considered by which it would be brought into harmony with the force, and by which those who belong to it would be made to feel that its existence was in the interest of the country. The result now is, that many persons obtain there a most excellent education. I suppose that it is the best school perhaps on the continent, and I am sure that if I had a son to educate I would send him there; but the case now is that so much money is being taken from the active force, to secure a few highly trained staff officers whom we can always get, but not what we really require, trained regimental officers, to obtain whom we have to go to a considerable additional expenditure at the present time. Now, with regard to this particular Bill, there are two or three matters which, I suppose, the hon. Minister of Militia called amendments to which I wish to call his attention, because I think he has inadvertently made one or two mistakes. If he will look at the eighth and ninth clauses I think he will notice that there is considerable doubt as to whether the six months' notice which is required runs concurrently with

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the period of service, or is intended to be given at the time of the expiration of that period. I know that at present a good deal of doubt exists among many officers and men on this point, and I notice that these doubts are not removed by the Bill before the House. There is another matter to which the hon. gentleman referred in the latter part of his remarks, and which I hope he will reconsider so as to allow the sixty-fourth clause to stand in its original form. He has struck out the only portion of the Bill which gave authority to officers for the control of men who are in uniform except when on drill or parade. At present if men appear in uniform, which they have a perfect right to do, if they are not obeying orders we have the right to punish them; but with the omission of those lines which the hon. Minister of Militia has struck out, there will be no possible way left for reaching them. I would go even further than the original clause, and would add a line somewhat to this effect: "that the men shall be subject to the Queen's regulations at all times when wearing the uniform of their corps." This is a point upon which there should be no doubt, and I think if the hon. Minister will consider it carefully he will conclude that he has made an error, and will expunge it from the Bill. I think, however, that it is satisfactory that the hon. Minister has not been led away by the many theories which we hear propounded from time to time with regard to our active force. Every little while a number of people appear to get a craze for writing letters about the Militia force, and all sorts of theories are propounded which, in the writer's opinion, will render the force more effective. Without speaking presumptuously, but speaking from some knowledge of the service—having served in every grade since the time of the Trent affair—I may say that I have come to the conclusion that there is no system that can be adopted better suited to the condition and the requirements of Canada than the present. I believe that while it is best suited to the circumstances of the country, it is, at the same time, capable of the easiest and least expensive expansion, if expansion is necessary. But if the force is to be made thoroughly effective, the hon. Minister of Militia should be prepared to come to the House and ask sufficient money to call out the forces once every year; and I believe that if the House were to give the matter full consideration it would be willing to grant the money required for that purpose. As the law now stands, and as the Estimates brought down to the House are framed, these forces are called out only once every second year. This might be a matter of very little consequence if this whole question of a Militia force were one merely of amusement, but if we are in earnest in spending this money for the purpose of maintaining an effective Militia force, it seems to me a pity that so large a proportion of the \$750,000 which appear in the Estimates for Militia, should be practically wasted, as I consider it is, under the present system of drilling every other year. I took to camp a regiment, last year, newly formed and completely filled. My turn will not come this year, and the third year will have to come round before these men will go to camp again. The result is that all the labor we took in re-organizing our battalion—which was necessary under the peculiar circumstances that existed—all the money spent on the last annual drill will be absolutely wasted because those men will have forgotten by the next drill everything they learned at the last. Not only so, but this long interval between camp drills has the effect of breaking up the *esprit de corps* and taking away the pride which the men feel in their own efficiency and the efficiency of their regiment. By the time the third drill came around the time spent in drill would be wholly lost, because all the men will then be entitled to leave the force. I repeat that the first year's drill is of little use because it is not followed up, but the third year is absolutely wasted. It seems to me that if the hon. Minister of Militia

would have the courage to come down to the House and ask for the comparatively small addition of expenditure which would be required—and an increase of the Estimate to \$1,000,000 would do it—that the House and the country would consider the money well spent. The sum of \$150,000 additional would enable us to drill the whole force for the small period now allotted every year. By this means the men would get to know their officers, and the officers their men, the efficiency of the regiment would gradually improve, and the force generally would be in a better position for active duty. Making the strongest appeal which can be made to those with whom economy is the principal consideration, it is beyond doubt that the money now expended is largely wasted, while, with the comparatively small addition of expenditure which I have mentioned, some practical benefit would be accomplished. We are obliged to keep the staff in a state of efficiency, and I would be sorry that their present state of efficiency should be lowered; but, under existing circumstances, the money, which goes into the men's pockets is the smallest part of the expenditure; and if we were to increase that expenditure by \$150,000 we would be able to have a force quite as efficient as the country requires at the present time. Unless something of that kind is done, I for one am of the opinion that the money now expended might just as well be thrown into Lake Ontario. There seems to be an idea among some hon. members, and it has its influence upon the hon. members of the Government, that the force is so unpopular in the country that it would not be advisable to expend upon them the amount of money which would be required to make them efficient. Well, Sir, I think that the number of officers of the force who have been elected to seats in this House is some evidence that the force is not so unpopular in the country as is sometimes believed. I believe that there is no expenditure that the people grudge less than that upon Militia, as they fully understand that the bulk of it goes back to the country and into their pockets; and, therefore, on that ground, as well as for the other reasons I have mentioned, I think neither the hon. Minister nor the Government should be alarmed or should feel that they are treading on dangerous ground when they touch Militia expenditure. I hope that when the Estimates come down, and as I believe they intend making this grant for the purpose of infantry schools, they will also make this additional expenditure for the purpose of making the force efficient. Either the expenditure should be sufficient to drill the whole force effectively, or else the force itself should be cut down to meet the expenditure. To reduce the force would, however, be a matter of impossibility, for I would not like to see the hon. Minister of Militia endeavor to do away with any existing military organization. If he has any doubt as to whether or not the service is popular, let him try his hand at striking off, say one-half of the regiments now in the force. I think he would find that a good deal more dangerous than increasing the Militia estimates, in order to bring the force up to the necessary point of efficiency. There is another point to which I wish to refer, and is one which I think will be appreciated by every officer of the force, and it is that the period of the annual drill should be fixed. Under the present arrangement if a man is employed he is only able to go to his employer perhaps a week or ten days before drill and tell him that he must get away. In many cases the employer is very likely to tell him that if he goes away he need not come back. But if it was understood that at a certain period of the year the force would be called out for drill these difficulties would cease, because there is no trouble about getting leave if there is a proper understanding in advance as to the time when the men require to be absent on duty. At present it generally happens that the officers know nothing about the period of drill until a

short time before, and it cannot be expected that satisfactory arrangements can be made between officers and men, or between the men and their employers under such circumstances. I have spoken on this subject because I think I know something about it, and I would ask the Government to consider these points, because I believe they are of practical importance. I should very much prefer, instead of spending more money in establishing infantry schools, that the course of studies at the Kingston Military College should be so framed that young men wanting to fit themselves to take commissions might go there, identifying the college with the force; and it might be arranged that every young man, after obtaining a first year's or second year's certificate at the Military College, should become connected with some regiment, and be prepared to take his post with that regiment when it should be called out. If that were done we should hear no more complaints of the college. As it is now, the expenditure on that institution is regarded as simply a piece of robbery; because, though it is a valuable school, it is felt that it should not be carried on entirely at the expense of the country.

Mr. ROSS (Middlesex). I have to congratulate the hon. Minister of Militia upon his military knowledge and his acquaintance with the military history of this country; but I cannot congratulate him upon the change which he proposes to make by this Bill. I am pleased, however, that he proposes a consolidation of the Militia Acts, in order that we may have the law on this subject easily at command; but, as the hon. member for Muskoka (Mr. O'Brien) has said, the amendments the hon. Minister proposes are entirely in the wrong direction. The success of our Militia force is a matter that we ought not to lose sight of. I believe that the hon. Minister of Militia is enthusiastic in the administration of his Department—I do not know that we could have a more enthusiastic Minister than he is—but I think he takes the wrong course if he desires to make the Militia force of this country effective. We have at present a well trained corps of officers, and we are training more in the "A" and "B" Batteries, and at the Military College; we are having the educational side of our Militia system pretty well attended to, but the weak part is in the drill and the instruction of the men. If the hon. Minister expects that he can secure the best value for our expenditure by training the officers as well as they can possibly be trained, without seeing that reasonable care is bestowed on the training of the men, I think he is making a mistake; and, as the hon. member for Muskoka has admirably pointed out, he is going very far in the direction of rendering it absolutely impossible for us to spend more money on the training of the men. Our Militia service now costs us about \$300,000 a year. When the expenditure proposed to be added by this Bill is incurred, the expenditure will amount to nearly \$1,000,000 a year. The hon. gentleman proposes to establish a new battery. Our present batteries cost us \$60,000 each, and I suppose I am right in assuming that the new one will cost the same. He also proposes to establish schools of military instruction and three companies of infantry, which are not likely to be less expensive than those we have at present.

Mr. CARON. Much less expensive.

Mr. ROSS. Well, I do not think the cost of all these changes can be less than \$100,000; and this adds to the expenditure devoted to the training of officers, who are pretty well trained now, whereas the rank and file, the men on whom we depend in emergencies to do the fighting, are only receiving a sort of perfunctory training for twelve days in the year. I hope the hon. Minister will reconsider his proposal, and, instead of making the increase in the direction that he proposes, if an increase is necessary devote it to a thorough training of the young men in the active

Militia. He might give them more pay per diem than they are now receiving. They are willing to spend their time without full remuneration for their services. There is something in the glory of war as well as in the toil of war, and they let the glory go, I suppose, and take 50 cts. for the toil. Let us enlarge the time for drill, and let us make the force more efficient, instead of spending a large amount of money in the mere trappings and flummery of military service. I do not charge the hon. gentleman with being extravagant in his Department; but I am afraid that there are evidences in the Public Accounts that he is taken up more with the pageantry and the display of the service than with its efficiency. What I want him to do is not to be carried away with the pomp and display of military reviews, but to come down to the hard, solid, honest work of improving the drill for our men, or else let us abandon the whole thing. It is utterly useless for us to expend nearly \$1,000,000 a year if our service is not made more efficient than it is. If the hon. Minister has any surplus money on hand, I think he should use it in repaying our volunteers for the many sacrifices they make, instead of foisting upon us a Quartermaster-General, who may not be called upon for a hundred years. If an invasion occurs, the hon. gentleman could obtain a Quartermaster-General in a day, who would know at what points to send the supplies; but this Bill will probably give us a Quartermaster-General whose greatest duty will be, I suppose, to draw his monthly salary. I am very much pleased that the hon. Minister of Militia has a kind word to say for the Military College. I believe that is one of the useful departments in connection with the Militia. Our young men get a training there, which not only infuses into them a military spirit—although, judging from the tone of the hon. Minister of Militia's remarks, we have all got the military spirit—but it will give our young men a thorough intellectual as well as a physical training. I am glad, then, that he stands by the Military College. I regret, however, that he does not propose to substitute a Canadian-trained officer for the present Major-General. I am not going to repeat the stale talk about keeping Canada for the Canadians. I do not wish to cast any reflection upon the present Major-General. I believe that, after all the training which the hon. gentleman claims our Militia has received since 1836 down to the present time, we ought to find in Canada a Major-General—a Canadian-trained officer with knowledge enough of military tactics and of all the duties of a Major-General, to serve us in that capacity as well as one brought from England. I appreciate the talent of these men, but we have had disagreeable collisions between the Major-General and the officers in the service—even with the hon. Minister of Militia himself. These arise not from the unfitness of the officer, but from the fact that men trained in the English military system are not sufficiently flexible or elastic to understand the genius and disposition of our people. Our volunteers cannot stand being knocked about like English regular soldiers. They are not accustomed to that rigid drill, to that constant drill in barracks, which brings soldiers down to that state of discipline and obedience which perhaps a Major-General from the Old Country trained in the English service expects. Our volunteers may make as good officers and stand fire as well, but not being trained to that system of subordination, are not prepared to be treated as an English soldier would permit himself to be treated. One remedy for that would be a Canadian Major-General, an officer trained here who would understand our people, the difficulties of our military institutions, and the wants of our people generally. I hope the hon. Minister, should a vacancy occur in this office of the service, which I believe he is sincerely anxious to improve, will find an officer of Canadian training suitable for that position and appoint him to it, that we may have the

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satisfaction of conferring on a Canadian the highest prize of the service. When we come to the various clauses of the Bill I will criticise them more closely. For instance, I do not know there is any necessity for the hon. Minister taking to himself the power of establishing a torpedo corps, which may not be called into operation for some time. Perhaps we might let that stand. I would like to have fuller details of the cartridge factory, which the hon. gentleman referred to as an era in the history of our Militia; but as I have a notice on the paper in reference to that, I will say no more about it. I hope the hon. gentleman will consider the suggestions made by the hon. member for Muskoka, and see his way clear not to fasten on the Militia service the enormous burdens entailed by this troop of cavalry and the additional battery.

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. IVES. We were all delighted with the *resumé* of history which the hon. Minister of Militia gave us in moving the second reading of this Bill; and I am sure the volunteers throughout the Dominion will be pleased and gratified by the highly complimentary manner in which the hon. Minister alluded to them and their services in the past. But I was also very much pleased with the speech of the hon. member for Muskoka. It struck me as containing a very large share of practical common sense within a very small compass. It seems to me that this question of the Militia and Militia expenditure is one upon which common sense ought especially to be exercised; and I do not think a more fitting occasion will arise than the present, for discussing the principle upon which this expenditure is made. This is a practical utilitarian age. It is just the time when the spear is likely to be beaten into the pruning hook, when probably less respect is paid for the pomps and glories of war than ever before. And when we consider that a very large sum of money, considering our receipts, is expended by the hon. Minister of War in Canada, it will not be out of place to discuss the reasons for this expenditure and the principle upon which it is made. Now, there are certain objects which we may have in view in this expenditure, and which the Government may have in view in bringing down the annual Estimates for the Militia forces. In the first place, their object may be to have in Canada a force sufficient to restrain domestic riots or insurrections, and to enforce the laws of the country. That may be their only object. Or their object may be to build up, to train and control a force which would be sufficient successfully to protect our territory from the foreign invader; or possibly their object may be twofold—to put down domestic insurrection, and, in case of need, to repel foreign invasion. The time, I think, has come when the hon. Minister of War should be able to state to the House whether his object is simply to have a force available for defending the laws of Canada and protecting us from domestic insurrection and riot, or whether his object is further than that, to build up, train, and control, a force here which shall be sufficient—or all we can do in that direction—to repel the foreign invader. If his object be the latter, if that be the purpose which the Government have in view in this expenditure, it seems to me a very different course should be pursued from that if the object were simply to have a force here for use in case of domestic insurrection. In one case we would require a small but well drilled regular force—such a force as the “A” and “B” Batteries—and which force, perhaps a little more scattered over the Dominion, would be amply sufficient for that purpose, and there would be no need whatever for the volunteer system or the volunteer Militia. We would have no need for the Military College, or for military schools, with their large and expensive staffs. If the object is simply to have

a force sufficient to quell an insurrection, then a small regular force, like "A" and "B" Batteries, is all that we require. I must take it, therefore, that the hon. Minister has in view the building up and training of a force for other purposes, in order to enable him successfully to resist the invasion of the country, because he has gone very much further than organizing and keeping up a small army. But it strikes me that if the object be simply to prepare our people for a war, "A" and "B" Batteries and the increased force proposed in this Bill are entirely out of keeping and out of point with the rest of the system. There is no possible connection between the regular force and the volunteer force. The regular force is not an example to the volunteer force, because the volunteers never see the regulars, unless they happen to live in Kingston or Quebec. The regular force does not furnish drill instructors for the volunteers—they have no connection with the volunteers. Then I say that if the object of the hon. Minister of Militia is to educate our people to fight the foreign invader, whence the necessity of the regular army that we are commencing to build up, and whence the necessity of increasing that regular force? It does not help to educate the great mass of our people. If we have a few men in Kingston and Quebec thoroughly drilled and trained, it would not help to educate the masses of the people in the use of the rifle if we were to increase that force, and if we were to add to it a troop of cavalry, as is proposed. I say that there is no logical connection between the regular force that we have, and the scheme of educating our people to resist a foreign invasion. There is no sequence, no connection, between the Military College at Kingston and the education of the volunteers, because, as I understand it, that college is not intended to educate regimental officers, it is not intended as a training school for commissioned and non-commissioned officers who are to command our regiments; therefore, it is something which has no connection with what we must take to be the main object the hon. Minister has in view in this Militia expenditure. Now, if the object be to train our people into warlike habits, if you will, or, at all events, in the use of the rifle, then there are two courses to take. In the first place, we might create skeleton companies; and, in the next place, we might have, as we are supposed to have, full companies. Now, the Government have proceeded on the plan of enlisting full companies of fifty men, and of organizing complete regiments. We must suppose that their object is to drill and train those full companies, but for the reason that they cannot afford the necessary money to do it, instead of drilling and training them every year, as the hon. member for Muskoka says is necessary, in order to make training of any avail, they drill them every other year, and the result is, as the hon. member for Muskoka, who is a practical warrior, has told us, that before they come to the next drill they have forgotten all they learned at the first. It does seem to me that from this point the hon. Minister ought to start with a more definite object in view. If his object is simply to have a force sufficient to put down an insurrection, then a small regular force like "A" and "B" Batteries is sufficient, and we do not need a volunteer system at all. If his object is to teach our people to be able to repel a foreign invasion, then those batteries form no part of that scheme and he ought to find means necessary to educate and drill the soldiers so as to make their training of some use to them. Now, I have always been in favor of the plan of a skeleton army. We cannot possibly be expected to expend the money necessary to drill and train, in an efficient manner, the nominal number of volunteers now enrolled in Canada. We cannot be expected to do that with no war in view, with no probability of an invasion; we cannot be expected to furnish the necessary money to drill even the present number of volunteers efficiently and thoroughly. Then what should we do? In my opinion we should adopt the skeleton system; that is to

say: instead of having companies of fifty we should have companies of ten; instead of drilling fifty men and paying them we should have a less number and drill them efficiently. We should not drill them biennially but annually, we should pay them sufficient remuneration so that we could get a suitable class of men to enter the force, and we should insist upon their remaining during the whole term for which they have enlisted. Under the present system the pay is so much less than can be obtained in any other pursuit, that it is very difficult indeed to obtain the right class of men to enter the force as volunteers. And from the fact that the pay is so little, it is almost impossible to enforce discipline, and the result is that the man who is enrolled to-day, and who goes out this year into camp, is more unlikely to be there at the next drill than any other man in the community. By the time the next drill comes round he has gone to the United States, or to Winnipeg or Fort McLeod, or to some other part of the Dominion. There is no effort made to keep him, or to bring him back to continue his drill on the next occasion when the company is called out. The result is that when the drill is ordered the men who form the force are comparatively new men. But there would be the same advantage gained even though these men were scattered, even though they were to be found in Ontario or Manitoba, whereas they formerly belonged to a company in Quebec, if they had been sufficiently educated to retain the advantage of the education they had received. But the time is so short and they are so seldom called out that they do not get their drill sufficiently learned to be of any use to them anywhere. The only advantage they get from the drill is the knowledge of the use of the rifle, how to handle it, and how to shoot with some degree of precision. Now, it seems to me that if no greater amount of money can be afforded than is at present given to this object, the hon. Minister should enroll a less number of men, and should drill them every year, and drill them for a longer period and pay them better; and he should insist upon having in some cases a better class of men, and upon their remaining in the force during the time for which they have enlisted. It seems to me this plan of skeleton battalions would exactly meet the object which the hon. Minister has in view. He would then have always ten men to form the nucleus of a company; he would always have ten men thoroughly drilled and trained, who could furnish the non-commissioned officers when the company was filled up. He would have at least ten men who would thoroughly know their drill, and in case of invasion, or war, and of wanting to prepare for war, the organization would be complete, the company would be organized, the officers would be ready to take their places, and all that would be necessary would be to fill up the company with the full strength of fifty men. Now, I undertake to say that if the hon. Minister would cut down the number of men he undertakes to drill, would give an annual drill, would give a longer period of drill, and would make the men actual soldiers, the scheme of educating our people and of forming the nucleus of an army would be much more successful than it has been in the past. It seems to me that the measure which the hon. Minister has proposed, in so far as it changes the old law, is a step, not in the direction of making better soldiers, but of making more officers. The defect in our system is not the want of officers so much, not the want of experienced officers so much, as the want of training and drill in the force at large, in the rank and file. The system that we are pursuing is giving us highly trained officers, graduates of Kingston College, officers who have been taught by "A" and "B" Batteries; but the men are not drilled, have but a superficial knowledge of the use of fire-arms, and take very little interest in the force, because they are not properly paid, and because

they feel that the Government is treating them niggardly and unfairly. They have no *esprit de corps*, and take no interest in their duties. Of course, to these remarks there are exceptions. There are regiments and battalions who do take an interest for the love of it; there are corps which it is necessary to except, but these remarks apply—I can appeal to officers who represent constituencies in this House, if it is not the fact—generally to the Militia force of Canada at the present time. Now, as I have said before, the measure which the hon. Minister proposes, in so far as it is an amendment of the existing laws, instead of being a step towards giving the men more pay, of drilling them oftener and for a longer time, is a step towards enlarging the standing army and creating more schools for officers. When I go down to Richmond and am accosted by the officers and men of the Richmond Battalion, and they ask me: what about these old coats and hats we have had to wear for years, what answer shall I make them? I will tell them that the Government cannot give them any new uniforms because they have no money with which to buy uniforms; but they must remember this: that the Government has a very fine Military College at Kingston. And if they find fault with those great guns, to which I referred the other evening, as being altogether unsuitable for the purpose, the only consolation I can give is, that the regular army is being increased, and that it has very fine guns, fittings and trappings throughout. If they say that their pay is insufficient, that 50 cts. a day is not sufficient to induce them to give up their occupation and enter the volunteer force, or continue in it, the reply naturally will be, that the hon. Minister of Militia has created an additional staff officer, a new Quartermaster-General. I am not going to quarrel with the measure further than this: to say—and I appeal to volunteer officers in the House—that the defects in our system are not the want of officers, not the want of military schools, not that there is a too small standing army, but that the pay given to the volunteers, and the length of time they are drilled, are not sufficient to create an efficient volunteer force. It is very easy for us to talk about the volunteers of the country and the services they have rendered. They have rendered noble services, and they would render noble services again, if occasion required, and so would every inhabitant, whether belonging to the force or not. If the country were invaded, every body would turn out to repel the invaders; but it is useless to deceive ourselves with the idea that the volunteers are satisfied with 50 cts. a day and biennial drill. They are not, and do not consider themselves sufficiently drilled. We will never have good volunteers, and an interest taken by volunteers in volunteering, unless the Government are prepared to increase the Estimates for the payment of the men, not for the officers' schools and the standing army, but for the rank and file, which comprise the volunteer force of the Dominion.

Mr. HESSON. I am very much in accord with the remarks which have fallen from the hon. member for Richmond and Wolfe (Mr. Ives), and also from the hon. member from Muskoka (Mr. O'Brien). I feel that of the large sum expended for military purposes in Canada, \$773,000, a very small proportion is expended on the rank and file of the volunteer force. That sum amounts to only \$250,000 for the purposes of drill and similar expenditures, out of the total sum of \$773,000, which is a small sum for training an armed force in Canada. If it is necessary to have and to encourage a military spirit, and I presume it is, for I do not think there is any hon. member who does not feel it is absolutely necessary, not only for the present, but for the future, a considerable expenditure is necessary. If the Dominion is to make such progress as we anticipate, the military spirit must increase with the growth and development of our resources; and if we have interests to defend and

Mr. Ives.

protect, we must have the necessary appliances, and these can only be obtained by encouraging the rank and file of the Militia force to devote a small portion of their time to the duties that devolve upon them. It is unreasonable to expect that a volunteer can, by having a biennial drill of eight or ten days, secure such practice as will be of advantage to a regular force, or such a force as we hope to have for such an outlay as we are making. If the hon. Minister finds it necessary to establish three more schools for the purpose of educating men as officers, I think a large expenditure is necessary in the direction spoken of by the hon. members for Richmond and Wolfe, and Muskoka, namely, on the rank and file, who do not consider 50 cts. a day is proper consideration for the duties they are called upon to undertake as volunteers. I am quite certain, from the information I have obtained, that the various companies in Canada are perfectly willing to give their time and talents in order to do all they can to encourage the spirit of the volunteer movement, and they cannot do that with no allowance made to the men for drilling at other periods than at the biennial drill of eight or ten days. These companies must be brought out and kept in something like actual drill during a portion of the year, as well as at the brigade camps. I feel it to be a great injustice to the men, who are at times called upon, perhaps, to abandon very remunerative employments, to go and drill at camps and the brigade camps during the busy seasons, and to make these sacrifices for the small pay of 50 cts. a day; and, as has been said by gentlemen thoroughly acquainted with the spirit required in a soldier, this cannot very well be secured, if it is possible, that, at the end of the drill, he may go away, and two years afterwards, if he returns, he will have no more information than when he first commenced his drill. I feel it is necessary that if large expenditures are to be made in the direction of establishing schools, to give us, as you might say, a regular standing army, and to qualify officers to discharge their duties, it is equally incumbent on the House to place a large sum in the Estimates for the rank and file. What is the use of an able staff officer without men to command; and we know the difficulties which officers commanding companies in the various battalions throughout Canada experience in securing men to keep them together. Seeing that they have so little inducements to offer, the hon. Minister of Militia ought to go further than he has gone, and give all the battalions now enrolled in Canada an annual drill instead of biennial, as in the past. I just rose to say that I endorse what has been stated by the hon. member for Richmond and Wolfe and the hon. member for Muskoka in that direction; and I feel that other gentlemen acquainted with this matter in this House, would express views on this question, in the direction of paying the rank and file more liberally, and of giving them more frequent opportunities of drill. I am surprised that in this expenditure of \$773,000, there is no less a sum than \$52,000 set down for the care of stores and ammunition. This appears to me to be one-fifth of the whole sum paid to the rank and file; and if this be a fair proportion of the total expenditure under this head, then the men and officers who do the hard work are not sufficiently paid; and I would like to see a large sum voted for that purpose.

Mr. LISTER. I rise not for the purpose of criticising this Bill in a hostile manner, that I leave to those who are more familiar with the subject—the Captains and Colonels, and Brigadier-Generals in the House, who are possessed of all the necessary information. I suppose that the hon. Minister of Militia has decided that this Bill shall become law; and if so, it is expedient that it should be, in every respect, put into desirable shape. I am not very familiar with this subject, but I have had handed me by a gentleman who is perfectly familiar with it, a copy of the Bill, which I consider to be in some respects defective. I would call the

attention of the hon. gentleman to certain of its clauses in order that before it again comes before the House it may receive that consideration which I am sure he will give it. If he turns to clause thirty-nine he will find it provided that the commanding officer shall have the right to institute an action against any person for the value of public property taken by the men or others. Public property in this Bill is distinguished from certain other property belonging to battalions and companies, such as the colors of the regiment, the regimental books, records, band instruments, &c.; and I would suggest the propriety of inserting, in addition to the public property they are responsible for, the words "the property of the corps." I would also call the attention of the hon. gentleman to section forty-two, and suggest that the words "of the corps" be inserted after the words "public property." In this way, the men or persons who may covert such property, would be amenable to the law at the instance of a certain person, and it would be competent and proper to prosecute them under the provisions of this Bill, the same as if they had covert such public property. These are, to my mind, very important additions to the Bill, and will make it more perfect, if it is decided by the Government that it shall become law. I think that the remarks of my hon. friend from Richmond and Wolfe, strike the key-note on this question; and while congratulating the hon. Minister of Militia on the very able and eloquent way in which he put his views before the House on this subject, I feel that such is not the case when the hon. Minister states that the country would not vote against the organization as it now exists. I am not prepared to express my own opinion on this subject; but I do say that, so far as the volunteer service is concerned, in its present condition, there is a very wide difference of opinion as to the desirability of keeping it up. I well remember, in 1878, when the hon. gentlemen who now occupy the Treasury benches were before the country seeking to defeat the Mackenzie Administration, that upon every platform throughout the country, where a volunteer company was in existence, these men sounded the changes on the fact that the Mackenzie Government was only paying the volunteers the miserable and wretched sum of 50 cts. a day. The object for which this was done, and the inference which was to be drawn therefrom are obvious: that if these hon. gentlemen were placed in power, the volunteers, who had been so inadequately paid in the past, and who had been asked to make such great sacrifices in the public interest, would be compensated to the degree and extent to which they were entitled. I say that the Bill before the House will be looked upon by the people of this country with amazement, when they consider that the men, who go out year after year, and expose themselves to expense and privation, as these men have to do, in drilling annually, are only to get the miserable, wretched, and miserly sum of 50 cts. a day for their services, while the hon. Minister of War adds to the staff—to the large staff—which already exists, and which consumes, I am safe to say, three-quarters of the immense appropriation which he asks from this House. These are questions which the people of this country will, at no very distant date, perhaps, have brought before them; and they will feel that it is an injustice to the volunteers that these men should only get 50 cts. a day notwithstanding our boasted surplus, while the Minister of War adds officer after officer at princely salaries to be paid out of the public Treasury of the country. I say, therefore, that it is no wonder that my hon. friend the member for Richmond and Wolfe (Mr. Ives) should have taken a position of semi-hostility to the Government, as he has done on the question before the House. We must not forget that these men, whom the hon. Minister of Militia has been lauding so highly—these men who were so ready to take up arms when their country was in danger—should be compensated for the services they have rendered. The hon. member for Muskoka, who, I have no

doubt, has been a veteran himself, for he certainly looks like a warlike man, does not speak approvingly of the Bill introduced by the hon. Minister of Militia; and I hope that, in the interests of and in justice to the volunteers, the scheme proposed in the Bill will be abandoned, and that one more simple and feasible—one which will at least, to a small extent, do justice to our volunteers who sprang to our defence in the past, and are ever ready to defend us in the future, will be introduced. With regard to the hon. Minister of Militia, so long as hon. gentlemen opposite are in power, I believe there is no man in their party who is better fitted for the position than he is—I have not a word to say against him. I believe he is thoroughly in earnest in his endeavors to improve the Militia system; but he must have seen, when he visited the camp in London in company with General Luard, or the other gatherings of the volunteers which have been held throughout the country, that many of these men require new and better clothing than they have at present. Instead of spending money as is proposed to be done, and in adding new officers to the force, in providing for the payment of large salaries to friends, it would be better to give the money to the volunteers of the country so as to encourage them to serve and make more efficient soldiers, and a more efficient force generally. I thank the House for the indulgence it has shown me in the few words I have uttered on this question; and if my remarks shall have any effect in extending to the volunteers a fairer amount of consideration than they appear to have received in this Bill, I shall be amply satisfied with the performance of the duty I have undertaken in addressing the House.

Mr. SCRIVER. I do not rise for the purpose of prolonging this debate at any considerable extent. The hon. member for Muskoka (Mr. O'Brien) alluded to the fact that there are a good many representatives of the volunteers in this House. I have been somewhat surprised, however, that so few of these hon. gentlemen have taken part in this debate, for the discussion has been carried on almost exclusively by hon. members who, like myself, are laymen, and cannot claim that experience which would enable them to discuss this question as intelligibly as they might desire. But all of us have had opportunities of observation, and whether we have had the honor of commanding battalions or not, or of commanding companies in battalions, we cannot have shut our eyes to the defect of the system now in force. I must say that I subscribe almost entirely to the opinions which have been uttered by my hon. friend from Richmond and Wolfe. Like myself he represents a constituency in which the volunteer element is pretty large. I have no doubt that in his constituency, as in mine, there are many men, whom, like the hon. member for Muskoka, have served their country faithfully and well—have taken a warm and enthusiastic interest in the volunteer movement, and have devoted much time and labor and incurred considerable expense in what has been, I regret to say, a somewhat vain attempt to raise this system to an efficient point. I am bound to say that there has been deterioration rather than improvement of late years, and I am bound to express the opinion that the cause of this deterioration has not been in the want of efficient, trained, and earnest officers, but has lain rather in the deterioration in the rank and file. It has arisen, at all events in the frontier counties, from two causes: first, the utterly insufficient pay given to the volunteers during the term of their drill; and, secondly, the great movement which is constantly taking place among large numbers of our young men by their removal to the North-West and the Western States. It has been almost a matter of necessity to bring new men into the ranks, and it has been also almost a matter of necessity, in order to obtain the full strength of the companies, to have young men, or rather boys, who are not fitted to be taken into camp at all; and

many of these have only had the benefit, as my hon. friend has said, of a few days drill which is given in each year. I do not know that this difficulty can be remedied to any great extent. It will continue to exist, at all events, as long as the present movement of the young men to the North-West continues; but it can be remedied in some measure by an increase of the pay which has been given to the volunteers. I believe, with the hon. member for Richmond and Wolfe, that there is no need for more officers, that the movement contemplated by the Bill of the hon. Minister of Militia has not been called for, and that it would be much more judicious to expend the money which it is proposed to expend in the establishment of these additional schools, in the payment of the volunteers when they are out, and for having annual drills instead of biennial drills. I sincerely trust that the hon. Minister of Militia will be disposed to reconsider this question, and if he cannot see his way clear to change his policy with regard to the establishment of these schools, he will, at all events, give ear to the representations given to him regarding the propriety of having more frequent drills and increasing the pay of the men who take part in them.

Mr. BERGIN. The complaint made by my hon. friend from Huntingdon (Mr. Scriver), that hon. gentlemen connected with the force have not taken part in this debate, is certainly refreshing. We have attempted to get the floor on several occasions since this debate began, but our lay brethren have forestalled us. They were anxious to take part in this fray, though they were not so anxious to take part in the other fray which took place some years ago.

Mr. SCRIVER. We were high privates, and we shouldered our rifles, too.

Mr. BERGIN. I do not suppose that the Bill of the hon. Minister of Militia is perfect. No doubt, like other Bills, it has its imperfections, but that it is in the right direction, I think, no member of the active Militia, who thoroughly understands its wants and knows how it has been treated in the past, will attempt to dispute. I think, Sir, that the hon. Minister of Militia deserves very great credit for this attempt to consolidate the Militia Law, to place within a compass, that they can be easily got at, all the obligations which the law demands of the Militia force. In doing this he has added somewhat to the law, and I am sorry to say, that in some respects, he has not taken from the old law some of what, I think, the force look upon as its most objectionable clauses. But I think he has done a great deal under the circumstances, and when I hear to night, from gentlemen who are laymen; who really know nothing of the force, that the force has deteriorated, I cannot hold expressing my astonishment. I have been connected with the force for more than twenty years; I have the honor to command as fine a Militia regiment, I think, as there is to be found in the Dominion—a regiment which, I think, is an honor to those glorious old counties of Stormont and Glengarry, and which has not deteriorated. Its physique is as good, its morale as good, and its ranks as full, as it was when first gazetted and admitted to the active force. If the Militia force has deteriorated, why should this regiment be any exception? If, Sir, there be any change—I flatter myself there is a change—it is a better regiment than it was fifteen years ago.

Mr. SCRIVER. It has a better colonel.

Mr. BERGIN. I accept the compliment. I have improved with age, and I have no doubt the hon. gentleman is as accurate in this as he was in some of the remarks he made to-night. However, whether a good or a bad colonel, I have the interest of the service at heart, and I have done everything I could to benefit, not only that regiment, but the whole force. It is true, as has been said, that the militiamen, when in camp, receive only

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50 cts. a day and rations. This is not a very large sum. I should be glad to see it raised to 75 cts., or \$1. I admit it would not be sufficient to remunerate the men for their loss of time; but I know that the militiamen of this country look upon their annual camp as a holiday, and are delighted to go out for sixteen days in the year, because they feel that the sum awarded to them from the Government, is not so much a remuneration for their services, as to protect them from actual loss and to provide them pocket money for the time they are abroad serving their country. The officers, we all know, are paid but a small sum also; but they go cheerfully and willingly to the camp, though they have often to make great sacrifices to do so. As a matter of fact the men of the volunteer Militia, who are desirous of doing their duty, do not complain that they are not sufficiently paid at 50 cts. a day, but that they are not allowed to go out for sixteen days in every year for 50 cts. a day. And this brings me to notice one of the most objectionable features of this Bill. It fixes the period of enlistment at three years only. How much service does the hon. Minister of Militia expect to obtain from a militiaman in three years, if he is only to be called out for eight days every other year? How much knowledge can he acquire of his duties in that time? A militiaman is only able to get cleaned up, or, as a smart officer once said, get "licked into shape," when his eight days drill expires. But if there were sixteen days, in the first eight days he would acquire, not the frippery and the frummery, as the hon. member for West Middlesex says, of the service, but a knowledge of his duties as a soldier. He learns to take care of his dress, to be properly accoutred, and so forth. Would the hon. member for West Middlesex prefer a soldier going through the street with his cap drawn down below his brows, looking at his feet, and slouching along as though ashamed of the service, or the gallant fellow, with cap above his brow, looking straight to the front, and afraid of nobody, not even of the critics opposite, proud to be a servant of Her Majesty and wear her uniform. If there is one thing more than another for which the hon. Minister of Militia deserves credit—and he has been a painstaking, industrious head of the department since he has been appointed—it is that he has not been ashamed to go abroad and show that he is a member of the force, and give encouragement to the officers, who have not hesitated to put their hands deep into their pockets and provide themselves with expensive uniforms and other necessities, so as to set a good example to their men. If you look at the history of the British army, you will find that the men who took the most pride in dress, like Wellington and the gallant Picton, were the men most beloved by their troops, who established the best discipline, and had behind them the best soldiers. So the hon. Minister of Militia has inspired the officers and men of the force with a good morale, and I have no doubt his visits have had the effect of infusing a better spirit and renewed interest. It has been said that the expenditure on the military school is money thrown away. Well, it is not a school of our creation, I believe. But there can be no doubt that it has done, and is doing, a great deal of good. Since it is the custom to-night to give advice to the hon. Minister of Militia, let me make a suggestion as to the use to which he could put the men educated in the college. In 1866, one of the great wants felt by General Macdougall was that of a topographical survey of this country. We have no such thing as a good topographical map of Canada. There is a good deal of ability in that school, and it might be held out as a reward to the men who distinguish themselves, that, after they got through, they should be employed by the Government in making a topographical survey of the country. In this way we should be utilizing these young men both for their own good and the good of the country.

I may be permitted to call the attention of the hon. Minister to one or two objections that I have to the Bill, which he perhaps may feel it in his power to remove. I notice that, in one of the clauses of this Bill, if a company of the Active Militia called out for active service is not filled, it will be in the power of the commanding officer to fill the vacancies by the ballot. This, I think, is a mistake, for company service at all events.

Mr. CARON. That is only in case of active service, and is an old law.

Mr. BERGIN. I am glad to be corrected if I have misunderstood the clause, because I think that would be a very great mistake. I would also call the attention of the hon. Minister to what I think is an omission in the Bill. I know it is a fact, from knowledge acquired in the various camps I have attended, that occasionally in a squad of first-class men there will be a man of bad character, a drunkard, a profane wretch, one who makes the night hideous and disturbs every man in the camp. Under the present Militia Law, it is not in the power of the officer commanding the company, or the officer commanding the regiment, to dismiss him. I think if this power were given to the officer commanding the regiment, upon enquiry, it would conduce very much to the advantage and discipline of the force. If the hon. Minister can see his way to add to the annual grant for drill purposes, so that men can be kept out for sixteen days in the year and drilled every year, he will be conferring a very great boon on the force. There can be no question, as I said before, that eight days is entirely too short a period in which to teach a man his drill; and, really, if you expect to teach him much drill in sixteen days you will be disappointed; but you will have taught that which is more necessary even than drill—discipline—and that is all you can expect to teach men even in sixteen days. To accomplish that you require to keep them out that period, because the period of enlistment being for three years only, you must have them out every year, or, to use the words of a former speaker, the money expended on these annual camps will be entirely thrown away. So far as regards the proposal to appoint a Quartermaster-General, I do not see that the Act expresses that intention; but, as I understand it, the hon. Minister of Militia merely takes power, should he find it necessary so to do, to appoint a Quartermaster-General. As to the enrolment of the extra corps, I am not prepared to give an opinion at this moment. No doubt the hon. Minister of Militia and the Government have considered the matter carefully, and have good reason for the introduction of this clause in the Bill, and the establishment of these extra branches of the force on a permanent footing. If they are to form a nucleus for a regular army, if they are intended to be used for police purposes, as well as for purposes of instruction, I do not think the number to be enrolled is any too large; at all events, I think the experiment will be worth the expenditure.

Mr. WILLIAMS. The debate on this question has been so prolonged that I hesitate to occupy the attention of the House, even for a very few moments, but having been so many years connected with the Active Militia, I feel that in justice I may do so. I must commend the hon. Minister of Militia for the care he has taken in the preparation of this Bill. As the law stood, it was scattered about in different Statute-books, quite beyond the reach of any officer of the Active Militia. The hon. gentleman has added, I might say, an increase of confidence to that which the Active Militia throughout the whole country has always extended to him. In him they felt they had at their head a Minister who took a deep interest in their welfare, in the development of the force, and in that loyal sentiment which alone actuates them in coming forward to enroll themselves to defend their country. I fear that the

groove, perhaps, into which many hon. gentlemen have fallen in connection with this matter, has been rather a narrow one. I look upon the Bill, not as referring alone to the active or the volunteer force, but as embracing the whole defensive force of the country—the Reserve and Active Militia and Marine. The hon. member for Middlesex (Mr. Ross), I understand, has made an attempt to mislead the House and to make it appear that the object Canadians have in enrolling themselves in the active Canadian Militia is simply for parade. To my knowledge, such is not at all the case. I feel they are actuated by a far higher motive. I feel that we have enrolled ourselves more for the object of defending our country in every way we possibly can. The hon. member for Richmond and Wolfe, during the course of his remarks, objected strongly to the formation of "A" and "B" Batteries, because, in his estimation, they are a standing army. I look upon them in an entirely different light. I look upon them simply as schools of instruction for the Active Militia, and if they are kept as they are the expenditure made on them ought not in any way tend to decrease the expenditure upon the active Militia generally. There can be no doubt it is quite impossible to keep a force thoroughly efficient, which is only called out for active service once in two years. What we sadly lack are schools of instruction, which the non-commissioned officers of the different regiments—the officers—as well, can attend, occasionally, in order to refresh their knowledge of military matters. If camps were formed every alternate year for non-commissioned and commissioned officers of the corps which are not called out, it would add greatly to the efficiency of the force. During a discussion in the House a few days ago some papers were moved for by some hon. gentleman, asking for returns of correspondence in reference to the withdrawal of British troops from Halifax. I was glad to hear that no such correspondence had taken place. I trust that the hon. Minister of Militia, as well as the right hon. gentleman at the head of the Government, will resist any effort of that kind. It seems to me that a station at Halifax and a station at Victoria, in British Columbia, should be Imperial stations, and that we Canadians should enroll ourselves and do all that we possibly can towards defending the long line between the two oceans. My hon. friend from Huntingdon (Mr. Scriver) has cast a reflection upon the present efficiency of the volunteer force which I, as a member, cannot allow to pass unchallenged. My experience is that the force is quite as efficient now as it was many years ago. True, we have not now excitement to induce men to come forward and fill the ranks that we had then, but the force is composed of a respectable body of men, and the officers, to my knowledge, are very well up in their duties. The hon. member for Richmond and Wolfe (Mr. Ives), in the course of his remarks, asked whether the intention of the Minister of Militia was to enroll a force for the internal protection of the country, or for defence against invasion. Well, Sir, it seems to me that under this Act which the hon. Minister has introduced, there would be no difficulty whatever in placing the Reserve Militia in such a position that it could be enrolled for defensive purposes and would always be ready. We find that the graduates of the Military Schools of Gunnery pass away from the Active Militia altogether, they do not remain in the force; whereas they could be utilized to a great extent by being added to the reserve force, so that their services would be available whenever they are required.

Mr. DAWSON. I listened with a good deal of attention to the speech of the hon. Minister of Militia and Defence. I must say, from all I can see of this Bill, that I think it is a step in the right direction. I do not think the alterations proposed are open to the severe criticisms which have been passed by the hon. member for Richmond and Wolfe, and several other hon. gentlemen. Of course, in an extended

country like ours, we cannot have a perfect system extending everywhere, but still something has been done, and I have no doubt that the changes proposed will be to the advantage of the country at large. It is certainly necessary that we should have a Militia organization of some sort, for imperfect as it may be, in the event of the necessity arising, these companies would serve as a nucleus to a much larger force in the future. However, I only rose with the intention of drawing the attention of the hon. Minister of Militia and Defence to the particular district which I have the honor to represent. Now, I think when a certain sum is to be expended on Militia, and on the organization of volunteer companies, it should be extended over the Dominion at large. I think there should be some system adopted, by which every part of the Dominion might participate in that expenditure. The district I represent is 900 miles long, from east to west, and it has a population verging on 40,000, but we have only half a company in the whole of that district. At Sault Ste. Marie, at Prince Arthur's Landing, which is now getting to be a considerable place, and on Lake Huron, the Island of Manitoulin and other places, they are very anxious to form volunteer companies, but nothing has as yet been done. I hope the Minister of Militia and Defence will see his way to acting towards that district as he has done to other districts in Canada. So far as I can see, I believe the Bill is a step in the right direction, and I shall be very happy to give it my cordial support.

Mr. MITCHELL. I have listened with some little attention and a great deal of pleasure to the interesting discussion with which the several military gentlemen have indulged this House, and I would like to ask the hon. Minister of Militia what these great improvements and this Consolidation Bill of my hon. friend are going to cost the country?

Mr. CARON. I think, from the discussion which has taken place to-night, that it is quite evident that all the hon. members in this House take a deep interest in the Militia force of Canada. This is a fact very gratifying to myself, for it is evident that in a country like ours, increasing every day, becoming prosperous and powerful, it behoves our people to take an increasing interest in the Militia force. We ought to have some organization—not for aggressive purposes, far from that—but an organization which can be utilized by whatever Government presides over the destinies of the country, that can be utilized for enforcing law, for protecting property, and for repelling any attack which might be made against us. I was very happy, indeed, to hear my predecessor, the hon. member for Digby (Mr. Vail) express his views upon this Bill. As I understood him, he considered that the Military College could furnish all the instruction which we propose to give to the militiamen of Canada by the Bill which is now submitted to this honorable House. Well, Sir, I can say that the Military College is an institution which does give instruction—an instruction that must ever be useful to Canada and to Canadian interests. I may be allowed to bring before this House some statistics from the Department over which I have the honor of presiding, and which I have collected for the purpose of showing how the cadets and the graduates of the Military College have been faring so far. As I have already stated the establishment of the Royal Military College is not the Act of the present Government, nor is it the Act of the party to which I have the honor to belong. The Military College having been organized, I believe it is an institution which should not be looked down upon and frowned down upon, as some hon. gentlemen have done to-night. I believe it has done a great deal of good for Canada. It has done a great deal of good in proving that the instruction which Canada confers upon the cadets is an instruction which may be accepted and compared with the

Mr. DAWSON.

standard as required in England, to allow men to take prominent positions in the British service. I look upon it that the fact that cadets who have accepted commissions in the British army is of great advantage to Canada. Some hon. gentlemen may not view the question as I view it; but I hold that these cadets who leave Canada to enter the British army still remain Canadians, and after a few years of valuable experience, which they must acquire in the British service, they return to the Dominion and we are able to utilize their services, and the experience which they have thus obtained is of great value to this country. Fifty-four cadets have graduated from the Royal Military College up to July, 1882. These cadets have been employed as follows: eleven have joined the army; Canada has kept thirty-four graduates, who have been employed on railways and in other pursuits, but whose services have been of use to Canada and have been utilized on Canadian soil; one has gone to New Zealand, and there are eight now in the United States.

An hon. MEMBER. Hear, hear.

Mr. CARON. An hon. member says "hear, hear," but he must remember that out of those eight, two are employed on the Grand Trunk Railway, and I consider that, if a great railway company like the Grand Trunk, or the Canada Pacific, utilizes the services of these graduates on railway works, employing them in Canada or elsewhere, they are employing Canadians in Canadian companies.

Mr. IVES. Will the hon. gentleman state how many, if any, graduates have commissions in the Canadian Volunteer force.

Mr. CARON. The hon. gentleman, who evidently takes a deep interest in Militia matters, has been carried away by this Bill without looking at the subject-matter attempted to be dealt with by it. The hon. gentleman should know that every cadet has been, and is to-day, enrolled in some Militia company, and there is not a single cadet who graduates from the Royal Military College who is not a member of the Militia force of Canada. That shows that this College is not an institution which can be looked down upon by the Militia force. Every cadet who leaves that college is, as I have said, drafted into the Militia force, and their high training is of very great service. I leave that matter to any hon. gentleman who knows anything about the force, and the hon. member for Cornwall and Stormont (Mr. Bergin) has stated that their services in the various branches of the service are really invaluable, on account of the lessons of discipline taught them in the college, and the experience and knowledge they have acquired. I was rather amused at what seemed to me to be rather a risky statement, made on the part of my predecessor, the hon. member for Digby (Mr. Vail), when he stated that under his administration of the Department over which I have the honor to preside, every dollar's worth of clothing used was obtained in Canada. Such is the statement made by the hon. gentleman; but I can say that looking into the records of the Department, his statements are not substantiated by facts. I have no doubt the hon. gentleman was very anxious, as we are all anxious, to obtain all possible clothing in Canada, although he does not believe in the National Policy and in fostering our native industries. Nevertheless, ever since the hon. gentleman left the Department there has been more clothing and more manufactured goods obtained in Canada than the hon. member for Digby ever dreamed of obtaining, under his administration. That is a fact which cannot be controverted, because the records of the Department establish, beyond possibility of doubt, that the hon. gentleman, during his administration, so far from getting in Canada all the goods he has spoken of, imported them all from outside. Within the period that the policy which now prevails in this country has been in existence, the Department of Militia and Defence has availed itself of every possible

opportunity to purchase articles of Canadian manufacture, and we have steadily reduced the importations from abroad, as the Public Accounts will show. Hon. gentlemen will remember, as I said before, in my opening remarks, which it was my privilege to make to the House, when I moved the second reading of the Bill, that I mentioned several articles manufactured in Canada, which a couple of years ago had to be imported. I can only say that, every day, we are obtaining, in Canada, articles which formerly we imported from England; but it will be understood that there are still some articles required for our Department which, notwithstanding the development of our industries, and the establishment of new factories constantly in the different portions of the Dominion, for years to come cannot be manufactured in Canada. I have before had occasion to state that, for various reasons which manufacturers have explained to me, it is impossible to manufacture at any reasonable price the scarlet cloth used for the tunics of a large portion of the force; and the reason is, that where this cloth is made—in England, for instance—it is prepared, not only for the use of the English army, but also for an extensive market on the continent. It requires, I understand, a factory almost alone for its own production. The great trouble connected with the preparation of it, relates to the operation of dyeing, which requires that the factory should be devoted entirely to this work. Before the cloth is dyed, it is white, and when it is to be dyed, the workman must be dressed in linen in order that no article of any foreign nature can be dropped upon the cloth during the process of dyeing, which is expensive, especially in view of the fact that every other production must be abandoned for the purpose of preparing this work. But with this exception, the blue cloth and our heavy goods are manufactured in Canada. I heard a great deal said to-night about the enormous expenditure connected with this Bill. It may be that hon. members have not examined into the amount of money which Canada pays for her military organization, which is as perfect as any that exists in any country in the world, for the purposes for which it is required. It is not a standing army which we do not need; and the hon. gentlemen who speak of organizing a standing army, are completely mistaken as to the intentions of this Bill. Fortunately on this continent, we do not require standing armies, but an organization—call it a military organization, call it by whatever name you wish—merely for the purpose of strengthening the civil Government, of carrying out the laws, of preventing disturbances at home, and of repelling any attack that may be made on us by designing marauders, such as we have already repulsed. The whole military force of Canada costs *per capita* 19 cts.; and I will submit to the House statistics which I collected to show that I am not really as extravagant as the hon. member for Middlesex seeks to make it appear. I do not wish to obtain more money for military purposes than we really require. I am aware that in this growing country, where large and important public works are every day needed in the different sections of it, it would be wrong, it would be unpatriotic to take from those indispensable expenditures, any sum of money for the purposes of—as my hon. friend from Middlesex puts it—pageantry, as being the leading characteristic of the hon. Minister of Militia and Defence. Well, I must say, I never knew, among all the faults which I possess and acknowledge, that this was one of them; but, of course, the hon. gentleman must know better than I do myself whether this be the case, and I have no manner of doubt, that he can be in error; but still, when one comes to the actual facts—facts, after all, should be the only argument which should control and influence this House—as I understand them, of this most important question, it will be seen that the charge is unfounded. I will now compare the present current Militia

expenditure with that which was made previous to Confederation, when the ordinary expenditure for Ontario and Quebec was at the rate of 35 cts. a head; and at that time, in addition, we had regular troops in this country, a large standing army, which was stationed by the Imperial authorities in the important cities, and at the leading strategical points where they were required. Each of the other Provinces had their own Militia, which also cost a great deal of money. The following table shows the expenditure of Canada and the United States and England for the year 1881-82, for it is only by comparison that this question, which, to a number of gentlemen whom the hon. member for Cornwall styled laymen, may not appear to be of very great importance, that its real nature becomes apparent. I do not doubt that the motives of these hon. gentlemen, when they rose in their places and criticised this Bill, are excellent; but I believe, and am convinced, that if, prior to taking part in this discussion, they had looked into the figures and ascertained the exact position which is occupied so far as relates to the expenditure and utility of the Militia force of Canada, these hon. gentlemen would have come to the conclusion that the Department of Militia and Defence is not administered in any extravagant manner, but that it really costs very little money in view of the great services which are rendered by the force to Canada and to the country. It will be seen that in Canada, our population being 4,500,000, and the taxation being \$7.41 *per capita*, the expenditure on army and navy is 19 cts. *per capita*. In the United States the expenditure is \$1.12 *per capita* by the Federal Government, outside of all the expenditure in the different States, some of which maintain a very expensive force for their own State purposes. In England the whole expenditure *per capita* for army and navy is \$4. Now, it should be understood in Canada that, if the Militia force is to be abolished, if that is what is desired, it should be abolished completely; but if it is considered to be a useful force, one which is indispensable to a country like Canada, hon. gentlemen should not grumble at the small expenditure of 19 cts. *per capita* for the maintenance of the Militia force. I must say, however, that I cannot complain much of the grumbling. The criticism indulged in by hon. members has been very friendly, and it has conveyed to me some very valuable information from gentlemen who have taken so deep an interest in the force as my hon. friend the member for Cornwall, and my hon. friend the member for Muskoka. That hon. gentleman stated that he could speak as one having been connected with the force, for many years, and I am ready to say for him that during the time he has been connected with the force no gentleman has kept a better record in the Department of Militia than he has. The hon. member for West Middlesex (Mr. Ross) criticised this Bill as he generally does military matters, and I think that, as usual, he has not taken the trouble of reading the Bill before he undertook to criticise it. I have no doubt that the hon. gentleman made these criticisms with the best possible motives, but I do not think that he was as well prepared on the subject as we have a right to expect of an hon. member who holds so prominent a position in the Opposition as he does. The hon. gentleman says that all the training required is received in "A" and "B" Batteries. Now, I would ask him, why should the infantry be deprived of the advantage which is granted to the artillery in "A" and "B" Batteries. Is it not a fact that these batteries, have been very successful in training artillerymen. The mere fact that our Canadian artillerymen presented themselves for competition against the artillerymen of England, and carried to this country one of the most important prizes awarded in that competition, proved beyond the possibility of discussion, that "A" and "B" Batteries have been schools of instruction which have educated that branch of the service to a very high standard. I leave it to any hon.

gentleman who has taken an interest in the question, and who knows what the competition at Shoeburyness is, to state whether I am exaggerating or not, when I say that the fact of our Canadian team having competed successfully against the picked men of England, is not a high tribute to the instruction received at these batteries. Now, if this training has been of such great value to the artillery, why should the infantry, when Canada can afford to give them that training which Canada gives to the artillery, be deprived of such a training. It has been said that we have got all the training we require, and that we should give all the money to the rank and file. In reply to that, I would be ready and willing to-morrow to leave it to the rank and file to say whether or not, in the view of the whole force, they should not have thoroughly trained officers and non-commissioned officers in the infantry, whether we should not take that force and drill and train it in such a way that instead of being a disorganized force it will become a thoroughly organized force, which is just exactly what we intend to do by this Bill. We wish to expend the money in such a way that the expenditure will be of the greatest possible service to Canada. We wish not to expend the money on pageantry, as an hon. gentleman chose to style it. It is not pageantry, and when the hon. gentleman was quietly at home, the very force which he has been accusing of turning out for the purpose of showing their uniform—for the purpose of pageantry—was defending his property and protecting the country against those who were trying to invade it. At that time the hon. gentleman did not say a word, he did not consider then that there was any pageantry in the Militia force of Canada, though to-day he says it is all pageantry. We have heard a great deal of criticism from the hon. gentleman about this new Quartermaster-General who is not appointed, who if he is required will be appointed, but who if he is not required certainly will not be appointed. I ask the hon. gentleman who has criticised the Bill, without looking into it, whether it was not right in consolidating the militia law of Canada, and making changes which were required by the changes which have taken place in this country to provide for the appointment of this officer. Any hon. gentleman who has taken the trouble to look into military matters knows that the Quartermaster-General is one of the most important staff officers required in every military organization; and it was right and proper to take authority in this Bill to appoint such an officer, if required. Before any hon. gentleman expresses an opinion on the subject of this appointment he should wait until the Estimates are brought down; for the Estimates which have already been brought down do not make any provision for it, and the Supplementary Estimates may not do so. Until they do, it is impossible for any hon. member to decide whether this is a piece of extravagance on the part of the Government or not. In any case, every hon. gentleman who has taken the trouble to read in the press of England, and of other military nations, of recent developments, will know that if we required a force for active service a Quartermaster-General would be indispensable, although it may be a question whether the Quartermaster-General should be also the Adjutant General, or whether the two offices should be separate. The hon. member for West Middlesex again displayed his great knowledge of military matters by stating that this torpedo corps should not possibly be tolerated—that it was frightful extravagance. Now, there again the hon. gentleman was talking about a question which he had not taken the trouble of studying. If there is one thing that is not extravagant in the Bill, it is the provision regarding the torpedo corps. With our extensive coast, if we have a thorough and efficient torpedo organization we shall be able to dispense with ships, batteries and many other expensive things; so I knew when the hon. gentleman accused me of extravagance, he did not half know me, because I really am not extravagant.

Mr. CARON,

Mr. O'BRIEN. You are not half extravagant enough.  
 Mr. CARON. My hon. friend says, I am not half extravagant enough, and I am beginning to believe he is right. But, in proposing a torpedo corps, I am really proposing to save a great deal of expense to the country; and, if the hon. gentleman wishes, I will send him a lot of the most recent works published in England, Germany, the United States, France and other countries, indicating that the proper modern mode of defence for seaboard as extended as ours is the torpedo corps. The hon. member will find this out when he studies the question; but, it may take him much more time than remains this Session, because he has not begun to understand it yet, and, if I send to my hon. friend all the books I have consulted, I am afraid the hon. gentleman will not be able to express an opinion until next Session; but, by next Session, I am convinced the hon. gentleman will say that I was right and that he was wrong. The hon. member for Richmond and Wolfe (Mr. Ives), has gone into this subject very thoroughly—and my hon. friend, though generally right, was not right upon this question. The hon. gentleman states that we are expending a very large amount of money, and he calls upon me as Minister of Militia to state whether we want to get up a standing army, or whether we want to get up a force merely for domestic troubles. The hon. gentleman knows that we could not get up a standing army without his knowledge, and the Bill states beyond any possibility of doubt, exactly what the intentions of the Government are in organizing this force. Now, Sir, this great standing army would be a force numbering 750 men. You can imagine what a sensation we, as a military nation, would produce among the military nations of the world, when they heard that we had organized a standing army of 750 men. Well, Sir, we are organizing, not a standing army, but a force for purposes of instruction; we are organizing for the infantry, schools such as we have already established for the artillery, and which have had such a beneficial effect upon that branch of the service. I think that, ever since I have been at the head of the Militia Department, I have not attempted to increase the expenditure on the staff or the officers, and I am not proposing to do so in the measure I am now submitting to the House. If hon. gentlemen will look into the accounts they will see that since I have been Minister of Militia I have reduced the expenditure on the staff. That saving on the pay of the staff I have given to the rank and file; and I ask any hon. gentleman whether it is not a fact that these camps have been of great benefit to the force? I state so not upon my own authority, because I can understand that hon. gentlemen would say I am not in a position to express an opinion on such matters, that I am not a competent authority on such matters, but I express that opinion, taking the record that appears in every report published in the Department of Militia and Defence; I express it as being the opinion of military men who have had a large experience in the British service, and who say that the military forces of Canada during their twelve days drill have done more work and acquired more experience than they ever before had an opportunity of acquiring. I can frankly state that I should like a yearly drill instead of a biennial camp drill in every district of every Province, because men can learn more in these camps than in the drill at headquarters. No doubt, at headquarters drill the men do their duty and do it well, but you have not got the large number of men together that you have in camps, and men cannot gain the experience there that they acquire in camps, nor learn the drill which is given in camps and can never be given at headquarters, and, besides, in camps that feeling is aroused which should always exist in any authorized force; and I should like to see camps where men would be brought together from the different sections of the

country. But if I am extravagant, as the hon. member for Middlesex says I am, how can I ask this honorable House to vote the appropriations which would be required in order to have camps every year. That I can understand would be of great value; but as we have been proceeding gradually, improving, Session after Session, our force, we should not be too anxious and ask Parliament now to vote a large amount for yearly camps. We must wait; and the force knows that whenever Canada, after the great expenditure which naturally has to be incurred on public works becomes less heavy, can provide for yearly camps, we will have them. I believe that in this matter, as in every other, we should proceed gradually, so that the country will not be burdened by any extravagant expenditure. Now, hon. gentlemen attacked the expenditure upon the staff. If hon. gentlemen had looked into the matter before attacking our most efficient staff, and trying to prevent these men from getting the remuneration their services are worth, they would find that really the staff costs very little of the money voted by Parliament—not more than one-twentieth. Now, it must be considered that the men who thus devote themselves, have not, like others in the Civil Service, the privilege of retiring on pensions or getting superannuation money. The day they have to leave the service they have nothing to fall back upon, but the accumulation of the large salary which has been given them per annum, during the term of years they have served their country. I do not wish to say anything more about the staff, except to ask hon. gentlemen to consider whether out of the whole amount voted by Parliament, one-twentieth is an extravagant amount to devote to the staff. I am certain that hon. gentlemen wish to deal with this question in the fairest possible manner, and I am perfectly certain that when they look into it, they will see that it is impossible to spend less money on the Militia force. Hon. gentlemen spoke of the pay which is given to the rank and file, 50 cts. per day. I would ask the hon. gentleman to take up the best paid military service in any country—take Switzerland, France or Germany, any country you wish—and say whether the 50 cts. per day is not really paying the rank and file as liberally as they can expect to be paid. I know that, in a country progressing like our own, where every man who has energy can find employment, and obtain for his services an amount compared with which this is a very small pittance; but let me say to the Militia force of Canada, that at 50 cts. a day we have never found it difficult, without making any appeal, except to the volunteer zeal of the people, in filling up the rank and file. With the rank and file it is not a question of earning 50 cts. a day, but it is a work of love—it is the old feeling of patriotism which exists among all classes in Canada, and whenever the occasion has arisen and the force was required to come out, there was no question whether they should be paid 50 or 75 cts. a day, but they came to the front and did their duty like men. I have visited many camps, and have seen men who told me they were paying \$1 a day to men who were replacing them on their farm, in order that they might attend drill in camp. If we look at the question from that point of view, I know that 50 cts. a day is no remuneration for men of their intelligence and good behavior; and I know equally well that in giving them 50 cts. a day, Canada virtually says to her militiamen that it is only to defray their expenses, and she makes no pretension of compensating them for their time; and, under these conditions, these men go into camp, and pay the extra amount which is required to provide substitutes on their farms. A very important feature of this Bill is the provision to train and educate thoroughly the officers and non-commissioned officers; and I leave it to any hon. gentleman who has taken an interest in military matters, whether, if we can thoroughly drill and educate officers with the sum that will be asked for to support those infantry

schools, Canada will not be prepared for any emergency that is ever likely to arise. But, Sir, in speaking of the expenditure of money we must consider that when we undertook to organize a military force in Canada, England had made over to us valuable properties in several sections of the country—the forts at Point Levis, for instance, having cost millions upon millions—and it was right and proper for us, when the Imperial troops were withdrawn, as is stated in clause 21 of the Bill providing for the formation of these infantry schools, to add a little to the expenditure already devoted by Parliament to Militia matters in order to be better able to rely upon our own resources. It is simple prudence for us so to organize our force that it will be not only a credit to the country, but that it may be utilized by any Government which may happen to be in power for the purpose of protecting ourselves against any home disturbances, or resisting any attack that might be made from outside. The hon. member for West Lambton has drawn my attention to clause 39. Well, Sir, this is no change in the old law, and I see no reason why there should be a change, because this clause really provides for what is absolutely required. I do not say that there can be any question about responsibility for that, as I think that the hon. member in reading it over again carefully, will see that these schools are really required. It is not a new law, it is not an amendment of mine, and I think the hon. member will see that the clause is really required. The hon. member for Algoma has taken a very deep interest indeed in Militia matters in his section of the country, and it was a pleasure to me to discuss this question with him from his stand-point. When the hon. gentleman called at my office and submitted the matter to me, I must say, as I told the hon. gentleman, that I could not give the hon. member all that he requires, because his constituency is a kingdom and it would require a standing army, such as my hon. friend from West Middlesex desires for Canada; but I think that, in making the changes which it is possible for me to make, that I can give the hon. member about one-half he has asked for, and I am sorry it will be so little. I must say that I feel deeply grateful to those hon. gentlemen who have considered this question and favored the House with their views. I can only say that I have endeavored to draw up a measure which would be as inexpensive as possible for Canada, but at the same time one which will make the militia force a force that will be perfectly organized and put upon a sound basis. I believe that, without the modifications in the present Bill which I have asked the House to accept, the money we are now expending is expended without our receiving the value for it we ought to receive. I believe that this training, which I have asked the House to provide for, would be well worth the money it will cost; I am perfectly satisfied that any hon. gentleman who takes an interest in the subject and who has looked over the Bill and studied its changes carefully, will recognize that this Bill is a step in the right direction.

Mr. MITCHELL. The hon. gentleman has not answered the question I asked him as to the extra cost this Bill would impose upon the country for the maintenance of the force which he proposes to establish under it?

Mr. CARON. I am sorry, indeed, to have forgotten the question of the hon. gentleman. We military men know so little about figures that the hon. gentleman's question, which was asked at the end of the discussion, had quite escaped me. Under the new Bill, the organization contemplated will cost about \$150,000 per annum; and when the hon. gentleman sees the details of the expenditure, I hope to be able to convince him that it is really as low a figure as can possibly be applied to the organization contemplated.

Mr. MITCHELL. Is that over and above the cost under the existing law?

Mr. CARON. Yes, under the existing law; but the hon. gentleman will find that the existing law gives very little money to the Militia.

Bill read the second time; and the House resolved itself into Committee.

(In the Committee.)

On section 21,

Mr. VAIL. Will the hon. gentleman give the Committee some further information as to how he arrived at the estimate of \$150,000. The two present batteries cost \$125,000 a year, and they do not number more than 150 men; yet the hon. gentleman proposes an additional corps of 750 men, part of which is to be cavalry, which is the most expensive arm of the service, and he estimates \$150,000 as the cost. I would like the hon. Minister to explain on what basis he has made his calculation and to give the cost of each arm of the service.

Sir JOHN A. MACDONALD. I think the hon. gentleman is quite right in calling on the hon. Minister to count the cost of the new organization. My hon. friend will do that by resolution, of which we have prepared a series, and on considering those resolutions in Committee it will be proper for the hon. gentleman to make a full explanation. The clause of the Bill provides for the formation of a certain force, but if the money is not voted its provisions cannot be carried out.

Mr. BLAKE. I do not agree with that proposition. After the Bill has been passed we must vote money to carry it out, but in order that we may pass the Bill we must know the cost involved.

Mr. CARON. I do not so understand the matter. If the resolutions are not acceptable to the House, the provisions of the Bill cannot be carried out.

Mr. BLAKE. The twenty-first clause makes it lawful for His Excellency to maintain 750 troops, and so forth. We have a right to know, before we agree to this proposal, something as to what will be the cost involved. When the hon. gentleman brings down the Estimates he will say, "You have passed the Bill, and the Estimates are merely to carry out its provisions."

Mr. CARON. As I understand it, the hon. leader of the Government has stated that the details will be explained when the resolutions providing for the expenditure of the necessary money will be presented to the House; and if the hon. gentleman takes the view, as I understand he does, that matters connected with the expenditure of money must be brought down by resolution, it seems to me that it is impossible to adopt any other mode than the mode suggested, that when the resolutions are brought down the details of the measure shall be discussed, and if found acceptable by Parliament, money will be voted. If they are not acceptable to Parliament the money will be refused, and the provisions of the Bill will not go into effect.

Mr. BLAKE. Then you decline to give any further details to the House. It is stated that the Bill is necessary in consequence of the withdrawal of Imperial and regular troops. What regular troops are to be withdrawn and when?

Mr. CARON. The hon. gentleman knows, I suppose, that the Imperial forces have been largely withdrawn from Canada. At one time Imperial troops were stationed at Quebec, Montreal, and Toronto, and these have been withdrawn. That is what I mean. When those Imperial troops were withdrawn it became necessary to provide for the care of valuable property which had been transferred by the Imperial Government to the Canadian Government. I do not allude to any further withdrawal; I am merely speaking of the withdrawal with which every hon. member is acquainted.

Mr. MITCHELL.

Mr. BLAKE. Then it is because seven years ago the troops were withdrawn, that it is necessary now to increase permanently the fixed force; but what have we been doing to take care of this property in the meantime?

Mr. PAINT. May I remark that I think I see the point in this Bill. Last autumn I made a rather careful examination of the fortress at Quebec, with an officer, and it was plain that not less than 500 men can keep this fortress in order; only 150 men were there, and at every turn you could see that the fortress was dismantled; grass was growing in the street, and it was utterly out of order and unkept as a military position. I am rather pleased that the hon. Minister of Militia has found out a way of protecting this fortress. We have either to give it up or maintain it as a credit to the Dominion; and I am in thorough accord with this scheme.

Mr. VAIL. I presume the hon. Minister of Militia has based his calculation of the cost of this force on the cost of the present two batteries. Will the hon. gentleman kindly inform the House of the strength of the battery at Quebec—A? He has provided \$125,000 for the future, and the Estimates name \$128,000 as the amount spent last year. Does he decline to give the information?

Mr. CARON. I do not decline at all; but the hon. gentleman is completely mistaken with regard to my calculation. I have not calculated on the basis of "A" and "B" Batteries, because batteries of artillery have to keep up an establishment of horses, which are very much more expensive than is an infantry school, which we mean to establish; and it would be a very false basis to go upon. The hon. gentleman knows very well, from his previous great experience in the Department of Militia and Defence, that artillery batteries cost a great deal more money than would an infantry school.

Mr. VAIL. My hon. friend has given us no information at all, as to the strength of Battery "A" at Quebec; but I have a very clear recollection that when I occupied that position, he desired very particular information as to the cost of the battery at Quebec, and I naturally presumed that the hon. gentleman would be able to give us all the information necessary with reference to the cost of this battery—I quite concur with him as to the cost of the force, which he proposes to provide, because if he has to have cavalry, he must acknowledge; that it is the most expensive arm in the force; and how is he to have cavalry without horses, and how is he to get horses without money; and he knows very well the expense connected with providing horses now, of keeping them up, and of replacing them, as they become old and unfit for service. This will be a very heavy charge to the Department. I only ask for information; and I think that it should be given before this clause is allowed to pass. This is not a clause providing for a force to exist for one or two years but for a permanent force, and nothing short of that; you may say that the military organization of England is not permanent, because they are ten years men. We are providing for a force of three years men, only a shorter term of service, but this is as much permanent as is the military organization of Great Britain. I cannot see, for the life of me, why we should be asked to incur this increased expenditure, to be for ever a charge on the revenue, without fuller information on the subject.

Mr. CARON. The hon. gentleman, from his experience, knows exactly the number of men that constitute a troop of cavalry. He will see that by this Bill, that I provide for one troop of cavalry; consequently, the hon. gentleman knows exactly what that number of horses and men will cost. As far as the organization of and expenditure connected with a school of infantry are concerned, the hon. gentleman knows perfectly well, that in a troop of cavalry or battery of artillery, the horses are a very expensive item;

but in a corps of infantry, you have no such expenditure. I am very desirous that the hon. gentleman should understand that I will allow those clauses to remain over, consulting the hon. gentleman's wishes, in order that he may look into them; and I believe he will then find, that the proposed expenditure is very much smaller than he believes it will be.

Mr. BLAKE. I am very glad that these clauses are to be left over, to give the hon. gentlemen an opportunity of looking into them; but these hon. gentlemen are a Minister and an ex-Minister of Militia, and it must be remembered that some persons here have not had the good fortune to occupy those distinguished positions, and yet who have some responsibility connected with this measure—so I hope that besides this hon. gentleman looking into it the hon. Minister of Militia will also look into it, and avail himself of further information in order that he may be able to communicate it to the Committee at large on the next occasion, because I intend myself—for I confess that at this moment I do not know how many horses and men are in a troop of cavalry—then to make enquiries respecting this and such like matters.

Mr. CARON. The hon. gentleman, the ex-Minister of Militia, will tell my hon. friend.

Clause stood.

On section 27,

Mr. BLAKE. As this clause appears to involve a charge on the revenue, it is clear that it cannot be proceeded with as it can only be dealt with by a resolution.

Sir JOHN A. MACDONALD. I differ *toto cœlo* with the hon. gentleman, as to there being any necessity of commencing it by a resolution.

Mr. BLAKE. I did not say commencing it.

Sir JOHN A. MACDONALD. There is no principle clearer than when an Act is a consolidation or a codification of an old statute, the organization of the Bill by resolution is not required, even in the case of money clauses, because no doubt these were introduced originally by resolution.

Mr. BLAKE. I did not say it was necessary to mention the Bill by resolution. I say that money clauses could be incorporated only by resolution, and this is not only a consolidation Bill but an amendment Bill.

Sir JOHN A. MACDONALD. But this is a consolidation clause.

On section 29,

Mr. BLAKE. I object to that clause, as it is one which cannot be introduced except by resolution.

Sir JOHN A. MACDONALD. Yes.

Clause stood.

On section 30,

Mr. BLAKE. Will the hon. gentleman explain this clause?

Mr. CARON. The hon. gentleman will understand from what has taken place already in the Department, exactly what this clause means. We had occasion to appoint one Deputy Adjutant-General who now has control of three military districts, namely, Lieutenant-Colonel Taylor, who now has control of the military district of Nova Scotia, New Brunswick and Prince Edward Island. It may occur again that it will be necessary to amalgamate two districts for administrative purposes, in which case we would dispense with the services of the two Deputy Adjutants-General and replace them by one who would take control of the amalgamated districts.

Mr. VAIL. I can readily see that it might be a great advantage to amalgamate these districts, but I would like to

know whether we may infer, from this clause being printed in italics, that it is intended to enable the Department to appoint one Deputy Adjutant-General for every district at a salary of \$1,200.

Mr. CARON. No.

Mr. VAIL. The hon. gentleman says that he has now only one Adjutant-General for New Brunswick, Nova Scotia and Prince Edward Island. It may be the case that he has but one Adjutant-General over some two districts, and, if so, he has one officer where this clause would give him power to appoint two. I merely ask for information whether that is his intention.

Mr. CARON. When the hon. gentleman was Minister of Militia and Defence, he will remember that he had a Deputy Adjutant-General for Nova Scotia, one for New Brunswick and one for Prince Edward Island; but, in order to economize as far as possible, we place the military districts of these three Provinces under one Deputy Adjutant-General, and reduce the expenditure by dispensing with the services of two. The Bill divides the country into twelve military districts, the same number as existed under the law; but this clause provides for the amalgamation of two districts under one Deputy Adjutant-General.

Mr. VAIL. But the clause has two meanings. In the first place, it authorizes the Government to appoint one Deputy Adjutant-General for every one of the twelve districts, at a salary of \$1,200 a year; and it also authorizes the Government to amalgamate these different districts if they like. I think we ought to have a little more information on this subject, and as one or two other clauses have been allowed to stand, this might stand also.

Mr. CARON. The hon. gentleman must know that the pay provided by the old Act was \$1,200.

Mr. VAIL. I know that the amount paid was something like \$1,600 or \$1,700. Consequently there is some object in changing the clause, and I only want to know what that object was.

Mr. CARON. The hon. gentleman is completely mistaken about the salaries being \$1,600 or \$1,700.

Mr. VAIL. Not at all. The salaries and perquisites amounted to \$1,600 or \$1,700.

Mr. CARON. The allowances are not salaries, and they might be withdrawn to-morrow by Order in Council. The hon. gentleman will find that the salaries are \$1,200 per annum. We are not interfering with the law as it exists, but we are taking the liberty to dispense with the services of one or more Deputy Adjutants-Generals if we like, for the sake of economy. It is not intended to increase the number of appointments.

Sir JOHN A. MACDONALD. By the present law, as I understand it, there are twelve military districts, each of which is to have a Deputy Adjutant-General at a salary of \$1,200 per annum. But my hon. friend, as an experiment and for the sake of economy, has, for the present, amalgamated the three districts of Nova Scotia, New Brunswick, and Prince Edward Island under one Deputy Adjutant-General, and he takes authority so to amalgamate them. For the present the three are amalgamated, and he takes authority so to amalgamate; but should the experiment prove a failure, should an alteration of circumstances, such as fear of war, occur, the Government would have the right to re-appoint a Deputy Adjutant-General to each of the three districts now amalgamated.

Mr. BLAKE. Unless unforeseen circumstances arise it is not proposed to depart from the existing policy. What is the object of the fourth sub-section of the clause?

Mr. CARON. At present the officer in command of our military districts is designated as Deputy Adjutant-General.

Now, the Deputy Adjutant-General can never be a field officer, because he is supposed to remain at home for the purpose of providing everything required for a force going abroad or for active service. He is the channel through which all the necessary arrangements have to be worked for the purpose of expediting the force on active service.

Sir JOHN A. MACDONALD. He organizes the victory.

Mr. CARON. He organizes the victory. It may be considered necessary in case of active service, instead of having the Deputy Adjutant-General in command of the district, to appoint an officer who would be designated as colonel. For instance, the hon. gentleman knows that previous to 1868 commands were vested in the hands of the colonels who at that time were not lieutenant-colonels but colonels of the district and had control of the forces. In the case of active service, these men would not have taken command and become field officers, whereas in ordinary circumstances it suits perfectly well to have the control of the military district in the hands of the Deputy Adjutant-General, but a case of necessity might arise when it would be necessary for the Department to transfer the command—without dispensing with the Deputy Adjutant-General—from the Deputy Adjutant-General to the colonels.

On section 32,

Mr. BLAKE. Are the words "under regulations to be approved by the Governor in Council" in the existing law.

Mr. CARON. As the law now stands we draw up the regulations which are submitted to the Governor in Council. It is now provided that the Governor in Council, will have, under these regulations, the right of providing for exactly what we have been doing. We followed the system we mean to follow now, but it did not appear in the law.

Mr. BLAKE. There are two important points. The first is that the existing Act gives this provision as to retirement only with reference to officers holding commission in the Militia, on the day on which the former Act came into force. It would not give the power to any officers who had commissions subsequent to that day. The second point is that provision in the old Act, amended as it was, is that they may be placed on the retired list with or without a step of honorary rank. That is omitted now altogether. The hon. gentleman says it is important that the Governor in Council should pass regulations under which steps of honorary rank should be given, but he omits the clause under which the step of honorary rank may be given altogether. There is now no clause in the new Bill which would allow steps of honorary rank to be given to a retired officer.

Sir JOHN A. MACDONALD. It is true, as the hon. gentleman says, the original clause was apparently inserted at the time that the Militia force in each of the Provinces was amalgamated into one Militia force, and in order to enable arrangements to be made it was provided that officers should be allowed to retire with or without honorary rank to those below the rank of lieutenant-colonel, that is to say, that no person could get above the rank of lieutenant-colonel, and any persons below that could get up to that rank. The practice has been ever since that the Governor General, as Commander of the Forces in Her Majesty's name, had the power to fix the rank which the officers should retire upon. At all events, this is a good clause to have in the Act, that arrangements should be made by order of the Governor in Council under the direct authority of the Commander of the Forces.

Mr. VAIL. As I understand the clause, the object is to allow officers of the Militia to be retired, and to appoint somebody who might be more competent to fill the position, in the event of its being found necessary.

Mr. CARON.

Mr. CARON. The hon. gentleman will see that provision is made for changes which were necessitated by the amalgamation of the whole Militia force under one system, when Confederation took place. I find in my notes referring to this clause that the first part of it was dropped. The hon. gentleman will find by referring to that law, that this clause provided for the retirement of officers who had served previous to Confederation under a different system, and this clause merely provides for one uniform system of retiring these officers and putting them on the retired list by the regulations being approved by the Governor in Council.

Mr. BLAKE. Is it, or is it not, intended that the Governor in Council may hold the authority which was formerly given him of giving a step of honorary rank upon retirement after the passing of this Act? Is it intended that it should be implied and exercised without the statutory authority under the new Act?

Mr. CARON. The question is left now for the Governor in Council to decide whether that right which was statutory will be exercised or not. Under the old law it was statutory, and there is no discretion that could be exercised. Under the new system it will be left to the Governor in Council to accept and to approve of the regulations which will retire these officers under this clause.

Mr. BLAKE. The hon. gentleman is mistaken. There was a discretion under the old law, and an officer might be retired with or without a step of honorary rank. It was therefore discretionary to give or withhold honorary rank upon retirement. There was no right to the officer retiring to have rank, but it was discretionary with the Executive under the Statute to give or withhold a step of honorary rank. I ask now, whether it is intended that the power to give honorary rank shall be statutory in the future?

Sir JOHN A. MACDONALD. In order to prevent the possibility of doubt, I think the clause ought to be amended as follows:—

Officers holding commissions in the Militia may be placed on the retired list with honorary rank not exceeding the rank of Lieutenant-Colonel, or without honorary rank, according to regulations to be approved by the Governor in Council.

Mr. BLAKE. Why not adopt the old law which is in effect what has just been proposed?

Mr. CARON. This clause applied to the old officers previous to Confederation. The hon. gentleman will see that it really confers on the Governor General in Council the right which was exercised by Statute previous to Confederation, of retiring officers.

Progress reported; Committee to sit again.

## SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 45) further to amend and consolidate, as so amended, the several Acts respecting the Public Lands of the Dominion therein mentioned.—(Sir John A. Macdonald.)

Bill (No. 34) to amend and consolidate the Acts respecting the Customs.—(Mr. Bowell.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 11:40 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 11th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## CANADIAN ELECTRIC LIGHT COMPANY.

Mr. BERGERON moved for leave to introduce Bill (No. 105) to confer certain powers on the Canadian Electric Light Company, and that Rule 49 be suspended so far as it relates to such Bill.

Mr. BLAKE. Has a petition been reported.

Mr. SPEAKER. A petition was reported on the 18th of March, but the Bill was not introduced, owing to an omission.

Mr. BERGERON. It was my fault that the Bill was not brought down earlier, and not the fault of the company.

Bill read the first time.

## SEMAPHORES.

Mr. KIRK enquired, Whether the Government have erected any semaphores on the coast of Guysborough County, Nova Scotia, last year; if so, how many, in what places, and at what cost. If none were erected last year, is it the intention to erect any this year; and if so, how many?

Mr. LANGEVIN. The Government have erected no semaphores on the coast of Guysborough County, Nova Scotia, last year; and it is not decided whether any will be erected this year; nor how many.

## POSTMASTER, IBERVILLE COUNTY.

Mr. BÉCHARD enquired, Whether a postmaster had been appointed at Mount Johnson, County of Iberville, since the 15th March last; if so, what is his name, and on whose recommendation has he been appointed? Does he receive a fixed salary; and if so, what is the amount?

Mr. CARLING. The postmaster was appointed on the 15th March last, Mr. C. V. Pain. He is paid by commission in the ordinary way. He was appointed on the responsibility of the Department.

## IRISH IMMIGRATION.

Mr. TROW, in the absence of Mr. CASEY, enquired, What steps have been taken by the Government, or by any railway or steamship company, with the knowledge and approval of the Government, to secure a share of the immigration from the distressed districts of Ireland; and with what success?

Mr. POPE. Correspondence has been going on with the Commissioners on the other side with respect to Irish immigration. Two gentlemen were sent from here to talk the matter over, and an understanding has been come to that seems to be satisfactory; and I have no doubt we will get a fair share of Irish immigration.

## MOUNT FOREST AND GLEN EDEN MAIL SERVICE.

Mr. LANDERKIN enquired, Is it the intention of the Government to establish a daily mail between Mount Forest and Glen Eden at an early date?

Mr. CARLING. The matter is under consideration.

## FLESHERTON AND VANDELEUR MAIL SERVICE.

Mr. LANDERKIN enquired, Is it the intention of the Government to establish a daily mail between Flesherton and Vandeleur; if so, when?

Mr. CARLING. I am not aware that an application has been made for a daily mail. One was made by Mr. Sproule, for a tri-weekly mail, and it has been referred to the Inspector for report.

## INSTRUCTIONS TO SIR A. T. GALT.

Mr. PATERSON (Brant), in the absence of Mr. Ross (Middlesex), moved for a return of instructions given to Sir A. T. Galt, by which he was directed to negotiate more liberal trade relations between Canada and Spain, or any Spanish colony.

Sir CHARLES TUPPER. In the absence of the hon. First Minister, I desire to say to my hon. friend who has made this motion, that the instructions cannot be brought down without prejudice to the public interest. Negotiations are still in progress. As it is considered that the instructions, which are confidential instructions given to Sir A. T. Galt, cannot be made public without prejudice to the object which is endeavored to be attained, I am quite certain that, after this explanation, my hon. friend will withdraw his motion.

Motion withdrawn.

## TARIFF ALTERATIONS.

Mr. BLAKE moved for letters, memorials, or representations asking for an increase in the Tariff on any of the articles on which the proposed Tariff resolutions alter the rates of duty; and also asked permission to add the words "or grant a bounty."

Mr. BOWELL. I have not only an objection to the addition that the hon. gentleman proposes to make to his motion, but to the motion altogether. Most all the communications asked for by this motion are of a confidential character. When information is asked from any gentleman, whether he be a manufacturer or an importer, as to the values of certain goods, he, of necessity, sends them to the hon. Finance Minister, and they are of a confidential character. It would destroy, in the future, any prospect of obtaining information from persons engaged in manufactures, if you were to expose or advertise—for such would be the effect of the motion—all the letters which have been sent to the Department on questions of this kind. When information is desired in reference either to an increase or change of duty, it is obtained from all possible sources: from importers, manufacturers, merchants, and every other person interested in that particular article; and upon this information the Government decide whether to increase or diminish the duty. I am quite satisfied that if the hon. gentleman ever had occasion to enquire into the desirability of making changes in the Tariff, he obtained his information in the manner I have indicated, and I am sure he would see the force of the objection which I take to the production of those letters. In addition to the letters there are a number of specimens of articles which were affected, and if they were all to be brought down here we would have a tolerably good cart load of them, and tumble them on to the Table. The correspondence is somewhat voluminous, and even if the Government consented to the passage of this resolution it would take sometime to prepare these letters. But I take a broader ground than that—and I think the hon. gentleman will see the force of it—that it would be improper to bring down this correspondence and lay it on the Table, from the very fact that it would be exposing the business of every man who has, either at his own instance

or at the instance of the Government, furnished the information required. I hope the hon. gentleman will not press his motion.

Mr. BLAKE. I make a distinction. If the Government obtained, either from manufacturers, importers or other persons having cognizance of the facts, information for their purpose, confidentially, and agreed that the answer should be confidential, of course such confidential information as the Government so obtained ought not to be brought down, because otherwise, as the hon. gentleman has said, if they make an application in confidence and the answer is given in confidence, and then brought down and laid on the Table, they would not be very likely to obtain replies to future applications of the same kind. That is one thing; but there is a great deal, or may be a great deal, of correspondence not of that character. I think if a person engaged in trade communicates with the Government, either by letter, memorial or representation, and sets forth that he requires an increase of duty in order that the public interests may be promoted by his manufacture being continued, developed or created, I see no reason why that evidence which is so tendered to the Government, should not be laid before Parliament. I see no reason whatever why such representations as are made on the part of one man or another to the Government to induce particular action with respect to the Tariff should be brought down to this House. We have had Tariff after Tariff. Every Session there have been various changes, and now there are no less than 135 Tariff resolutions before us, and many of them are based on the statement made by the hon. Minister that it has been represented that an increase of duty is required. Did he go around to the manufacturers and others and ask them to say what they wanted, or whether they wanted anything? Did he confidentially communicate to them that he was going to introduce changes in the Tariff, and asked them how much they would like? Did he apply to them to give him information, so as to enable him to judge how much more duty they wanted? I presume as these changes were made upon representations made to the hon. Finance Minister, they were necessary in the opinions of those who made the representations, either for the creation or development of industries in the country. In the course of last Session we were told that representations had been made to the Government that, if the Administration was sustained, some millions of capital would come into the country in the way of new industries. I suppose different persons came and surrounded the hon. Finance Minister—in fact he mentioned that several persons came to him with respect to a particular industry, and told him so-and-so. I say if John Jones and Thomas Smith come to the hon. Minister and say: "If you increase the duty from 30 to 50 per cent. or so on, I propose to establish a factory for the manufacture of such-and-such an article," there is no reason why the application should not be brought down to Parliament, and why we should not ascertain the moving causes of the increase in the duty, and have produced the voluntary applications of the different individuals for alterations in the law; and, therefore, I am unable to consent to withdraw the motion, though I do not, after the declaration of the hon. Minister of Customs, expect it will prevail.

Mr. BOWELL. Permit me to add a word or two in reply to the remarks of the hon. gentleman. Even if the papers to which the hon. gentleman refers were brought down they would give a very imperfect idea indeed of the reasons which may have induced the hon. Finance Minister to have made a change on any particular article in the Tariff. For instance, to-day, if the hon. gentlemen and members of the Opposition are desirous of having all the information reviewed, we should have required two or three shorthand reporters, as from eleven o'clock until the meeting of the House, Ministers have been receiving three or four deputations,

Mr. BOWELL.

one deputation consisting of some thirty persons, all urging particular points in connection with the Tariff. While their representations were urged notes were made by the Minister who received the deputations of the points to which they referred; but no correspondence giving an idea of what took place at that interview could be brought down to the House. It is not true that either the hon. Finance Minister or any member of the Government ran around to ascertain whether manufacturers desired any increase in the Tariff; but the hon. Finance Minister, and other members of the Government have, whenever their time permitted, visited the manufacturing industries of this country to witness the progress made, and ascertain what was necessary to be done, if anything, in order to establish them more firmly, and whether the prices of the articles manufactured were not as cheap as they are procured in any part of the world. I do not believe it is a crime for any member of the Government to visit any industry, nor a crime in myself, as Minister of Customs, administering the laws placed on the Statute-book, to consult leading importers and ascertain if there is any harshness or grinding in the manner in which the officers are carrying it out, and endeavoring, as far as I possibly can, from the information I may obtain from them, to make the law work more smoothly in its operation, adhering strictly to the law, and at the same time to prevent any clashing or any difficulty which might arise from a want of knowledge on the part of any of the officers carrying out the law. I do not know whether it was a sneer which the hon. gentleman cast at Ministers for "going around" and endeavoring to ascertain what the requirements of the country are, or have been, in the past; but this I can assure the hon. gentleman, that I think it is the duty of every Minister having anything to do with the administration of the laws, or with changing or perfecting the Tariff, to ascertain and obtain from every individual that he can possibly reach, all the information he can to make the Tariff perfect. It is true a number of changes have been made since the new policy has been inaugurated, and admitting as the hon. Finance Minister did, and as every one must know, that in the changes made you cannot possibly reach and provide for all cases that continually arise, and more particularly in the adoption of a new policy in a country like this where new industries are continually springing up, I deem it to be the duty of the Government on every occasion when they find there is anything in the Tariff which requires amendment, to come down to the House and ask it either to increase the duty or reduce it, as the case may be, or the requirements of the trade may suggest. I certainly think, with the explanation I have given, that it would be more in accord with sound policy and sound procedure for the hon. leader of the Opposition not to press his motion for the papers, because, as I repeat, they will not supply anything like the information which the hon. gentleman would like to obtain by the motion.

Mr. BLAKE. I did not charge that it was a crime against the Government to endeavor to ascertain what has been the progress of industry, and what is the position of the importing trade. On the contrary, I believe it is a prime duty of the Government to do so. I did not make any sneer in respect to hon. Ministers having interviews with manufacturers and importers. On the contrary, I hold that they would be grossly neglecting their duty if they were not to obtain information from such parties; but, I did say, that I did not suppose the hon. Ministers had gone around to manufacturers and asked them how much duty they wanted; and that there were applications for increased or new duties made voluntarily by manufacturers, and to which the attribute of confidence could not properly be applied. The hon. gentleman stated that it would be imperfect, because he cannot bring down all the samples, of which there may be a cart-load, and further that it would be im-

perfect, because he cannot bring down words of mouth which passed on the subject. We all know that there is hardly a return brought down to the House which is a perfect picture of all that has passed on the subject, because, in almost all cases, there have been words of mouth as well as written correspondence; but whoever heard an hon. Minister say, that he would not bring down the papers, because he could not bring down the talking too. We see what is written, and hear what is said; but now, because we cannot get on paper what was said, we cannot see what is written either.

Mr. BOWELL. I did not say so; that is all.

Mr. MITCHELL. I am a little surprised at the hon. Minister of Customs not bringing down correspondence, in which the public is so seriously interested. I think that if there is one thing above another on which the House is entitled to information, it is in relation either to increases or decreases in the taxes imposed on the people. The mover of the motion does not ask—he at once concedes this point—for any correspondence or any information given to the Department, or the Government, of a private nature; but there must be a vast amount of information upon which increases or recessions of duties are granted, which this House ought to have; and I must say, coming as I do from a county which suffers under the National Policy—I am free to admit it—that I regret this refusal. I was one of those who stood in the breach, because I thought that the National Policy was in the interests of the whole country of Canada; and I believe so now. I accepted the consequences of it, and went down and defended that policy and suffered for it; but the people, feeling that they had taught me a lesson, said to me: “Mr. Mitchell, while the National Policy may be for the good of Canada, we expect you, when you go back to Ottawa, to endeavor to see that the extension of this policy is not applied in such a way as to bear hardly and arduously upon the people of our class—fishermen, lumbermen and farmers;” and when I see the hon. Minister of Customs refuse to give information upon what increased duties are based, I must say I think that this information ought to be conceded to this House which he has very injudiciously refused to grant. I have had, during the past twelve months, brought to my notice many, very many, instances of hardship connected with the National Policy. In the county I have the honor to represent, I know of no one single interest which is benefited by its application. I am not one who is afraid to admit the facts—I am independent enough to do so—and I say that in a fishing and lumbering community no interest is benefited by the introduction of the National Policy. The axes which the lumbermen use, the chains with which he hitches his logs to haul them out—

Mr. CARLING. These articles are not dearer.

Mr. MITCHELL. Are they not dearer, we will come to that by-and-bye. The harness they put on their horses, the flour that they use, the cornmeal which feeds not only the people but the horses, everything that goes into the development of the natural resources of a country such as Northumberland is, and a lumbering community, is taxed by the National Policy. I may be told that the bounty is given the fishermen, but there are not ten men in my county benefited by it. They are not boat but net fishermen; and I find that the hon. Minister of Marine, in introducing his Bill, deprives them of fifty miles of river frontage on the Miramichi, of the right to set their nets, which they have enjoyed from time immemorial. I am one of the members who was sacrificed for the National Policy. I supported it, and I believe in it, to-day, as the means of establishing Canada, and of erecting within Canada the material for making a great nation of her; but in its personal application to the affairs of my county it is detrimental; and when we find that taxes are to be imposed, and

that the hon. Minister of Customs refuses to give the information through which these taxes are imposed, it is not such treatment as this House has the right to expect. I am not now going to make any extended remarks about it. I will take the proper time to deal with the question of how far the present duties apply unfairly and unjustly to the county I represent; but I do say, that when information such as has been asked for is demanded, the people's representatives in this House have a right to that information; and it is not for the hon. Minister of Customs to tell us that he gets information of a confidential character. This the mover of the motion has conceded, and it is not asked for; but the general information on which this legislation is based, I have a right to expect, and I think that the hon. gentleman is in the same position.

Mr. BURPEE (St. John). I think that this matter should be better understood before we go much further. Does the hon. gentleman refuse to bring down the information on which the hon. Minister of Finance bases the duties on several articles mentioned in the motion? I would like to know how the motion can be intelligently discussed in this House, with respect to specific and *ad valorem* duties of the articles—

Mr. BOWELL. It would be well for the hon. gentleman to discuss the motion before the House.

Mr. BURPEE (St. John). I understand that the hon. gentleman refused even that information.

Mr. BOWELL. The hon. Minister of Customs did nothing of the kind.

Mr. BURPEE. I will then refer to the correspondence. This correspondence must contain a great deal of matter, placed before the Government, not of a confidential character, stating why the duty should be increased, and there should be no objection to bring this down, as it cannot be very numerous. There are two classes in this matter of particular interest: first, one side of the House, and then the other side; and it would be just as well that those who suffer by this taxation should know the reasons why they are taxed, as well as that those who benefit from it should inform the Government why they should get this increase in taxation. The party opposed to it should know the reasons for it, and I think the hon. Minister of Customs should certainly bring down the correspondence which is not of a confidential character, and give the reasons why this taxation is increased.

Mr. PATERSON (Brant). It certainly must strike the hon. members of the House as very strange that the hon. Minister of Customs has taken the decided stand which he has on this question. The motion of the hon. leader of the Opposition is that the House shall be placed in possession of information which is furnished to the Government, and on which they acted in framing the alterations in the Tariff, and which have a bearing on the interests of the whole country; and why this should be refused is something that is not very intelligible to Parliament. Of course, he has raised a difficulty in suggesting—what was not at all raised by the motion—that the correspondence might be something of a confidential nature. The hon. leader of the Opposition never by any act in this House—and I am sure he never will be—was guilty of asking directly or indirectly for any information of a private or confidential nature; and we have a right to get the information asked for. To say that there is a difficulty in the production of it would also be to ignore the line of argument of the hon. Finance Minister himself on a previous occasion. Why, who does not remember, and if any one does not remember it let him turn up last year's *Hansard*, and read the speech of the hon. Finance Minister, that the hon. gentleman then became an advertising agent for several large importing and manufacturing firms of the country,

and did not scruple even to use the dignity of a Minister of Finance to advertise the private affairs of companies in this country. A letter there appears—if I am not mistaken—written by Mr. Greene, of Montreal, in which he detailed how this business had enormously increased. This was a cheap advertisement for Mr. Greene, and was very desirable to him; and this is precisely one of the increases respecting which information is asked for by the hon. member for Durham, voluntarily given by the hon. Minister of Finance on that occasion, because he thought it suited his purpose and arbitrarily refused by the hon. Minister of Customs on this occasion because we are forced to the suspicion that there is some correspondence there which might reveal something of a selfish nature on the part of the correspondents rather than a sincere desire for the benefit of the whole. Take again the statement of the hon. Finance Minister in this House in his Budget Speech:

"A gentleman said to me the other day: 'If you lay down the principle that books not published in Canada shall be admitted free, what would I, an author in Montreal, do? I would go to the United States and have my books published there, and bring them in duty free. I would thereby have both markets, and there would be no inducement to me to have my books published in Canada; but, on the contrary, there would be an inducement to go to the United States and publish them there.'"

Here we have the hon. Finance Minister giving to us what I would take to be a private conversation with a certain gentleman upon a certain subject which led him to take a certain direction in the legislation which he was proposing to this House on the Tariff; but the hon. Minister of Customs to-day tells us that it would be unsafe and unwise to give us such information. The hon. Minister of Customs says that all this information has been considered, and that after mature deliberation they have made up their minds; but the House wants precisely the same information in order that they may make up their minds. Perhaps this information if it were received, would redound to the credit of hon. gentlemen opposite—perhaps hon. members on this side who hold themselves ever open to conviction might alter their opinions if they had the benefit of this information. Here is another matter of information which is in the possession of the Department, judging from the speech of the hon. Finance Minister, and which I would like to have before us:

"We find now that circulars are being distributed with reference to certain articles, and stating that if they could crush these manufacturers out for a year or two they could have the market for themselves, and they are making an effort to get it."

Sir, I want to see one of those circulars. I do not deny the statement, but I want to see the circular, and I think I have a right to see it. It has been publicly alluded to, and I want it laid on the Table of the House so that I and the people of Canada may be in possession of that authoritative document so that it may be printed in our newspapers, in order that we may understand the line adopted to us by our neighbors. It is in the public interest that we should have it, and I think it is in the public interest that the motion before the House has been made, and I think that better reasons will have to be given before we feel satisfied with a negative answer to the request which has been made.

Sir JOHN A. MACDONALD. I think it must be quite evident, from the speech we have just listened to that the hon. gentleman does not intend to be a Minister of Finance because if he had the most remote idea of filling that office, he would not have made the announcement which we have just heard; because no Finance Minister can carry on the business of the country, can collect the necessary information, can thoroughly do his duty, if he would accede to the proposition contained in the motion, and which has been pressed so strongly by the hon. gentleman. It is the business of the hon. Finance Minister to get all kinds of information from all sources—from interested sources, from suspicious sources, from sources which are dishonest, as well

Mr. PATERSON (Brant).

as those which are honest. He has to get such evidence as he can, and he has to weigh that evidence and consider it; and then, on his own responsibility, and the responsibility of the Government, he has to decide what he shall propose in the way of taxation, or the remission of taxation, when bringing down this his Financial Policy. He does it on his own responsibility and the responsibility of the Government, and he has to give such reasons as he thinks necessary to convince the reason and the conscience of the House; and the House will judge of these reasons and of these grounds, without reference to what influence may have been behind him. What does it matter to this House what Mr. A or Mr. B says, or Mr. Green or Mr. Blue. It is a matter of no consequence what information he gets, for he is obliged to submit to this House such good reasons for the measure he proposes that the House will accept them, and if they are not satisfactory, they will reject his proposition. The hon. gentleman says that this information ought to be given, because, last Session, the hon. Minister of Finance, in the exercise of his own discretion, quoted a letter from a Mr. Greene, and he said that was a great advertisement for Mr. Greene, and that it promoted the interests of that gentleman. If I remember aright, the hon. gentleman, in his place in the House, objected to my hon. friend the hon. Minister of Finance reading that letter. Did he not say that it should not be used as an advertisement? Has the hon. gentleman, or has any friends of his own, any representations which they want to get advertised? Does he think that there is, among all those papers, any correspondence of that kind—for, at all events, we have agreed that there is some duty to be put on cigars? Does the hon. gentleman wish to search among the archives of the Finance Department to find out whether there is any such statement—any such advertisement of the necessity of protecting cigars?

Mr. PATERSON (Brant). All right.

Sir JOHN A. MACDONALD. But the hon. gentleman knows perfectly well what I mean.

Mr. PATERSON. I know what you insinuate.

Sir JOHN A. MACDONALD. The hon. gentleman knows what I have said. I am rather surprised that the hon. leader of the Opposition has made this motion, which strikes at the very root of the means of obtaining the best, fullest, and most exhaustive information on all subjects connected with finances. If it is to be understood that every manufacturer, and every person who is supposed to have a direct or indirect interest in the subject, is to have his letters pressing his own views published to the world, the Government will be deprived of the usual and ordinary means of getting such information; and I venture to say that in the last 150 years no such motion has been made in the British Parliament; and that if made it would be laughed out of the House. My hon. friend from Northumberland (Mr. Mitchell), says he is surprised that this motion should not be granted. That hon. gentleman, when he was the able and efficient Minister of Marine and Fisheries, got an immense amount of information of every possible kind connected with the claims of Canada for compensation for injuries done to the fishermen; but if there had been the most remote idea amongst his informants that their statements would be published to the world, Canada would have lost all that information which enabled her to get the large verdict of \$5,000,000—information which gave Canada and Great Britain a triumph, and information which got another hon. member an honor and a decoration which ought to adorn the breast of my hon. friend. If such a motion as the present had been made with regard to the hon. gentleman's Department, I am sure he would have risen with very vigorous indignation and rejected it. I have no hesitation in saying that this motion really strikes at the efficient administration of every Department. I oppose it, and I

shall ask all my friends and all the friends of effective administration of affairs to resist this motion as unusual, as uncalled for, and I venture to say, unprecedented.

Mr. MITCHELL. I must ask the forbearance of the House for a few moments. As the right hon. gentleman has chosen to refer to me in a manner so distinct, and I may say so complimentary, I may venture, in justification of myself, to draw a distinction between the two cases he has referred to. The right hon. gentleman has referred to the vast amount of information obtained by me in connection with the Fishery question. I admit that I did obtain a great deal of information in relation to that matter, and I admit that there was a great deal of correspondence moved for that it would have been prejudicial to the public interest to have brought down, and that was not brought down. There are occasions in the experience of every hon. Minister, when it would be improper to make public, matters that come before the Government. The hon. gentleman has referred to distinguished honors having been conferred upon gentlemen in connection with the Treaty of Washington. It is a little singular that he should refer to these matters. There was a time when honors were being conferred upon my colleagues for services performed in connection with the creation of this great Confederation, when titles were being distributed with lavish hands all around, when the hon. gentleman had it in his power to give a title to Mr. Mitchell, as well as others, and he was left out. I may say that I did not suffer much from the omission, because I am not one who values these honors much. Sour grapes, it may be said; but I have survived. This case is a very different one from that to which the hon. First Minister has referred. The hon. member for Cardwell says: "Not a bit of it." He will, perhaps, blindly follow his leader, because it is said, although I will not say it, that he is the nominee of the hon. first Minister —

Sir JOHN A. MACDONALD. Order.

Mr. MITCHELL. Who says order? I am not out of order. I am speaking the honest conviction of my mind in this matter, and I say that there are hon. gentlemen in this House who may follow the hon. First Minister blindly, and when he calls upon them to refuse to give this information, I suppose they will follow him, and vote down the motion. The case brought up by the hon. First Minister is entirely different from this case. It relates to information obtained from a foreign country, and obtained in a way which hon. gentlemen opposite chose to designate as improper; and I may say that I owe but little to hon. gentlemen on the Opposition side for the manner in which they dealt with the information then obtained; but when there is a question of principle, involving the right of this House to information as to how our taxes are imposed on the people, whether they are for the advantage of the manufacturer or of the people, I put aside party and the flattering reference which the hon. First Minister has made, and I deal with the bold question as to whether the people of this country have a right to ask for every information that is in the hands of the Ministry, which can be given to this House without detriment to the Government, or contrary to the interest of the country.

Mr. BURNS. Coming as I do from a county in the same Province as the hon. gentleman's county is in, and having identical interests with the county of Northumberland, I think it right to criticise, in a few words, the remarks which have fallen from the hon. gentleman who represents that county. I think he was rather unfortunate in the argument he addressed to the House. I think he was rather unfortunate in claiming that the National Policy had not only not benefited the lumbering and the fishing industries of the county of Northumberland, but was actually injuring them. That I entirely deny. The hon. gentleman men-

tions two or three items to show how the National Policy has injured these industries. He mentioned the item of axes. Now, I would ask the hon. gentleman how many axes have been imported into the county of Northumberland during the past fifteen years? I contend that 95 per cent. of the axes used in the county of Northumberland during that time, and under a Tariff of 15 or 17½ per cent., were manufactured in the Province of New Brunswick or in the Province of Quebec. The National Policy did not affect the price one iota, unless it lowered the price, by giving the manufacturers an enlarged market. With regard to chains, to which he also referred, I ask him if their cost has been increased 2½ per cent. by the National Policy? I might ask the same question with regard to the article of harness. I can simply say that not 5 per cent. of the harness used in the County of Northumberland, during the last fifteen or twenty years, has been imported. All the harness used in the lumber industry has been made in Canada, and largely in the chief town of the county; and its cost has not been increased to any appreciable extent. The hon. gentleman also spoke of flour. How many barrels of flour have been imported from the United States into the county of Northumberland during the last fifteen years? All the flour used in the northern part of New Brunswick comes from Quebec or Ontario, and that flour, being a portion of the surplus produced by those Provinces, is not enhanced one cent in its price. In regard to the question of cornmeal I am free to admit that the sentiment of the people of New Brunswick is in favor of placing cornmeal on the Free List; but, in acknowledging that fact, I say there is not the clamor against the imposition of the duty which is represented to exist, nor is cornmeal used down there as a matter of food to the extent claimed. A great portion of that which is used in New Brunswick is used for horse feed, and, on account of the imposition of the duty, a large quantity of oats is kept out of the country to the damage of the American farmers and the advantage of the farmers of New Brunswick, Quebec and Prince Edward Island.

Mr. MACKENZIE. It is evident we are drifting into a discussion on the Tariff, instead of limiting it to the question whether the papers asked for should be produced or not.

Mr. SPEAKER. I hardly know how much latitude is to be given in this matter. The papers called for all relate to the Tariff and it is difficult to say whether they have not some connection with the subject brought up by the hon. gentleman. I would ask the hon. gentleman to use his discretion, and not branch out on other matters.

Mr. BURNS. I do not want to branch out at all. Unlike the hon. member for Northumberland, I endeavored to give my views on the Tariff in the debate on the Budget. I was saying that cornmeal is not used for human food in the Lower Provinces to the extent represented, and, therefore, when it comes into competition with grain the benefit is to the farmer. I come to another item which shows the fallacy of the arguments of the hon. member for Northumberland, that is with respect to the fisheries. He has claimed that very few people derive any benefit from the fishery bounty. I am not prepared to say what is the number who are benefited in his county by it; but in the county I have the honor to represent a very great deal of good has been and is being done because of that bounty. We have at least 500 fishing boats there. The House can easily understand the immense benefit the bounty is to the people of Gloucester. In connection with the fishing and lumbering business I may refer to two important articles of food, tea and pork. We have now free tea. That is a great boon to the lumbermen and fishermen. No man knows better than the hon. member for Northumberland the enormous consumption of tea there is in the woods. Any time you go to a lumber-

ing camp, the first thing put before you is a tin panakin of good black tea, and as the quantity consumed is very large the admission of tea without duty is a great boon to the lumbermen. The next item is that of pork. Under the old Tariff the same duty was imposed on pork as now, that is one cent per lb., so that in respect to that article the Tariff does not impose any additional duty. I have no desire to occupy the attention of the House at greater length, but rose simply to refute a number of statements made by the hon. member for Northumberland.

Mr. FARROW. I would very much like to have had an opportunity of discussing the National Policy, while the debate on the Budget was going on; but as time would not then admit of my doing so, I think I may be allowed a few minutes now to give the coming Finance Minister a little advice. I am sorry the hon. Finance Minister is not in his place; but I think the hon. member for Brant has received all he could expect to receive from the hon. Minister of Customs. If the hon. gentleman is seeking information, I can give him one of these circulars. I am as little acquainted with the hon. Finance Minister's business as any man in this House. I know nothing about his secrets, about his Department, so as to speak with regard to secrets. I do not know who has gone to him, or what representations have been made to him; but I do know that there are circulars throughout Canada—American circulars, which show that the Americans are trying to get, if possible, the trade of this country, and break down our own manufactures. I am sorry that a man of worth—a coming man—such as the hon. member for South Brant, should have any such teetotal ignorance about these circulars. I never expect to be a Finance Minister. I make no pretence to that, but really I have seen one of these circulars.

An hon. MEMBER. Send it over.

Mr. FARROW. I will send it over. I am sorry to say that that side of the House are generally wanting in gentlemanliness, as I have found after about a dozen years' experience in this House. Now, the Americans had a very good schooling when they began to manufacture goods to send to this country. When they commenced to manufacture axes the British manufacturers drew together and set to work to devise means to kill this competition. Take the manufacture of axes. How shall we find out their prices? One says: "I will tell you how; we will, for one or two years, if necessary, send in axes at a reduced cost and kill them out." They tried that. They hampered them as much as they could, but nevertheless the Americans succeeded. How? By placing higher duties. Now, if there is one manufacturing interest in Canada that has been helped by the National Policy, it is the manufacture of musical instruments, organs and pianos.

Mr. CHARLTON. I rise to a point of order. I wish to enquire whether we are discussing the Tariff, the National Policy, or the motion on the paper.

Mr. SPEAKER. It seems to me that in discussing anything relating to an increase in the Tariff, an hon. member may say that an increase upon one article has raised the price of other articles, that the duty was before too high, or out of proportion. He may cite these facts to justify the state of the Tariff heretofore, or justify the increase of certain duties. If he can go into the Tariff at all he can go into the whole Tariff.

Mr. FARROW. I will bring my remarks to a close by giving you this circular. There is a gentleman residing in Washington, New Jersey, named Daniel F. Beatty. He sells organs for \$125 in his own country. He puts an advertisement in the *Christian Guardian*, of Toronto—a religious paper than which there is no better paper that I know of—that he will give Canadians that organ for \$79 if they will remit in ten days. He says: "If you will clip out this little

Mr. BURNS.

bit of coupon that appears in the *Guardian*, that little piece of waste paper shall be taken as good as \$46. He goes on to say: "All freights shall be prepaid. There are twenty-seven stops. There are two golden reeds. There is a music stool. There is a supply of music for a century nearly. And all this at a reduction of \$46, by sending this little scrap of paper, if you buy from us within ten days." Why not twenty days? Why not forty days? Why not for a whole year? Will the hon. gentleman tell me that \$125 is not the real price of the organ, and that this \$46 off is for the very purpose of getting the trade of organs in this country and swamping it? I am glad that there is an organ company in Bowmanville; I am glad the hon. leader of the Opposition represents Bowmanville, and I am glad that that organ company manufactures both organs and pianos. They produce just as good articles and as cheap as can be bought in the United States. The point is this: If you let this Yankee bring in these organs for \$79, that are worth \$125, the Bowmanville factory will be snuffed out, the Bell Organ Factory at Guelph will be snuffed out, the Clinton Organ Factory in my county will be snuffed out, and all these men who are working in these factories will be snuffed out. They will go to Daniel F. Beatty, Washington, New Jersey. I will close by sending this circular to my hon. friend the Finance Minister of the Opposition, and I trust that he will read it carefully. I trust he will glean the news it contains. I hope and trust that there will be sufficient good sense on both sides of the House to refuse the motion that has been moved by the hon. member.

Mr. PATERSON (Brant). I have not had time to look at the circular, but I listened attentively to it, and I did not find that it says what the hon. First Minister said was in it. What I want is that circular in which the American manufacturers say—

Sir JOHN A. MACDONALD. This is not a personal explanation.

Mr. PATERSON. Yes; it is.

Sir JOHN A. MACDONALD. No; it is not.

Mr. PATERSON. It is setting myself right. I have been misquoted.

Mr. SPEAKER. The hon. gentleman is allowed to make an explanation if he has been misquoted.

Mr. PATERSON. I have been misquoted. The hon. First Minister need not have tried to take that point. This is what the hon. First Minister said:

"But more than that, we find that our enterprising neighbors to the south of us have made up their minds that if such a thing is possible they will have for their manufactures the market of Canada at any price. We find now that circulars are being distributed with reference to certain articles, and stating that if they could crush these manufactures out for a year or two they could have the market themselves, and they are making an effort to get it."

That is what I said before. I do not deny that there is such a circular, but I want to see it. I have not seen it in the paper that has been sent across the floor.

Mr. FARROW. Does the hon. gentleman not think that that kind of work will do it effectually?

Mr. PATERSON. I am talking about a direct statement of the hon. First Minister.

Mr. CHARLTON. I imagined, a few moments ago, that I was listening to the dulcet tones of an organ, although I could not imagine it was a Yankee organ. It was undoubtedly a good loyal Canadian organ. It had only one stop, and we were very anxious to have that stop applied. Finally it was, and the organ ceased its tone. Well, Sir, I think this is a most humiliating come-down, from the position taken by the hon. gentlemen opposite with regard to this circular—quoting an advertisement in a newspaper with reference to the sale of organs, an advertisement that

professes to sell an organ for \$79, the list price of which is \$125. Well, Sir, I do not know that it would be a very great detriment to the purchaser in Canada if he got the value of \$125 for \$79. I cannot see it in that light. It strikes me something as it did the little boy who was training his bull dog-pup once. He got his father to get down on the floor and let the pup take him by the nose. During the operation the father yelled with pain, but the boy assured him that while it might be hard on his father it was the making of the pup. So, while buying organs at this price may be hard on the organ manufacturer in Canada, it is certainly good for those who have to buy the organs. However, I assure the hon. gentlemen in this House that though this manufacturer sells his organs at a discount of \$46, he is still selling them on better terms than they are usually sold. I am informed that from the price list of musical instruments a discount of 40 per cent. is given to the trade. The discount on that organ, valued at \$125, would be \$50, and the manufacturer was offering the organ at \$4 higher than the regular terms of the trade to the Canadian purchaser. If this is all the hon. gentleman has to show to back up the assertion that American manufacturers are determined to ruin manufacturers in Canada, certainly it is a very humiliating come-down from the statement made. I do not propose to follow the example of the hon. member for Gloucester and the hon. member for Huron, and travel the ground so widely as they have done, with reference to the National Policy. The question before the House is a motion moved by the hon. member for West Durham, calling for certain specific informations, calling for letters or documents with respect to the increase of duties. A very small return would be necessary to include this correspondence. The hon. gentleman does not ask for any private correspondence; he asks for nothing but informations that was placed in the hands of the hon. Finance Minister, with respect to the duties on certain articles. There is nothing improper in the demand, and nothing improper in the hon. Finance Minister acceding to the motion. The hon. First Minister has told the House that the demand strikes at the right of the Finance Minister to receive and make use of confidential information. The hon. gentleman has told the House that the hon. Finance Minister makes use of dishonest informations, as well as honest informations. I dare say he does. I dare say a part of the informations submitted to the hon. Finance Minister to induce him to make particular changes in the Tariff, was dishonest, and that some of the influences used were dishonest. I believe the hon. Minister was approached by interested parties, not from a desire to promote the country's good, but to promote their private and selfish ends, and the hon. gentleman never spoke a greater truth in this House than when he said the hon. Finance Minister made use of dishonest informations, furnished by dishonest parties for dishonest purposes.

Sir JOHN A. MACDONALD. I never said anything of the kind.

Mr. CHARLTON. Did the masses of the people go before the hon. Finance Minister and urge upon him changes in the Tariff? No; it was parties interested in having high duties imposed in order that their gains might be increased. The hon. First Minister has told the House that no Finance Minister can conduct his business, if the information he obtains is published. No papers are asked for which will interfere with the efficient administration of our financial affairs. Let me tell the hon. First Minister the way in which Tariff changes are made in the country from which he copied his fiscal policy. The United States last year was perambulated by a Tariff Commission which sat in every principal city in the country. It called before it parties interested in changes being made in the Tariff—manufacturers, producers, and agriculturists. It did not sit in the

Star Chamber fashion in which this Government considers Tariff changes, but it sat in the open light of day, and in the presence of reporters of the press. How are Tariff changes effected in the United States? Not by the Secretary of the Treasury receiving private information, correspondence and deputations, but changes are organized in Committee of the House of Representatives in open court, in the presence of reporters of the press, and where all interested in the matter could attend and know exactly what was going on. There is no secrecy there. I hold that if the Government decline to furnish this information, the inference which the country will draw will be that the information was of an improper character, that there is something to conceal; and the country will be justified in drawing that inference. If I were not in this House, I would draw that inference.

Sir JOHN A. MACDONALD. Of course you would.

Mr. CHARLTON. If the hon. gentleman had nothing to conceal, if the information was proper for the Government to listen to, the information should be placed in the light of day. Not only have the hon. members of this House, but the whole population of the Dominion, through their representatives, have a right to demand that Government should lay before Parliament the information that induced them to make changes in the Tariff. If the Government deny this information they stifle free enquiry, they stifle the demand made by the representatives of the people, that the people shall know what is going on in the Star Chamber, and ascertain what were the influences which produced the Tariff changes. The Government dare not make public the information. They know that conflicting, selfish interests were seeking to over-ride each other and obtain unjust arrangements under the Protective Tariff. The people do not require to be taught on this matter. I regret the Government should refuse to furnish the information asked for. I cannot say I am surprised, for it was inevitable they should do so. There is something to conceal, information which cannot be laid before the country without drawing on them the condemnation of the people.

Mr. WHITE (Cardwell). The hon. gentleman has referred to the United States as if there could be any possible analogy between that country and ours. When he is compelled to refer to the method adopted there in regard to changes in the Tariff in order to justify a motion of this kind, I think we may fairly say hon. gentlemen opposite have given up the case. In the United States there is no Government responsible to the representatives of the people for the Tariff changes brought down. The Tariff is adopted by Congress itself, by the House of Representatives, and the Senate. It is an open question; any member may propose what changes he pleases, and Congress can appoint, as it did appoint last year, a Tariff Commission to gather information on the subject. In this country, on the contrary, we have a responsible Ministry—thank God for that—and it is a decided advantage of which we may be proud.

Sir JOHN A. MACDONALD. The hon. gentleman (Mr. Charlton) does not think so.

Mr. WHITE. The fact that the hon. gentleman prefers the American system shows how little he is capable of judging as to what is the proper course to follow under our constitutional system.

Mr. CHARLTON. I rise to a personal explanation. I am accused of drawing a comparison which is unfair. It is the right of the people to know what are the influences which have produced changes in the Tariff.

Some hon. MEMBERS. Order.

Mr. WHITE. I never object to any hon. member interrupting me if he has a correction to make; but the hon.

gentleman is now simply referring to the point which he urged, that the people should have an opportunity of knowing precisely what was the information and from what sources the Government obtained it, which enabled them to bring down their policy to the House. It is a matter of no consequence where the information came from if the Government assume the responsibility of submitting their conclusions upon it to Parliament. The objection I entertain to the motion is this: If we adopt this principle it will be impossible for any hon. Minister, no matter the Department over which he presides, to be able to obtain information from outside sources, from independent sources, from sources which do not desire to come before the public, not because of any special interest they possess in the matter, but simply from the fact that they are quiet people who do not like the prominence which the publication of their letters would give them. If we had adopted the principle at the time of Confederation, that every gentleman writing a letter to an hon. Minister on any subject of public interest, is liable to have the letter brought down to the House, as a public document on an Order of the House, I could, perhaps, understand a reason for the present motion; but gentlemen may have written to the Government in perfect good faith, conveying information which they do not desire the public and parties in the same branch of trade as themselves should learn; yet, by this motion, the House will undertake to make public that which the writer supposed, according to all precedents which have obtained in this country, should be a personal and private communication. I have reason to feel somewhat strongly on this question myself. Last summer a gentleman happened to call at my office in Montreal, and said: "I see by the newspapers that the Government are going to give a subsidy for a German line of steamers. Is it not possible that German Lloyd's, of which I am agent, may secure an opportunity to compete for the subsidy?" I said: "I do not know." He asked: "Will you write to Sir Leonard Tilley?" I said: "I have no objection." I wrote a letter which I considered a private letter. I received an answer asking for further information. I handed the letter to Mr. Gilmour, who is the party in question. He thereupon gave me certain documents, which I transmitted to the hon. Finance Minister. That was all that occurred, and yet I find myself paraded all through the newspapers as being interested in German Lloyd's steamers, and as trying to get the subsidy, which I never thought of, or dreamed of. That is a mere incident of what may occur. I happen to be a public man, and have to bear such charges; but merchants are not public men, and the hon. Finance Minister must and ought to be in a position to obtain from merchants all information possible. Now, in this particular case which is asked for, how are we going to get this information? Let us take what is now going on, and is known from the newspapers as going on; let us take the case of agricultural implements, for instance, respecting which there is a proposal before us that the duties should be increased—I am not discussing the question whether this is wise or unwise, but am merely stating a fact—what did we see the other day? That a deputation of persons—agricultural implement makers—came to Ottawa and had an interview with the hon. Finance Minister; their names were given in the newspapers, and they then went away. Now, how are we going to get any information under this motion as to what they stated in the Finance Department? The only possible information that we could get under a motion of this kind is precisely that information for which we ought not to ask, because it is information given by gentlemen to remain private, as they supposed would be the case, although they might not have marked their letters private—under the practice which has always obtained, that communications of this kind never come down to the House at

Mr. WHITE (Cardwell).

all. What we have to deal with here is the Tariff resolutions submitted by the Government. They are responsible for those Tariff resolutions; and we have to obtain from the hon. Minister, on the floor of Parliament, the information upon which he has arrived at the conclusion to submit them to Parliament; but when we ask him to divulge the names of persons with whom he may have communicated—and communicated in perfect good faith, with the view of ascertaining what the opinions of experts, who may not be directly connected with the business in question at the time regarding these matters—and when we ask him to bring that correspondence down here, I think that if we passed this Order, we should simply destroy a very useful means of information which the hon. Minister of Finance in particular may have in the future.

Mr. PATERSON (Brant). Such letters are not included in the motion.

Mr. WHITE. I beg your pardon. Letters are included.

Mr. PATERSON. No.

Mr. WHITE. All letters not marked private are included.

Mr. PATERSON. Only those asking for increases in duty.

Mr. WHITE. I beg your pardon. But suppose they are asking for an increase in duty; suppose, for instance, that a merchant writes up to say that he thinks it would be for the advantage of the country—not asking for it personally, but merely suggesting—that there should be an increase in the duty on any particular article, and a correspondence occurred between him and the hon. Finance Minister with relation to it. The hon. Finance Minister considers it, and may adopt it, or he may not. It may be or it may not be embodied in the resolutions brought down here at all; but are we to say that because that gentleman wrote a letter, which he considered a private letter, to the hon. Finance Minister asking for an increase of duty, or suggesting one, he is to be paraded all over the country as having been seeking secretly to obtain that kind of increase of duty, or that change in the Tariff? What we have to do with, is simply with the resolutions as brought down here; and we hold the Government, as a Government, and the hon. Finance Minister especially, responsible for their provisions. I am not going to refer to the remarks of my pleasant friend the hon. member for Northumberland, who appears to be so touchy with relation to his own personality in this House, that he cannot even hear anybody say "hear, hear," without angrily flinging back something in retort. The hon. gentleman was a Minister of the Crown for six years. I was a supporter of the Government during that whole time, and if I wanted to put a witness in the witness box to prove that I am not subservient I would select the hon. gentleman himself. Sir, as a party man, I know my obligations, and as member sent here to support the Government I know my duty; I intend to support them until I find that their general policy is such that I cannot support them; and then I think, as a public man, responsible to my constituents and to my own conscience, I will know what course to take. But that the hon. gentleman, who was a Minister of the Crown, and who was very glad to get members of Parliament, and members of the press, and friends outside of Parliament to support him, and was very indignant when they did not support him—who has been a Minister of the Crown, and who knows the obligations of Members of Parliament to their party and to the Government should simply—because I ventured to say that the cases were analogous, as I believe them to be—throw that insult,—shall I say—

Mr. MITCHELL. Say what you like.

Mr. WHITE. No; I take nothing from the hon. gentleman as an insult, because I know him too well to do so.

Mr. MITCHELL. Might I ask the permission of the House to say a word in response to the insulting remarks of the hon. member for Cardwell—the impertinent remarks of the hon member for Cardwell?

Mr. SPEAKER. The hon. gentleman has already spoken.

Mr. CASEY. The hon. gentleman who has just sat down, and who appears to have irritated the susceptibilities of his mutual friend to such an extent, says there is no analogy between the manner in which the Tariff is changed in the United States and in Canada; that here we have a responsible Government which formulates the Tariff, while, in the United States, anybody may propose a Tariff in Congress, and Congress may adopt it or not, and that there is no analogy between the methods of collecting information on this subject here and there; but I cannot see that this is the case. It seems to me that whatever be the mode in which the Tariff is actually formulated, the interest of the public in knowing exactly on what grounds certain duties are imposed, and for what reasons certain privileges are granted to certain people, is exactly the same here as in the United States. By a sound principle in Canada, a Tariff should be proposed upon information carefully gathered by a Commissioner or otherwise as in the United States; but my hon. friend says that the position is different; that in the United States, where Congress may do as it pleases with the Tariff, it is necessary to have a Commission to get evidence and formulate the logical principles of a Tariff which is best suited to the wants of the country; but in Canada, nothing of that sort is needed at all. We have a responsible Government, thank God! he says, to procure information in whatever way they may choose, from private persons, from interviews with the Department and from private letters which are not to be shown to anybody, and which ask for increases in the duties. They may collect information in all these ways, and then come down to the House and tell the House that they must accept this Tariff. He (Mr. White) says it is of no consequence where the information comes from if the Government take the responsibility of submitting the changes proposed. That may be the case with hon. gentlemen on that side of the House, and with hon. gentlemen who support any Government—because I do not confine it to hon. gentlemen opposite—but it is not the case with the public at large. It is of great consequence to the public at large where the information comes from, when a certain amount of money is taken from their pockets and put into the pockets of other people; and it is not only of consequence to them, but they have a perfect right to know the details as to how the Tariff is formulated, and, at the least, on what information increases are proposed, and in what manner the Government propose to justify the changes which they lay before the House; but there is one difference: my hon. friend was correct in saying that there is some difference between the state of things in the United States and here, although there is an analogy. There it is necessary to lobby the whole majority of the House, for the time being, while here it is only necessary to lobby the Government—that is the difference; and it is just because the lobbying is confined to the few gentlemen sitting on the Treasury benches that we have all the more right to know; and it is the more necessary for us to demand on what information this small clique of men found the proposed changes which they have laid before the House. My hon. friend from Cardwell has been proceeding throughout his speech on the supposition that the letters asked for by this resolution include all the letters containing information which might be useful to the Government. Although I say we have the right to get all the information on which the Government have proposed changes, I do not say, and I do not think, that we have the right to ask for all the private letters containing private information as to

the processes of trade, &c.; but the Government should give us the general results of them. We have not the right to ask for letters in detail, which may reveal trade secrets injurious to business; but what the resolution asks for is simply letters from manufacturers and others, requesting increases in the Tariff on individual items. It does not ask for the letters which the hon. member for Cardwell (Mr. White) said should not be brought down, but it does ask for the letters which should be brought down. When changes in the Tariff are suddenly proposed by the Government, I think we should have some explanation as to why these changes are required; we should know whether or not there has been a public demand for them; and when those changes are made without notification, we are driven to enquire into the peculiar reasons which may have led the Government to propose them. These letters, which are said to be private, are about public business; they are asking the Government to give these particular individuals certain advantages over other individuals—to give them the right of charging more for their productions than they otherwise could. A letter which asks the Government to give a man a public advantage cannot be a private letter, in the sense that a letter which would reveal trade processes or secrets would be a private letter. I repeat that a letter asking the Government to give away a pecuniary advantage to an individual is a public letter, and should be brought down to the House.

Motion (Mr. Blake) negatived on the following division:—

YEAS :

Messieurs

Allen,	Forbes,	Paterson (Brant),
Armstrong	Geoffrion,	Pickard,
Anger,	Gillmor,	Platt,
Bain,	Harley,	Ray,
Béchar,	Holton,	Rinfret,
Bernier,	Innis,	Robertson (Shelburne),
Blake,	Irvine,	Scriver,
Bourassa,	Keefer,	Somerville (Brant),
Burpee (St. John),	King,	Somerville (Bruce),
Burpee (Sunbury),	Kirk,	Springer,
Cameron (Huron),	Landerkin,	Sutherland (Oxford),
Campbell (Renfrew),	Laurier,	Sutherland (Selkirk),
Casey,	Lister,	Thompson,
Casgrain,	Livingstone,	Trow,
Catudal,	Mackenzie,	Vail,
Charlton,	McMillan (Huron),	Watson,
Cockburn,	McCraney,	Weldon,
Cockburn,	McIntyre,	Wells,
Davies,	McIsaac,	Wheler,
De St George's,	McMullen,	Wilson, and
Fairbank,	Mitchell,	Yeo.—66.
Fisher	Mulock,	
Fleming,		

NAYS :

Messieurs

Abbott,	Dickinson,	McLelan,
Allison	Dodd,	McNeill,
Amyot,	Dugas,	Massue,
Baker (Missisquoi)	Dundas,	Méthot,
Baker (Victoria),	Dupont,	Moffat,
Beaty,	Farrow,	Montplaisir,
Bell,	Ferguson (Welland),	O'Brien,
Benoit,	Fortin,	Orton,
Benson,	Foster,	Quimet,
Bergeron,	Fréchette,	Paint,
Bergin,	Gagné,	Patterson (Essex),
Billy,	Girouard (Jacq. Cart.),	Pinsonneault,
Blanchet,	Gordon,	Pope,
Bolduc,	Grandbois,	Reid,
Bossé,	Guilbault,	Richey
Bourbeau,	Guillet,	Robertson (Hamilton),
Bowell,	Hackett,	Royal,
Brecken,	Hawkins,	Rykert
Bryson,	Hay,	Scott,
Burnham	Hesson,	Shakespeare
Burns,	Homer,	Small,
Cameron (Inverness)	Ives,	Smyth,
Campbell (Victoria),	Jamieson,	Sproule,
Carling,	Kilvert,	Tassé,
Caron,	Kluney,	Taylor,
Cimon,	Kranz,	Tupper (Cumberland),

Cochrane,  
Colby,  
Oostigan,  
Coughlin,  
Coursol,  
Curran,  
Outhbert,  
Daly,  
Daoust,  
Dawson,  
De Beaujeu,  
Desaulniers,  
Desjardins,

Lebrosse,  
Landry,  
Langevin,  
Lesage,  
Macdonald (Sir John),  
McDonald (C. Breton),  
Mackintosh,  
Macmaster,  
McMillan (Vaudreuil),  
McCallum,  
McCarthy,  
McDougald,

Tyrwhitt,  
Vanasse,  
Wallace (Albert),  
Wallace (York),  
White (Cardwell),  
White (Hastings),  
White (Renfrew),  
Wigle,  
Wood (Brockville),  
Wood (Westmoreland),  
Woodworth, and  
Wright.—115.

#### NORTHERN AND NORTH-WESTERN BOUNDARIES OF ONTARIO.

Mr. McCARTHY, in moving for copies of all correspondence between the Secretary of State and the Lieut. Governor of the Province of Ontario in relation to the award respecting the Northern and North-Western Boundaries of that Province not already communicated to this House, said: I propose, when the papers are brought down, to call the attention of the House to this subject, which is one of sufficient importance to engage the attention of Parliament during the present Session.

Motion agreed to.

#### PROPOSED IMPROVEMENT AT MORPETH HARBOR.

Mr. CASEY, in moving for copies of all correspondence, reports, &c., relative to proposed improvements at Morpeth Harbor, on Lake Erie; with statement of appropriations made for such improvements, and of sums contributed by private subscriptions or by the township of Howard, or any part thereof, towards such improvements; showing what disposition has been made of any funds so appropriated or contributed, said: It appears that during the Session of 1878 an appropriation of \$750 was made for improvements in Morpeth Harbor, on Lake Erie. During the summer of that year, the southern portion of the township of Howard—in which municipality Morpeth is situated—voted something over \$3,000 towards the same work. Shortly afterwards the Government was changed, as a result of the Elections of that year; and it turned out—I suppose on account of the poverty which overtook the public Exchequer in consequence of the change of Government—that this money could not be paid over; but whether that was the reason or not, the money has not been spent I believe. I am informed, also, that a large portion of the money voted by the Council, besides the further sum of \$1,500, which was subscribed by private individuals, was put into the hands of the Government. I do not know all the details of the case, because the Council of Howard was not in my constituency at the time; but I am informed that the money was paid over to the Government, and that it has remained in their hands ever since. The contributors wish to know, in the first place, why the Government grant was not expended, and, secondly, why the moneys contributed towards the work was not returned. I have no doubt the hon. Minister of Public Works will be able to give the necessary explanations.

Sir HECTOR LANGEVIN. The hon. gentleman evidently knows the facts, as he has thought proper to lay them before the House before the papers were brought down; but if he did know them, it was very unfair on his part to lay before the House as facts, figures and statements which he cannot say are accurate. Under these circumstances, he will excuse me if I decline to give any information just now. When the correspondence is brought down, he may find that he is mistaken as to some of his figures.

Mr. CASEY. I must correct the hon. Minister. My object in moving for these papers was to ascertain why this money was not expended, and what funds, if any, were

Mr. CASEY.

handed over to the Government as the result of private or municipal subscriptions. I am informed that certain sums were paid over—I do not know whether my information is correct, or whether my informant knew the facts. It is simply because there appears to be an injustice on the face of the matter that I have moved for the papers.

Sir HECTOR LANGEVIN. The hon. gentleman began by saying that he thought it was on account of the change of Government that the Exchequer was so poor, and that the money was not expended. As he himself has given the reason why the money was not expended, I shall have to leave him with that impression until the papers come down.

Mr. CASEY. Of course, the hon. gentleman knows perfectly well that what I said about the poverty of the Exchequer was meant as a joke; but I think it would have been better for the hon. Minister of Public Works to have explained the real reason why the money was not expended. But as he has deferred giving these reasons for such a trifling excuse, I hope the papers when they come down will give full information on the subject. If the papers do not give full information, I hope he will be prepared to give a supplementary explanation at a later date. Probably the papers will not show all the reasons, and therefore I think the hon. Minister should supplement them by a personal explanation.

Sir JOHN A. MACDONALD. I understand that the hon. gentleman moves for papers, because the papers do not give the information he wants.

Motion agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Statement showing the reduction made by change of mode of construction in contracts A and B Canadian Pacific Railway, and the amount involved by such change; also, for a statement showing the amount of each payment made to the respective contractors for each month since the letting of the work; also, a statement of all claims made by the contractors on each of these contracts, and the date of each claim.—(Mr. Ross, Middlesex.)

Copies of all correspondence in reference to any contract or contracts for lithographing entered into between G. B. Burland & Co., of Montreal, and the Government of the Dominion, showing what offers, if any, have been made by other parties for the performance of similar work, the names and addresses of such parties, and the scale of prices upon which such offers were based; also the scale of prices agreed upon between the Government and the said G. B. Burland & Co., or any other person.—(Mr. Ross, Middlesex.)

Statement of the values assigned in making the calculations of the duties to be proposed for the various articles on which specific or combined specific and *ad valorem* duties are proposed to be charged under the Tariff resolutions on the Table.—(Mr. Blake.)

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

#### THIRD READINGS.

The following Bills were severally considered in Committee, reported, and read the third time and passed:—

Bill (No 36) to amend the Act incorporating the Kingston and Pembroke Railway Company, and the Act amending the same.—(Mr. Gunn.)

Bill (No 65) to amend the Act to amend the Ontario Pacific Railway Company.—(Mr. Bergin.)

Bill (No 80) to amend the Act incorporating the Great Eastern Railway Company.—(Mr. Massue.)

The following Bills were severally read the third time and passed :—

Bill (No. 42) to amend and continue in force the Act incorporating the Grafton Harbor Company, and for other purposes.—(Mr. Guillet.)

Bill (No 78) to amend the Act passed in the forty-fifth year of the reign of Her present Majesty, intituled: An Act to repeal the duty of Promissory Notes, Drafts and Bills of Exchange.—(Mr. Weldon.)

#### ACADIA POWDER COMPANY.

Mr. McCARTHY, in the absence of Mr. TUPPER, moved that the House resolve itself into Committee of the Whole on Bill (No. 40) to grant certain powers to the Acadia Powder Company, limited.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. IVES. I would suggest to the promoter of this Bill that it should be again sent to the Committee on Banking and Commerce, a sub-Committee of which has been considering, in connection with a Bill to incorporate the Grange Trust, questions almost precisely similar to those raised in connection with this Bill, and have come to a conclusion that it would be preferable to have an independent Act of incorporation. I think it would be advisable to take the same course with respect to this company, rather than pass the Bill in its present shape. I am sure there is no disposition to prevent the passage of this Bill; on the contrary, it is desired to take an action in the matter that would form a precedent in future cases.

Mr. McCARTHY. I have been asked by my hon. friend from Pictou, who has charge of the Bill, to move it to-night, as he is unable to be in his place. I do not like to take the responsibility of accepting the hon. gentleman's suggestion, and if I had charge of the measure I would not feel disposed to accept it. I think it would be useless to establish two corporations when there is one already existing which has applied to this Parliament merely to have its power extended. The House has agreed that it has authority to grant those powers, and those who are interested in the incorporation are the best judges of what is most advantageous to themselves. What I propose is that the second, the fourth and fifth clauses should be struck out, and that the first and the third should stand. The result of that will be that we should be granting this corporation those powers which it could not obtain from the Local Legislature; power will be given to the company to have a place of business outside the Province in which it was created, and the other powers asked for will be left to be granted by the Local Legislature which incorporated the company.

Mr. IVES. If those clauses are struck out, my objections to the Bill will be practically removed. My principal objection to the Bill was that it was creating a sort of Dominion corporation with local powers; but I think there is no particular objection to giving a local corporation powers such as to extend its business over the whole Dominion.

Mr. BLAKE. I suppose the Local Act provides that the head office shall be in Halifax. If we authorize the company to change its headquarters, we shall be in fact amending the Local Act in that particular. I suppose the hon. gentleman considers that in our power, because the Local Legislature cannot give the company power to have its head office outside of Nova Scotia; but it rather appears to me that we are turning the company into a Dominion corporation.

Mr. McCARTHY. I do not think so. We are merely giving it power to do business outside of the Province.

Mr. BLAKE. How much longer will it continue to be a local corporation if it establishes its head office in British Columbia?

Mr. McCARTHY. It will be a local corporation, because it is incorporated by a local body; but it may do business in any Province, or in a foreign country by the usual courtesy.

Mr. BLAKE. Quite so; but it appears to me that it would be advisable to strike that clause out.

Mr. AMYOT. I am not the only one in this House who believes this Bill is entirely *ultra vires*; but at this stage of the Session, and under the present circumstances, I do not intend making any further opposition to the Bill. I hope, however, this will not be taken as an acquiescence in the principle. I have, with some other hon. members, decided to wait until next Session, and then to bring down an abstract motion as a declaration of principle against legislation of this kind. In this way we will avoid the accusations to which we have been subjected, of opposing certain Bills because they came from other hon. members—accusations which are always very disagreeable, especially when coming from our friends whom we support so cordially.

Mr. BLAKE. I should like this clause, as to the head offices of the company, unless there be something really requiring the company to have that power, to disappear from the Bill. It seems to me this will complicate matters very much, as we will have to look to the two Acts of Parliament, not merely as to the extension of the power of the company, but also to domestic details, such as the situation of the head office. If the hon. member for Pictou were here, and able, as I suppose he would be, to say it is not intended to remove the head offices from Halifax, there would then be no reason for the introduction of the clause, and if there be no reason, the Bill would be a better piece of legislation without it. Some of my hon. friends behind me think we are overstepping our jurisdiction in interpolating that clause; and without expressing at present my concurrence in that opinion, I think there is a great deal of force in that objection.

Mr. McCARTHY. It is not likely the hon. member for Pictou will be here for some days; and at this stage of the Session it is, perhaps, best the Bill should better be read the third time.

Bill reported, and read the third time and passed.

#### RETURNS CONCERNING DOMINION LANDS.

Mr. CHARLTON. I wish to call the attention of the right hon. gentleman to the fact that I moved for certain returns about two months ago to which I have had no answer yet. About two weeks ago I visited the Department, and saw Mr. Burgess, and arranged with him to give me an abstract of the information I wanted, which he informed me could be prepared without much trouble in the course of a few days. The facts I wished to get have reference to the following points: The first motion was for a return showing the total number of applications for land under colonization plan No. 1, and the names of the applicants. I wished upon that motion to have merely the total number of applicants and the total amount of land applied for. Another motion was for the total number of applicants for land where the conditions had been complied with, and the names, &c. I wished, under that motion, to learn merely the total number of acres granted. Another motion was for the total number of applications and the total number of acres where the conditions had not been complied with, and where extension of time had not been granted.

Another one was for returns giving copies of all regulations made by the Department of Interior concerning the management and sale of agricultural, mineral, timber and pasture lands, since the 1st December, 1881. Another was for an order showing the total number of acres of lands sold during 1882; and another for a form of patent or agreement between the companies and the Government. Now, Sir, an abstract of the information that I referred to can be easily given, and if it is to be of any service during this Session it will be necessary to have it very soon. The Land Bill may come up for discussion on its second reading in a day or two, and I take the liberty of asking the right hon. gentleman for an abstract of the information which I have been informed could be given.

Sir JOHN A. MACDONALD. The hon. gentleman says he saw Mr. Burgess on the matter. Mr. Burgess sent me yesterday a memorandum of the first part as to the number of colonization companies, applications, numbers allotted, and the numbers on which first instalments had been paid, and the numbers on which second instalments had not yet been paid. But on looking at this memorandum the gentleman who acts for me said there was an error in one particular, and I sent it back for correction. He said it would be ready at three o'clock to-day. The others I will enquire about. Mr. Burgess is looking after all these returns.

Mr. CHARLTON. I presume it will only be necessary for the right hon. gentleman to tell Mr. Burgess to get these things out.

Sir JOHN A. MACDONALD. He is told that already.

#### CARRIERS BY LAND.

The Order for resuming the adjourned debate on the proposed motion of Mr. McCarthy, that the Bill (No. 14) respecting Carriers by Land be now considered, and the motion of Mr. Ouimet in amendment thereto, being read,

Sir JOHN A. MACDONALD. I would ask the hon. member to allow this Order to stand. I know it will be a disappointment to him if he should allow it; but the fact of the matter is this: I was not in the House at the time the discussion took place, and have been so exceedingly busy in matters of administration as not to have been able to read the debate. If the hon. gentleman will allow the motion to stand, I will take care that he will have an opportunity of moving it, and that he will lose nothing by the delay.

Order allowed to stand.

#### COURT OF RAILWAY COMMISSIONERS.

The Order for the House to go into Committee on Bill (No. 3) for constituting a Court of Railway Commissioners for Canada and to amend the Consolidated Railway Act, 1879, being read,

Mr. McCARTHY. Mr. Speaker. This Bill has been reported from the Standing Committee on Railways, and the report is adverse to the Bill. Under ordinary circumstances, I would be inclined to accept the decision of the Committee, carried as that was by a very large majority; but I feel that this question has not yet been discussed in this House, and that it is by hon. members, and even by those who are on the Railway Committee, but imperfectly understood. For that, perhaps, I am somewhat to blame. Although the question has been up many years, it has never yet been discussed at any length, and I myself have not gone into detail in explaining the provisions of the measure which I have the honor to introduce. I believe there is, notwithstanding the adverse vote in Committee, a very strong public opinion—I am quite satis-

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fied there is in the Province of Ontario—in favor of this measure; and I desire it to be understood that the Bill is not by any means dead yet, although it may have been disposed of for this Session, but the measure will re-appear, I trust, with a larger support than it at present receives in this House, if we are to judge by the vote given against it in the Railway Committee. I, therefore, desire to take this opportunity of stating, as briefly as I can, the provisions of the measure, and to endeavor, as I think I can, to dissipate the misapprehensions which prevail regarding it. The Bill deals with more than one matter. Although, of course, primarily it is for the appointment of a Railway Commission, it also proposes to amend the Railway Act, and to transfer from the Railway Committee of the Privy Council, duties which have heretofore fallen upon it. These matters must be dealt with separately. I observe in the discussion which has taken place upon the measure that some hon. gentlemen were opposed to the Bill, because it transferred the power of the Railway Committee of the Privy Council, because in point of fact it practically abolishes the Railway Committee. If that is it he only objection these hon. members have to the measure, it can be eliminated from the Bill. The Bill is not by any means dependent upon that particular branch of the subject. I, for my part, have prepared the Bill in the form in which I think the measure should receive the sanction of the House; but I may be wrong in that, and if it be the opinion of the House that the Railway Committee of the Privy Council should not be abolished, there is no difficulty in eliminating from the Bill all passages which refer to that particular subject. I think, however, a consideration of the matter will induce the House to adopt the form which I support. The Railway Committee of the Privy Council is not a judicial body. It is, of course, composed of politicians, sometimes from one side of the House and sometimes from the other; always, I am afraid, more or less weighed by political motives.

Mr. MACKENZIE. Oh.

Mr. McCARTHY. During the hon. gentleman's term of office that was not so, I dare say; but such an exceedingly good and excellent man is not easily found, and perhaps he may not be found again. In most cases, at all events, politics have something to say in the disposition of matters by that Railway Committee, and whether political motives between great railway companies do or do not influence the Railway Committee of the Privy Council in determining matters with which they are called upon to deal, it is a tribunal which is unsatisfactory in this regard. It is not always easy to get the Committee together. I am told by those who have had matters of this kind before the Committee, that one set of members, perhaps, heard the first part of the case, and another set heard the rest of the case another day; and the delay involved in dealing with questions before that Committee is another objection which is apparent from the statement I make. However, as I say, that is by no means the most important part of the measure, and if, in the opinion of the House, it would be well to try a Railway Commission without vesting the powers of the Railway Committee of the Privy Council in the Commission, that can be done in the first place. But I propose to amend the Railway Act—and I think most hon. members will agree with me that the Act requires amendment—and that the amendments I propose are in the right direction. The power of railway companies to impose tolls is vested in the companies themselves. In this country, differing in this respect from England, there is no maximum rate of tolls placed in the charters incorporating the companies. The tolls are imposed by railway companies, subject to the approval of the by-laws imposing those tolls by the Governor in Council. That is the manner in which railway companies have a right to fix their tolls. The law

provides that they may from time to time alter those tolls, but whenever that shall take place the by-laws must be submitted to the Railway Committee of the Privy Council and receive the sanction of that body. This Bill does not in the slightest degree propose to deal with this matter. It does not propose to say that railway rates shall be fixed in any other manner than that provided by the existing incorporation of the companies by the provisions of the General Railway Law of 1879. It leaves railway companies in that respect just as they are, because in that respect they may be said to have vested rights. But the Bill does propose to impose additional obligations on the companies, obligations which, I venture to say, most of the members of this House have hitherto thought had been imposed by this Parliament. If hon. members will look at the thirty-second section of the Bill they will find it is copied word for word from the English Railway Act of 1854; and if they will compare that with the corresponding section in our own Statute, it will be found that although the language of section sixty, sub-section two of the Railway Act, is not very dissimilar from the legislation apparently proposed by the thirty-second section. By the difference of language used, a very great difference indeed is made in the enacting clause. In the Act, which I propose, it reads as follows:—

32. Every railway company shall, according to its power, afford all reasonable facilities for the receiving, and forwarding and delivery of traffic upon and from the several railways belonging to or worked by such company, and for the return of carriages, trucks and other vehicles; and no such company shall make or give any undue or unreasonable preference or advantage to or in favor of any particular person or any particular description of traffic in any respect whatever, nor shall any such company subject any particular person or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Now, allow me to read the corresponding section as it stands on the Statute-book to-day:

"Every railway company shall, according to their respective powers, afford all reasonable facilities to any other railway company for receiving, and forwarding and the delivery of traffic upon and over the several railways belonging to or worked by such companies respectively, and for the return of carriages and trucks, and other vehicles; and no company shall give or continue any preference or any advantage to or in favor of any particular company, or any particular description of traffic in any respect whatever."

Now, the difference is great. By the law as it stands, the railway companies are prohibited from giving any discrimination—to use a word which perhaps will more fully convey my meaning—against any other railway company. By the law as it is in England, by the section which purports to be embraced in this sub-section of section sixty of the Railway Act, the object was to prevent discrimination between any particular person or any particular description of traffic, or in favor of any person or of any particular description of traffic. The difference therefore is very great, and I propose, Sir, and I think that the House will assent at all events to the wisdom of that proposition—that sub-section two of section sixty should be amended by adding to it, or by incorporating with it the substance of the section which is section thirty-two in this Bill. Now, I will read to the House the language of a writer on railways, and a recognized authority on the English railways, with regard to this section, Sir Wm. Hodges, who observes:

"It is perhaps difficult to select any one clause in a modern Act of Parliament which is more pregnant in the results than the above."

That is the clause as I have it, section thirty-two in the Bill, and not the clause that is at present the law of this land. He continued:

"Its avowed object is to protect the public from any evil consequences that may result from the grant which the Legislature has undoubtedly made to the railway companies of a virtual monopoly of the traffic over these great public highways. It is well known that the Crown has, from time immemorial exercised a control over the public roads of the Kingdom, and the name they obtained of King's Highways, sufficiently points to this right which the sovereign, as representing the nation, invariably exercised. The necessity of a supervision of some kind over the traffic

on our railways has long been acknowledged, as it was felt that it would have been an intolerable abuse if the Queen's subjects were deprived of the protection which the Crown formerly afforded them when travelled over the ancient highways; and it may be assumed, that the need of a vigorous control and representation is even more necessary than it formerly was, when there could be no monopoly of the means of conveyance."

Now, this beneficial clause thus spoken of by an acknowledged authority upon the laws of railways, thus in force in England since 1854, is not yet, I am astonished to say, the law of this country; and why? Why is it that the railway companies here, possessing as they do, the monopoly to even a greater extent than in England, are not bound down as strictly as they are in England? Not to give undue facilities, not to discriminate in the way of traffic against individuals, and why is it? I would like to have explained that when this clause was incorporated in our railway legislation, it was altered in a way which practically makes it wholly inefficient, wholly worthless, wholly without effect; because no two railways run in any manner that it can be said of them that this section can be made operative, or can be applied to them in any sense whatever. Now, take this section as I propose to amend it, and add to that the other section which is substantially the law, as it is at present—that is section twenty-seven of this Bill, sub-section six of section seventeen of the Railway Act, known as the equality clause. We have substantially the law, as it is in England to-day; and as I believe it is on the other side of the line. Now, let me explain to the House what the equality clause means. By the Common Law of England, which is the Common Law of this country, carriers were not bound to carry at even rates for individuals. The duty that was imposed on common carriers, was that rates should be fair rates and should not be exorbitant. Well, Sir, as long as the carrying was done by stage coaches in the old fashioned way, that law was found to be sufficient, because, if the carrier imposed unfair rates, or exorbitant rates, he was very quickly brought to his senses by an opposition line being established; but when railways were created, when they virtually had, as they have, a monopoly of all the carrying trade of the country, it was deemed prudent and necessary that they should be bound to carry upon equal terms, and a clause, called the equality clause, which I have copied in terms from the English Act, and which I think is a little better and more full than we find it in our Railway Act—though substantially I admit it is to be found there—imposed that duty on railway companies; that is, between equal points, for the same class of goods, they shall charge equal rates. Then, adding to that this other clause which I have already spoken of, as in clause thirty-two, I produce the same law that has worked so beneficially in England since 1854, and these are all the changes, or rather this is the only change—and I deem it a most important one—which is proposed for the regulation of railways. Now, as an adjunct to this clause thirty-two, and in order to work it, the House will find clause thirty-three with its sub-section; and what does that provide? Clause thirty-two, amongst other things, provides this:

"That one railway company shall be an aid to another."

That in point of fact the whole railway system of the country shall be for the benefit of the public, as if it is but one railway system under one control and management. So that if a man wants to send goods from one point on any particular railway over another system of railways, he has a right to go to the railway company and to ask that company to impose a through rate; and that rate so imposed can be enforced upon the other companies, so that in fact the whole railway system of the country is made for the benefit of the public, as if it was, as I have already said, one railway system. Now, Sir, is there any objection

to that? Is there any reason why a merchant or trader of any kind living on a line of road—it may be a short or it may be a long road—but short or long it would not reach the point to which he desires to send his goods; and is there any reason why this merchant should not have the right to forward his goods over the line on which he ships to another line, or for that matter, a third line, to the place of destination?—and how is that provided for? In this way: That the forwarding company, that the company which receives the goods, shall fix the rate; say it be from any point in the interior to the city of Montreal, going over two lines, they shall fix the rate for the whole distance; they shall notify the company on whose road they propose to send the goods that that is the rate suggested by the forwarding company of which they purport to give such a percentage, or so much to the second company. The second company either accepts that rate or they reject it. If they accept it, the matter is settled at once. If they reject it, then this Commission has power to settle whether it is a fair rate for the whole distance, whether the proportion that is to be given to each company is fair, having regard to all the circumstances of the case, and to compel the different railways to be what they were intended to be, contributory to one another for the benefit of the public. These are the main provisions of the amendment of the Railway Law—I am not now speaking about the court, but about those provisions which are necessary to be made, and without which the court would be useless and unnecessary. First, we must enact the law, and having enacted it, it will be for the court to see that it is carried out. Now, taking the equality clause in the first place, taking the clause providing against discrimination and compelling the companies to give facilities which will afford the means of working out that clause in one particular, and I ask this House whether there is any one of these amendments which is not in the public interest, or any one to which any railway manager or company could fairly or properly object to become subject to. Then, Sir, if it be conceded that these amendments are in the right direction, if they should become the law of the land, then how are the railway companies to be made subject to that law. Some of my hon. friends will perhaps say that there are the courts, and if the railway companies do not obey the laws you can appeal to the courts. When the clause which I have alluded to as clause 32 was first made the law in England, it was perfectly plain that it was a matter which could not be enforced in the ordinary courts. It was a matter, as stated by several of the law lords, more of administration than of law, and it was considered that the courts would not effectively execute law in that respect. Notwithstanding these opinions, the head of one of the courts—the Court of Common pleas I believe—thought otherwise, and the jurisdiction of working out this clause thirty-two was imposed on that court. Several years elapsed, and that court was found to be wholly inefficient for the purpose—wholly unfitted for the discharge of the duties which had been imposed upon it; and this section, beneficial as it was considered to be by everyone who understood the subject, was found to be a dead letter, because there was no effective tribunal before which railway companies could be summoned and compelled to obey it. The result was that an amalgamated Committee of the House of Commons and the House of Lords determined that it was necessary, not that this law should be repealed because it was a dead letter, but that a court should be constituted which would be able to enforce obedience to its provisions and give the public the benefit to which it was considered the public were entitled to, and accordingly the Court of Railway Commissioners was established. Since that time the law has been workable, and the railway companies have not required to be brought into court, for they yield that obedience to the law which

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prior to the establishment of this court they had wholly failed to do. Having thus briefly explained the provisions of the Bill in that respect, let me disabuse the minds of some of my hon. friends as to the powers of this Commission. The powers of the Commission, speaking generally, are confined to the enforcement of these three sections. Some hon. gentlemen seem to think, and judging by the statements made before the Railway Committee by those who attended here as a deputation in the railway interest, they also seemed to think that the Commission was intended to regulate the rates of all the railways in the Dominion, to interfere in all their traffic arrangements, and to meddle in their business whether they were called by any person to do so or not. There could not be a greater mistake. The Railway Commission will not have power to interfere unless there has been a violation of the provisions I have referred to, and unless by reason of that violation complaint has been made to them by some person who, under the Act, has power to make complaint. Now, if the equality clause is a proper clause, if it is honest and right that railway companies should between the same points, and under similar circumstances, carry goods for one man at the same rate as for another, if they violate that law, I would like to know why it is that they should be free from obeying the law, and being made subject to it. If the clause with regard to discrimination and affording facilities is a proper clause, why should not the railways be made to obey it? When we consider, after all we have heard, that the matter has been so grossly misunderstood, that many respectable mercantile men have come here and represented that this is an interference with the whole railway interest of the country, when it is only providing means by which the railway company shall be compelled to obey the law, I think it will be seen that the explanation I am now making is not entirely unnecessary. It was argued by the representative of the Northern Railway Company before the Railway Committee—and I have a right to refer to that matter because the papers have been sent down to us—that notwithstanding this change, the people who suffer would still have to resort to the ordinary courts of the land. Nothing can be further from the truth. The Bill provides a simple and easy method by which the companies may be compelled to obey the law. At present, if the railway companies do not grant equal rates, if they carry at a lower rate from point to point for one man than for another, I admit that the man who is charged the over rate can sue the company, if he pays the extra rate under protest, and recover the balance. There is no doubt about that; but it has been found in practice that this is not an adequate means of compelling the railway companies to obey the law because one individual is not able to fight a railway company. He is carried from court to court, and the amount involved, though, when multiplied in a number of transactions, becomes a serious matter for him, is not in each transaction of itself of sufficient importance to warrant him in taking proceedings in a court. Provision is made as follows:—

“Any municipality or railway company may, with reference to any of the matters set forth in the preamble, or any person complaining of anything done or any omission made in violation or contravention of the sections of the Railway Act relating to traffic arrangements or of this Act, apply to the Court.

“Any Municipal Corporation, Board of Trade, Chamber of Commerce, Corn Exchange or Agricultural Association, or any number of persons not less than five, being persons whose goods are forwarded or carried by any line of railway against which complaint is made, may be the complainants in respect of any violation or contravention of the Railway Act or of this Act; and the municipal or other bodies corporate or such five persons as aforesaid, shall have a *locus standi* to be complainants without being required to show any interest in the matter of the said complaint.”

I think that meets one great difficulty which is found in the laws now in force against railway companies. A man may suffer, and he may not be willing to incur all the risks

of a law suit on his own account. In agricultural districts farmers may suffer by being virtually taxed by tolls improperly imposed, and yet you would hardly expect one farmer to involve himself in a lawsuit to enforce his rights; but in this case an agricultural association of which he is a member may, if the majority of the farmers belonging to it agree, become complainants; and so with a Corn Exchange, and a Board of Trade. But, although they may be complainants, they cannot be complainants unless there is a violation of the law. I desire the House to bear that in mind. They cannot call upon the Commission to inter-meddle with the officers of a railway company so long as it acts fairly and in accordance with the law; but if it is guilty of a breach of the duties for which it obtained its charter, then these parties only become complainants, and see that the law is enforced. These provisions, it appears to me, are not unfair to the railway companies. And that brings me, now, after the short explanation of the different powers the Bill proposes to confer, to consider the manner in which it would affect railway companies. In the first place, do we doubt, ought we to doubt, that the railway companies now habitually violate the law? My hon. friend the Minister of Railways, and my hon. friend the ex-Minister of Railways, seem to think I am incorrect in charging the railway companies with a habitual violence of the law. I venture to say that there are not many men of that mind in the Province from which I come. I venture to say that it is as well known as any matter can be known which has not been absolutely proved, that railway companies are constantly and daily in the habit of discriminating both between individuals and between different classes of goods. I believe it to be a fact capable of the clearest possible proof that the railway companies so manage their business that they can make one man's fortune and ruin another man. I believe they so manage their business that they can build up one town, and let the grass grow in the streets of another, just at the mere whim of the manager. I speak of what I know, learned from my own experience. What is the answer to this? It is said: "If you interfere with our railway system, you will destroy the through traffic; if you impose by this measure restrictions upon the companies—if, in fact, you make them obey the laws under which they have obtained their charters, you will destroy the through trade of the country, and you will cause the vast quantities of freight that now find an outlet at the ports of Halifax and Montreal to be directed to Boston and other ports." I entirely deny that. If you invest this Commission with absolute power, I utterly deny that there is a word or a syllable in the Bill which would give to the Commissioners the power to increase the rate of toll between Chicago and Montreal, or between Chicago and Halifax, or any such points. All that the Bill proposes to do is to require that the rate shall be equal, not to enhance it or to prevent a company in Canada from carrying the through trade on competitive terms with companies on the other side of the line; but it provides also that, so far as the jurisdiction of the Parliament extends, companies chartered by this Parliament shall obey the law under which they have obtained their charters—that railway companies shall carry on equal terms and conditions to all men; that there shall not be this and that favorite; and in this respect a great deal has been said which was wholly beside the object of the Bill. Sir, it is plain to me that an attempt has been made by the chief railway company in Canada, which has entered into the contest, and made it, as it were, a personal matter, to defeat this Bill, and has brought down here deputations in hundreds to oppose it. A great attempt has been made by that company to imbue the public mind with the idea that if this Bill is passed, the through trade of the company will be destroyed. We have listened to their assertions; but did either Mr. Barker, of the Northern, or Mr. Bell, of the

Grand Trunk, or any of the deputations who came to address us, point to one syllable which interferes with the through traffic of the railways? Why, it was amusing to hear one of these gentlemen, Mr. Plewes, tell us that the trade would be very seriously affected by the provision of the Bill, that the rates could not be lowered without thirty days' notice. We turned to the Bill, and we found that the provision was that the rate could not be increased without thirty days' notice. Mr. Matthews, from the Toronto Corn Exchange, fell into the same error. These gentlemen did not even understand the measure they came to oppose. All they said in the way of argument was that that provision would seriously injure the trade; but the provision is in the opposite direction, and why? Is it not right, if a man imports goods, whether from the United States or England, on the basis of the existing rate, that a reasonable notice should be given to him of a change in that rate? Is it unreasonable to say to a railway company, you have power to change your rates from time to time, but before you increase those rates—not lower them—you shall be bound to give sufficient notice to enable the trader, whether an importer or an exporter, to make his arrangements accordingly? Then it is said, you will destroy the shipping of the country, if you interfere with railway rates. Well, I ask hon. gentlemen to look at the measure for themselves, and point out to me where it makes any attempt to destroy the shipping of the country, or to deprive them of any freight which they convey to or from our shores. It is a fact that the railway companies carry from Brantford to Halifax, or from Brantford to Montreal for Mr. Plewes at a given rate, and that they charge his neighbor 5 cts. a bushel or 5 cts. a hundred more. Does that build up the trade of the country? Would it interfere with or destroy the trade of the country to require the railway companies to carry at the same rate for Mr. Brown, or Mr. Jones, or any one else, as they do for Mr. Plewes? All that the Bill stipulates is that whatever the rate is, whatever the special bargain is, that bargain shall be published at the railway office and shall be known to everybody, and that the railway companies shall be bound to carry for everybody at the same rate. But, it is said, "wholesale transactions are always done at a cheaper rate than retail transactions," and therefore it is impossible to allow Mr. Brown, a poor man, who is able to send only two or three car loads of grain, to compete with Mr. Plewes who is able to send twenty car loads. Now, if that is a good argument we ought to carry it out here. Mark you, I draw the line when I speak of discrimination between goods carried the same way, and I say the rates per ton ought to be the same, if goods are to be sent by the ton, per hundred if they are to be sent by the hundred, and by the car load if they are to be sent by the car load. But beyond that there should be no discrimination, because one man can send ten and a poorer man only one car. A friend of mine gave me an illustration which appears to me to be an apt one, and I take no credit for it myself. "Why," said he, "if railway companies have a right to discriminate because they carry twenty car loads for one man and ten for another, then a man who imports \$100,000 worth of goods ought to get a reduced rate of Customs as compared with the man who imports only \$1,000 worth." Is not that a fair illustration. You have on the one hand the wholesale transaction in the case of the great importer who brings in his \$100,000 worth, and a retail transaction in the case of the man who imports only \$1,000 worth; and according to this argument the former should have, say the 25 per cent. rate of duty reduced to 20, and the other should be compelled to pay the full 25.

Mr. MACKENZIE. Oh, no.

Mr. McCARTHY. My hon. friend will have an opportunity for pointing out why the same argument does not

apply in both cases. I say it does apply and I venture to say when we know trains are made up, not because I send a car load of goods—they do not send off my particular car load to the sea-board at once but they wait until they get a number of cars. That I cannot object to. Then why should that car of mine, forming one of twenty, pay a higher rate than the one twentieth of the twenty cars which the rich man has to send forward. But, it is beyond argument. This is not a matter now open to argument, because the law of the land says so. If the hon. Minister of Railways thinks that is a wrong law let him repeal it. Let him come down and say the equality clause should not be the law; but so long as it is—and I venture to say no hon. Minister of Railways would dare to assert that it should be repealed—the law should be enforced; and it is equality according to the law that railway companies should charge per ton, per car, per mile and not by the train load. If you like you can say that when a man furnishes a train load he should get a cheaper rate. I deny that. It would destroy the business of every man of ordinary means in the country. Take grain, for instance. I am a buyer of grain. I go into the market and I buy from the farmers on the same terms as my neighbor. I pay \$1 per bushel for it if the price be \$1 per bushel, and I send it to the same destination as he; but because, forsooth, I am able to send twenty car loads forward and get \$1.10 per bushel at the end I am able to make a profit of 5 cts. per bushel, whereas the man who sends five car loads forward can, although he gets the same price, only makes 3 cts. per bushel profit on the transaction. Is there any fairness in that? Is there any reason why these great monopolies which we have chartered, which we have constituted as our highways, to which we have surrendered, we may say, the whole carrying trade of the country, should have the right, at their option, to fix rates in that manner. In the same way, when we speak of the shipping we are told that Mr. Andrew Allan is adverse to the Bill; we are told that Mr. Cramp who appeared here and who is, I believe, the agent or one of the proprietors of the Dominion line, is adverse to the Bill. Of course, we are bound to pay respect to men who have large interests in the country. We are bound to listen to what they have to say. But, after all, if we have merely the opinion of Mr. Andrew Allan, and Mr. Cramp, and Mr. Andrew Robertson, they do not give us any argument, I do not think we are bound to pay respect to their opinions when not founded, as I submit they are not, on reason. These are the reasons which commend themselves to me, as I venture to say, unanswerable. I may be quite wrong in this; I may be quite prejudiced; I may have espoused this matter so strongly as to be blinded; but I venture to say that so far, at all events—and I have studied and read with very great care the authorities, and listened carefully to the arguments, on the question—no solid ground has been advanced why this power to discriminate should be given the railway companies in this country, with its several million dollars invested in railways, with its 8,000 to 10,000 miles of railways, a very large portion of which were built with the aid of bonuses given by the people, giving a special claim to the people to impose conditions and terms on the companies, and differing in that respect wholly from England, where the railway companies were established by capitalists and private means. Why, the people furnished 33 per cent. of the amount which has gone to build up our railway system, and yet we are deprived by the power of the railway companies, by the controlling influence they exercise, of the same rights over them that is to be found in England over the railway companies there, of the same means of controlling them that is now to be found in several States of the Union—seventeen, I believe—where Railway Commissions are established, and all on what grounds? Let me

Mr. McCARTHY,

recapitulate them. Our position, they say, is so wholly different from that of England that no comparisons can be fairly drawn. That is not correct. I am willing, still, if this House is sensitive on the point, to have it enacted that through rates shall not be interfered with. I do not believe that this is at all necessary. I think the good sense of the Commissioners would be quite ample protection. But I am willing that through rates should not be affected. Then, if these are not affected, in what other respect do we differ from England with regard to our railways? Why, our railways, if we take out the through rates, are simply the conveyances for local purposes, and ought certainly to be subject to our laws. They ought not to have the right to discriminate between individuals and between point and point. A railway company ought not to have the right to ruin one town by carrying perhaps to the same point of destination freight from 150 miles distance at a cheaper rate than from 100 miles distance, passing over the same line. It may be said there is competition, but competition for how long. The manager of the Northern road told the Railway Committee that it was, in point of fact, doing an injury to these places which had intelligence and public spirit to establish competitive lines. Why, in the country from which I have the honor to come, they did establish competitive lines at an enormous expense to that country; they built a rival road to that other road which the manager of the Northern road represented, bonusing it to the extent probably of a third of its cost, and the people expected all the benefits from this competition. Well, within six months, under the precious Railway Laws of this country, these two roads joined hands, pooled receipts, and put up freights all round; and yet the Northern Railway manager tells the Railway Committee that if this Bill is passed we will destroy public competition and public spirit for the establishment of railways. That is, but a single instance, and there are many others of that kind which could be pointed out. Then we are told—and that is the favorite argument of the hon. Minister of Railways—that our railway system is in its infancy, that we are still suppliants in the money market for more capital to build more roads, and if we pass this Bill we will frighten capitalists away, and I think my hon. friend was so far imposed upon as to tell the Committee that the stock market in London was shaken to its foundation, or in some state of trepidation at the action of this House. Well, now, if the people of England who have their money invested in railway companies have been willing to create a court for enforcing the laws which regulate railways, they, who are, perhaps the most conservative, in the sense in which I use the term with regard to capital, of any people on the face of the globe. Is it likely that these same English capitalists would be frightened by our repeating their law in this country?

Mr. MACKENZIE. It was stated on the Committee that the Commission had ceased to exist.

Mr. McCARTHY. That was a mistake. I have since conferred with my hon. friend from Pictou, and he admits he made a mistake. I must tell my hon. friend opposite that that law is yet in force and will be in force until the end of this year, as he will find by looking at the list of expiring laws for the year 1882. Why is it enforced until the end of this year? Because there was a Committee sitting in 1882 which had been constituted in 1881, and at the close of 1881 this Committee was only able to report that they thought the court should be continued, and they recommended that it should be continued to the next Session. In the Session of 1882 the same Committee was re-appointed, and they came down at the end of that Session with a report in favor of continuing the court, in favor of making it more permanent and giving it increased powers; and yet it would be supposed that in face of that report, the House

of Commons intended to abolish the Railway Commission. But nothing can be found of the kind, and if my hon. friend will take the trouble to look he will find that the Railway Commission is yet in force. Now, I do not really know at the moment what other objections there are to meet in this. I think I have sufficiently established that the amendments proposed in the Bill are in the right direction—I mean the amendments to the law regulating railways; and I trust, whatever be the fate of this Bill, that my hon. friend will not lose sight of these amendments when he brings down the Railway Act which is promised to us. In making that the law of the land it is proposed that there should be some adequate means of enforcing that law. It is not the intention, nor is there a syllable in the Act which would give rise to the argument that this court is to be a court to meddle with railway companies unless they have brought themselves under the censure of law, unless they have been carrying at illegal rates, unless they have been discriminating against localities or individuals, unless they have been dealing in a manner in which they are not permitted to deal by their charter, they cannot be interfered with by this Court. Their rates are not within the purview of this Commission so long as they are kept within their by-law, nor can they be reduced, increased, or affected. That is a matter which is not proposed to be dealt with. All that is to be dealt with is that their rates shall be equal. My hon. friend from Monck suggested that if we do that these railway companies will at once put up their rates. I believe it to be a fact that they are now carrying at less rates than by law they could carry at. Why? Because they are already exacting as much in the shape of tolls as they can get goods to carry at. They know that there is no other obligation upon them, and they do not do it for love of the public. They are not the great benefactors that carriers by water are, they are not the great benefactors in that respect that my hon. friend may be, for they are carrying simply at the highest rate they can exact and get a car load of goods. The law of supply and demand regulates that as it does almost everything else. That law fixes the rate and says: If you charge beyond a certain rate those goods will not bear it. If you charge passengers, for instance, beyond a certain rate the result is there will be less travel. If you do not give return tickets it is found there is not as much money made in the passenger traffic. Why? Because the lower you charge—within reason, of course, I speak—the greater is the bulk of travel, and the greater in the aggregate is the amount of receipts. I venture to say that all railway managers regulate their tariff and their tolls simply by the quantity of goods they have to carry and what charges these goods will bear, knowing full well that an additional amount would in all probability prevent the carriage. Now, that same law will still exist. That same rule, which is higher than any law, will still prevail and will still compel railway companies to carry at rates which the public can endure in that sense, and which will bring the most profit and the most money into their coffers. Therefore, I think that argument has only to be mentioned to be disposed of; and so it is with all the other arguments. I think if time and opportunity were afforded for a full and fair discussion here in open day in presence of the people's representatives and before the people themselves by means of the gentlemen of the gallery, that it will be found that great misapprehensions prevail as to this Bill, that the railway companies have endeavored to create them, to foster them with a view of preventing the Bill from passing. But I still think this Bill is in the public interest, and that this law cannot be much longer delayed. I, therefore, move that you do now leave the Chair, and that the House do now resolve itself into Committee of the Whole upon this Bill.

Mr. GIROUARD (Jacques Carrier). I do not intend to speak very long upon the motion of my hon. friend. It is sufficient to mention that his Bill was rejected by a vote of seventy-six to twelve to be convinced that it is not a popular one, at least in this House. Is it more popular in the country? We have had several deputations and petitions against it, while most of the petitions in favor of the Bill came from municipalities. We did not, however, hear the representatives of those municipalities before the Committee. We received a petition from the Board of Trade of Toronto, but that body was evenly divided on the question.

Mr. McCARTHY. That is a mistake. The Board of Trade was divided at the first meeting, not on the final vote. At the first meeting there was but a small attendance, and the vote stood ten for to ten against. At the second meeting there were seventy or eighty present, but when the vote was taken it stood nineteen for to one against.

Mr. GIROUARD. I presume the fifty or sixty members who did not vote had left the meeting under the impression that the question would not come to a vote. However that may be, we have a petition from the Board of Trade of Montreal strongly objecting to the Bill. We also heard the shipping companies of the Dominion make the same objection. Now, what is the real object of the Bill? Is it to introduce new principles? The hon. gentleman says it is not. He says that the "equality" principle has been in existence not only in this country for years, but also in England, and in the United States; in fact we know that it has been in force in England since 1834, and in Canada since 1849, but the hon. gentleman says we have no means of enforcing that law. We all agree upon the principle; we all know that when the goods are offered for transportation from one point to another under similar circumstances, the same rates must be charged. We all agree with that principle, but the hon. gentleman wants to introduce a new mode of enforcing the law. I contend that the mode before the ordinary tribunals is quite ample. I will not trouble the House by quoting all the decisions on the point, but I will mention that from 1851, down to the present time, at least ten decisions will be found in the law reports of England, where the difference charged by companies to shippers has been returned to the party who had been wronged. I will trouble the House only with a quotation from one of the decisions. It was rendered in 1869 in the case of the Great Western Railway Company against Sutton rendered in the House of Lords in England. The noble lord, Lord Chelmsford, said:

"The last subject to be considered is the form of the action; whether an action for money had and received, will lie to recover back overcharges made upon the carriage of the plaintiff's goods, not absolutely, but relatively to the charges made to other persons. It was argued for the defendants that the charge upon the plaintiff's packed parcels being warranted by the 10th and 11th Victoria, chapter 226; and being reasonable, and within the absolute discretion of the company, the plaintiff was not injured by other persons being charged less than he was. But this is a fallacious way of viewing the question. The plaintiff's complaint is not that others are charged less than himself, but the fact of their having been charged less, entitled him to claim the same rate of charge, and that all beyond that rate is overcharge. The very fact of the smaller charge to others is the ground of his complaint of an overcharge to himself. Now, if the defendants were bound to charge the plaintiff for the carriage of his goods, a less sum, and they refused to carry them except upon payment of a greater sum, as he was compelled to pay the amount demanded, and could not otherwise have his goods carried, the case falls within the principle of several decided cases, in which it has been held that money which a party has been wrongfully compelled to pay under circumstances in which he was unable to resist the imposition, may be recovered back in an action for money had and received. In the language of the Court of Common Pleas, in the case of *Parker vs. The Great Western Railway Company*, the payments made by the plaintiff were not voluntary, but were made in order to induce the company to do that which they were bound to do without them."

But the hon. member for North Simcoe asks how it happens that if ordinary modes of proceeding had been efficient, a special Railway Commission had been appointed in

England? The reason is very plain. The English railway system is not in its infancy. The whole country is covered with railways, and as differences between shippers and forwarders and the companies were becoming more frequent, it was thought desirable, with a view to adjusting claims, that a special court should be appointed. But the circumstances there are not the same as here. This country is new; our railway system is only in its infancy. The movement of the hon. member for Simcoe seems, therefore, to be in the wrong direction. Not only do we find decisions in England and the United States on that point, but we also find decisions rendered both recently and some time ago in the Dominion. A remarkable case is on record in the Ontario courts. The shipper did not claim damages for the difference between the true rate and the overcharge. He went further and asked through the Attorney-General for an injunction against the company. The injunction was granted, and it was to the effect that the railway company should not make any discrimination. In that case the court said:

"Different rates may be charged, even upon the same portion of the road under different circumstances; but then those different rates must be sanctioned by approved rules, applicable to all Her Majesty's subjects using the road under the same circumstances. But in the present case the established tariff has been reduced, most materially reduced in favor of the defendants, not upon any principle recognized by the by-laws of the company and applicable to the public generally, but in virtue of a private contract, in which no other member of the community has any right to participate."

Not only an injunction will lie from the Attorney-General, but I believe an injunction applied for by a private party will lie also. I say more, that proceedings can be taken in the name of the Attorney-General to have a railway company's charter cancelled for having evaded the provisions of the law. It seems to me, therefore, we have to-day ample means to enforce the law, and I do not see why the country should go to the expense of establishing a court which will cost at least \$40,000 or \$50,000 to enforce laws which can be enforced to-day by the ordinary tribunals, especially as the Bill is not demanded by the people. The hon. member for North Simcoe said that great advantage would arise if actions could be taken in the names of municipalities and agricultural societies, as the railway corporations were very powerful and would take a litigant from court to court until his means were exhausted. What has been the experience in this respect in the results of cases against railway companies? Invariably not only the jury, but also the Judges are in sympathy with the individual parties. And it is very remarkable in looking at the eight or ten cases I have referred to, that in every case the railway company was condemned. It is true that one company carried the case to the House of Lords, but there the company lost it. There is no more difficulty in enforcing claims against railway companies for overcharges than there is for damage to, or loss of goods. For these reasons, I think there is no necessity at the present time for the Bill, and it will not be required for a great many years to come, at least until we have covered Canada with railways, as is the case in Great Britain and the United States to-day.

Mr. McCALLUM. Mr. Speaker: I desire to state the reasons why I intend to vote against the Bill of the hon. member for Simcoe. In the first place it may be remembered that there are \$300,000,000 invested in Canadian railways, and by the Consolidated Railway Act they can charge tolls until they earn 15 per cent. on the capital invested. The investment of this capital gives the companies vested rights, and while I am in sympathy with the people, I do not desire to check the development of our railway system and place the companies in the hands of three Commissioners. Listening to the remarks of the hon. member for North Simcoe, one would imagine the railway companies were operating their roads to favor one class of the

Mr. GIROUARD (Jacques Cartier).

community more than another, and lays down the doctrine that if a man ships goods, the companies should carry 1,500 lbs. as cheaply as they would a ton—in other words, they should haul one car load as cheaply as a whole train. Now, I have practical knowledge on this question, and it is somewhat different from that; and if any one will consider it, he will see that if you ship a steam engine, it will cost you more than a car load of goods; and if you ship goods in a vessel which has to call at two or three storehouses to load, you will pay more than if she has to load only at one place; and it will cost the railway companies more to carry one car load than twenty car loads in proportion, because they may have to load at half a dozen different stations to make up the train. So to-day, although my hon. friend thinks that they are discriminating, they are really not doing so; they are only charging what is right and proper in that respect. Further, the hon. gentleman says he is willing to strike out some of the clauses in his Bill, because he had desired to place it in the power of three men, not only to run, but to pronounce as to the building of these roads. He wished to put the power of the Railway Committee of the Privy Council into the hands of these three men, who, I may say, would not be responsible. I tell him that to place the whole railway system of the country from British Columbia to Prince Edward Island, in the hands of three men would be intolerable; the people would be obliged to come from thence to Ottawa to present all their grievances, and this would be most inconvenient. He says, he does not want to interfere with their rates; but in his speech, when he introduced the Bill, he had a grievance, and what was it? He then at least intended to interfere with their rates, holding that it was a great injustice to the people, because they carried goods from Chicago to some other place, at less than the local rate. He said:

"One instance occurs to me at this moment where a large corporation carried a certain kind of goods from the city of Chicago to the interior of the Province of Ontario at a less rate than from one part of Ontario to another. I think it was this: This company charges more to carry by the carload from a local point to Belleville than to carry it all the way from Chicago."

This must have been a grievance, which he wanted to remedy by this Bill; but if he does not now want to interfere with through rates, why did he make these remarks? Mention is made of the management of railways in England; but it is, of course, differently situated. They have there no foreign railway competition, while we have to compete with American railways, and if our railway companies are to be curtailed in their powers, in any way, respecting through traffic, it will work them great injury. My worst grievance against the railway companies is this: When two roads get on bad terms with each other, they make their connections as crooked as they can, and one train often leaves five minutes before the connecting train of the other line reaches the station. This is the greatest fault I have to find with them. When my hon. friend says that the railways of this country are taking all the money they can out of the people, I can say I know better than that; and I have no doubt that every man within the hearing of my voice knows that, if they so desired, they could take more money from the people. In fact it is not desirable for these companies to be on bad terms with the people. While on this question I would observe that, before long, this Parliament will have to compel the railway companies to afford protection to the lives of the brakemen in particular, which could be done by the expenditure of probably \$4 or \$5 a car, in placing a hand rail on the top of the cars. I know that a great many young men have lost their lives owing to the absence of this protection, and it could be provided at a very small expense. I thought that my hon. friend, in view of the feeling of the Railway Committee, would drop this Bill; and I have no doubt at all, that if he does not withdraw it, the House will soon dispose of it.

Mr. CASEY. I confess I sympathize to a very great extent with the promoter of the Bill in the position which he has taken. I think that the public have an undoubted right to regulate a great many points connected with railway traffic, even more than we now do so. There is no doubt that, as these companies owe their existence and privileges—many of which are very remarkable, and which entrench to a considerable extent on what otherwise would be the rights and liberties of the people in the way of expropriating lands, &c.—we have the right to regulate their action afterwards and see that it is guided to some extent by the public interest, and not merely by the interest of the roads themselves. Beyond this is the fact that a great deal of the people's money is invested in these roads. We are told here night after night how much private capital is invested in them, but we are not so frequently told how much of the people's money is so invested, and how much has been given them by this and the Local Governments and by the different municipalities. We are apt to forget these large contributions, by which we are, to some extent, shareholders in them, and as such have a direct right to interfere in their management. It is scarcely worth while to discuss this point further, because our right to regulate them is admitted and maintained Session after Session, in our legislation. The question at issue is rather as to the mode in which the regulating laws should be enforced than as to our right to regulate, and I am convinced that a Commission of some sort, though perhaps not exactly such as the hon. gentleman proposes, would be for many purposes the most convenient way of enforcing existing laws. No doubt it is true that we have a remedy in the courts for any actual breach of the law by these companies, but many of these breaches are in themselves so slight and unimportant that it is scarcely worth anybody's while to go to law about it, while, at the same time, they create great inconvenience and irritation amongst the people. In other cases, although I believe there is some truth in the statement made, the juries are apt to go against railways, still undoubtedly a railway company has a great advantage in appealing from one court to another, and can fight an action of this sort much longer than can a private party. We have all known of cases of poor people, who are scarcely able to bring the first suit, resisted by the companies in claims which appear to be just on the face of them, and are carried on until the suitor is worn out, and an apparent injustice is done. I think, Sir, that it is possible in many cases the Commission might act very efficiently as arbitrators—more efficiently than a court, and that the railway companies would be willing to agree to an arbitration before the Commission. My hon. friend in front of me (Mr. Mackenzie) reminds me that there is an appeal from the Commission, but still I think the Commission might act as arbitrators in such cases. I think it is rather in the way of prevention than of remedy that the Commission will be useful. I think that the regulations that they have power to make, would have the effect of preventing many of those cases of litigation which arise between railway companies and individuals. Of course, competition keeps our railway companies in order to a great extent. When two railways run between the same points, the one which is the more obliging, and gives the better rates, will have an advantage over the other. But we must recollect, that the day of competition is apparently come to an end, and that the amalgamation of these great corporations is prevailing to an alarming extent. Rumor has it, that what virtually amounts to an amalgamation is going still further, and that arrangements are being made between the two great corporations which control nearly all our iron highways—I mean the Canadian Pacific Railway and the Grand Trunk Railway—which will have the effect of amalgamation so far as traffic is concerned. If this rumor should be realized, as is

not improbable in the future, if not immediately, the check of competition will be almost entirely gone, for there will only remain a few small roads here and there calling themselves independent, but really dependent on the large roads for what freight they carried. I think under those circumstances there should be some means of enforcing fair rates and arrangements of traffic which will control all the roads of the country. We are told by the opponents of the Bill, that the argument derived from the existence of a Railway Commission in England is of no force here, because of the different circumstances in this country, our roads having to compete with the railways across the line. True there is a difference, and it would not be possible for a Commission in Canada to enforce rates with the same uniformity as in England. Some account would have to be taken of the competition of these American roads, but we must remember that this competition to-day is of a character which is reckless, and what some people would think of a stupid character. We find these roads carrying passengers at rates which do not pay them, but it must also be remembered that we, the people of Canada, have to pay so far as it is possible to make us pay, for the losses which are incurred in carrying freights and passengers at these low rates. That, Sir, is a direction in which a Commission might regulate with advantage, although, as I said, they could not enforce such absolute uniformity as they can in England, but there are other matters which a Commission would have to take care of besides the mere regulation of freight charges and passenger rates. There are many regulations necessary for the safety and comfort of the passengers, which cost something to the railways, and which they are not likely to adopt of their own motion unless they are going to gain something thereby. Where keen competition exists these accommodations will be provided to the passengers, but where competition does not exist, and I fear that within a year or two it will not exist in Canada, there is no incentive to the companies to do more than is necessary to give ordinary accommodation to travellers so as to prevent them from shunning the railways altogether. But, of course, people must travel, and they must travel largely by railway, so that there is little power to ensure those comforts and conveniences, and a Commission could do valuable service in this direction. I need not go further into all the Commission might profitably do for the benefit of the public. I think we are all agreed that some central power, having regulative authority over railways, would be an advantage; but as to the particular scheme proposed by the hon. gentleman, I am forced to agree, to a great extent, to what was advanced in the Railway Committee. I am afraid that the Committees, or even a Special Committee, have not the time and, perhaps, have not the knowledge of railway matters sufficient to frame a perfect scheme. I am afraid I have to agree with the proposition to proceed no further with this Bill at the present time, and that the proper mode would be to have a Commission of Enquiry, before which evidence might be taken on both sides of the question. I am afraid—although I am one of the twelve—apostolic in number, if nothing else—

Mr. McCARTHY. I am afraid you are the Judas of the twelve.

Mr. CASEY. I say I am afraid that though I was one of those who voted for the preamble of the Bill, in order that it might be saved and that we might have a further discussion in the House, that there is not the slightest prospect of getting anything accomplished under the present state of feeling, and I think it would be rather wasting the time of the House to go on discussing the Bill in detail when we have not sufficient evidence on the matter before us. I trust that the proposition first mooted, I believe, by the hon. Minister of Railways, to have a Commission of Enquiry, will be carried out, and that we will be in a posi-

tion to act intelligibly next Session with all the evidence before us which can be obtained from both sides on the question. But if the Government do not see proper to take this step I think I shall be inclined, under those circumstances, to assist the hon. gentleman and as far as we can to get the best possible Bill under the circumstances.

Mr. ORTON. Notwithstanding the expression of opinion given by the Railway Committee, and notwithstanding the views of the hon. Minister of Railways for whose opinion I have the highest respect, and who is held in the highest respect by the people of this country, for the eminent services he has rendered in developing our resources, by the encouragement he has given for great railway enterprises, and the able manner in which he has administered the Railway Department—I say that, notwithstanding these opinions, I feel that this matter is one of such great moment, that the more it is discussed the better it appears to be in the general interests of the country. I cannot help feeling that the time is coming when a great battle will have to be fought for the rights of the people, against the claimed rights of the large railway corporations of the country. I must say that this Bill is, at any rate, in the right direction, and so far as I can judge of its different clauses, I believe if it were carried out by the House, and brought into effect, it would do away with a vast number of the evils which are acknowledged on all hands to exist with reference to the management of our railway corporations. I shall endeavor to go over some of these evils for the purpose, in my feeble way, of placing them before the House in order that they may be remedied. The first great evil which the people of this country are feeling more and more every day, is the discrimination given by our great railway corporations in favor of the produce of the neighboring Republic, over the produce of our own country, in carrying it to the markets of the world. I referred, before the Railway Committee, to some facts which are very suggestive in this particular. Last fall the Grand Trunk Railway carried American flour from Detroit to Boston at 14 cts. per barrel cheaper than it was carried from the county town of Wellington, and 20 cts. cheaper than it was carried from Chatham. Millers at Chatham had the flour taken to Detroit, in order to have it shipped from Detroit to Boston and thence to the Lower Provinces. Now, the National Policy was promised to give the farmers of this country the first choice in their own markets, but owing to the discrimination which has been given by the great railway companies of the country in favor of American produce, the beneficial effects of that policy, with reference to flour and other products of the farm, have been, to a large extent, destroyed. Why, Sir, we find that American millers are sending a much larger amount of flour and selling it in Canadian markets this year than they did last year. Why is this? Simply because they get lower railway rates. In Montreal American flour is much more largely sold than it was last year. If this continues I have little doubt that we shall, in the future, see the flour of Minneapolis and the wheat raised by the farmers of Minnesota and Dakota passing over the Canadian Pacific Railway, past the very doors of our own farmers, to supply the manufacturers of Ontario and Quebec at a cheaper rate than the railways will permit our own people to do. During the past year the railway companies have perpetrated another great wrong upon our people to a greater extent than they did in former years. I refer to the discrimination which they have given in favor of the United States over our own country in the accommodation provided for carrying farm produce. There is hardly a point in Ontario where complaints are not made by those engaged in purchasing the products of our farmers, that they cannot get what they have bought taken to the markets of our own country for the want of cars. The railway companies are employing themselves more and more in carrying the produce of the United States, and they allow the

produce of our own country to remain until a more convenient season. The result is serious loss to the farmers of Canada. There is not a farmer in the country but is deeply interested in this important question; and I venture to say that in a short time they will show, in a very unmistakable way, that they desire to have some such legislation carried into effect, as this Bill proposes. The discrimination in favor of individuals is also a very grave wrong. We were told before the Railway Committee, the other day, by a gentleman engaged largely in the shipping trade, that cheaper freights were given to individuals who knew how to be courteous and polite to the railway companies—in other words, to those who knew how to behave themselves, and would conform to the railway companies' rules. In that remark a gentleman was giving away his case, because he came down here in the interest of the railway companies, and he proved that the railway companies do discriminate in favor of individuals, in spite of the provisions of the General Railway Act. Moreover, they do not make their rates public. They evade the law by giving rebates, and the true rates are not made known to the public, to the great loss and injury of shippers and others. Now, we see railway companies coming to this House, day after day, seeking for incorporation and asking for great powers. We see them asking to be allowed to hold timber limits and mineral berths, and to engage in the work of developing them; and I have no doubt they will shortly want to engage in the business of purchasing and dealing in grain. We can easily see what serious evils are likely to arise from the exercise of these powers by railway companies. The result will be that individuals who are not subservient to them, cannot possibly compete with them in purchasing produce, or in developing the timber and mineral resources of this country; so that in time the railway companies will have a monopoly of our natural resources, and will absorb the great bulk of the profits that should accrue to the people at large. I am strongly in favor of this Bill. It has been said that the people of England, who have tried a Railway Commission, have become disgusted with it; but so far as I can learn, such is not the case, on the contrary I learn that the English Railway Commission has been an eminent success. Other countries also are learning the evils of railway monopoly. In Germany the large railways have been bought up by the Government, and the same course has been taken in France and other countries. It is not the intention of this Bill to interfere with through traffic in the proper sense, that is, traffic passing from a foreign country through our country to another foreign country. It is, no doubt, of the greatest importance that we should encourage the products of the United States, whether agricultural or manufactured, to pass through this country to other foreign countries, but it is not in the interest of the people of Canada that these products should be brought to our own markets at more favorable rates than our railways will give to our own people. There has also been great evils in connection with the amalgamation of railway companies. Many municipalities which have given large bonuses, and involved themselves in very serious debts in order to obtain competition, have been totally defeated in the objects for which they invested their money, by these railway companies exercising their power of amalgamating. We find that their lines are absorbed by the great railways, and they have only one line instead of two. Now, I hold that when municipalities have, for the sole purpose of creating competition in railway freights, given large bonuses, no Government should allow any large corporation to amalgamate with or buy up said railways without refunding to the municipality or individuals the bonuses they have given for the purpose of creating competition. It is said that railway companies have lost money in this country. While this may have been true in reference to the Grand Trunk Railway, we all know that this railway was built at enormous expense, at a time when railway construction was, I

might say, in its infancy on this continent; but we know that to-day railways can be built at one-half or almost one-third of the cost at which the Grand Trunk Railway was built. I would also point out the fact that on the other side of the line the wealthy men are the great railway kings. The Vanderbilts, the Goulds and other men of that stamp are the accumulators of wealth in the neighboring Republic, and when we recollect that we have in the Dominion as large an area as the United States, and with a great variety of resources, there is no reason why our railway corporations should not accumulate wealth in a legitimate, honorable way in this country. I maintain that the railways are chartered for the purpose of being the public carriers for our people and not for the people of a foreign country alone, and they should therefore afford proper accommodation for our people, and then if they can also accommodate the people of a foreign country, let them do so and gain all the profit possible. I shall not make further remarks this evening in reference to this matter, but I hope this House will, at any rate, give a great deal of encouragement to the movement of my hon. friend.

Mr. WHITE (Renfrew). I cannot hope that any remarks of mine will have the effect of inducing this House to accede to the motion placed in its hands by the hon. member for North Simcoe. Indeed, if I had any hopes of that from the beginning, the fact that the hon. member for West Elgin, one of the twelve apostles who voted for this Bill in the Railway Committee, has declared himself now against the proposition of the hon. member for North Simcoe, would have disabused my mind of any such idea. History repeats itself, but I hope that hon. gentleman will not follow the example of that other apostle who went out and hanged himself. I made a statement in the Railway Committee the other day—a statement which I declared was, to my own personal knowledge true, that a discriminating rate had been made by a railway company in favor of one shipper against another on freight between the same points and under similar circumstances. That statement was correct, but I have since been informed by the manager of the railway company to which I referred, that the discrimination arose from some incomprehensible error on the part of the agent, at the point at which these goods were shipped, and I think it due to the railway company and myself to take this opportunity of putting that explanation before the House. I accept that explanation on the part of the manager of that railway company, but, notwithstanding that, I believe that discriminations are sometimes made, and I believe that they are made under the law as it stands. It has been declared by hon. gentlemen who have spoken on this Bill, and who are opposed to it—and I think the hon. member for North Simcoe expressed the same opinion—that the law regarding equality, as it stands on the Statute-book, is such that if the courts were called upon it could be enforced, it would be found, however, that the railway companies may discriminate in favor of certain persons without being amenable to the law at all. The clause reads as follows:—

“All or any of the tolls may, by any by-law, be reduced and again raised as often as deemed necessary for the interests of the undertaking; but the same tolls shall be payable at the same time and under the same circumstances upon all goods, and by all persons, so that no undue advantage, privilege or monopoly, may be afforded to any person or class of persons, by any by-laws relating to the tolls.”

You will observe their declaration is that no undue advantage may be given to any person by any by-law of the company relating to tolls; but even under that provision of the law, a lower rate than that fixed by the company might be given to some particular individual. I would draw the attention of the hon. Minister of Railways to this clause of the Act, and suggest to him, in addition to what has already been suggested by the hon. member for North Simcoe, that the 60th section of the Act, relating to traffic arrangements, should be amended, that the 17th section

be also amended, so as to provide that no undue advantage—if this court is not to be constituted—be given to any person, under similar circumstances, by a railway company, either by its by-laws or in any other way. It is a matter of fact, whatever may be said to the contrary, that railway companies do often violate the law as it stands upon the Statute-book. The 26th section of this Act provides that railway companies shall put up at every station, where there is a telegraph pole, a board upon which they shall register the time of the passenger trains that are overdue. I believe that very few, if any, of the railway companies in this country observe that law. It is true a penalty is provided and railway companies may be sued for that omission, but the very fact which was stated in the Railway Committee the other day, by a gentleman who appeared against this Bill, on behalf of railway companies, that the companies did sometimes discriminate in favor of those who addressed themselves properly to the railway magnates, will, I think, establish the fact that it is almost impossible for any individual who expects to have any business to do with the company, to put the machinery of the law in force, and punish the company for the violation of the law. I simply desire to draw the attention of the House to these two questions—first, for the purpose of setting myself right, or giving to the House the statement of the manager of the railway company to which I referred the other day in the Railway Committee, and secondly, for the purpose of drawing the attention of the hon. Minister of Railways to that clause which has been called the equality clause, and which I think ought to be put in a better position than that in which it stands at present on the Statute-book.

Mr. McNEILL. It is not my intention at this late hour to occupy the time of the House at any length, but the question is one of such great importance and so very interesting to the country that I should like to claim the indulgence of the House, while I make one or two observations with reference to it. It seems to me there are two questions involved in that matter. The first is whether the interests of the public, in their dealings with these great railway monopolies, are properly guarded, or whether they are in some degree at the mercy of these corporations; and the next question is whether, if they are not properly safeguarded, we can, by some such machinery as that proposed in this Bill, safeguard them without at the same time doing greater harm to the railway companies themselves and thereby injuring those very public interests we wish to protect. Now, as to whether the public interests are efficiently guarded in their dealings with the railway companies, I venture to think there can be but one opinion. I venture to think there is no hon. gentleman in this House who does not know and feel that the public are simply helpless in the hands of these great railway monopolies, and that in Canada we are especially and of necessity so. The people of Canada are a scattered population, and a comparatively poor population, and they find themselves constantly in the presence of a few great and powerful corporations who have laid their hands upon the whole carrying trade of the country. That is a condition of things which unfortunately admits of no dispute; it is notorious and patent to everyone. Now, the public carriers of Canada occupy such a position as I have described. They are theoretically subject to the laws, theoretically any individual may have his grievances redressed by appeal to the courts of law; but we all know that practically there is no such redress, we all know that practically no private individual is in a position to carry on litigation with a railway company; we all know that if he attempts anything of the kind he will be ruined, and he knows it very well and consequently does not attempt it. Now, with the permission of the House, I will call the attention of hon. members to the evidence on this subject of Mr. Scott, the Manager of the

South-Eastern Railway Company of England, who was examined before a Joint Commission of the Lords and Commons. Though Mr. Scott was a hostile witness, and says that Mr. Cardwell's Act was a strong power to protect the public interests from encroachment by the railway companies, yet he says :

"No private trader scarcely, unless he is a large carrier or nominal owner, has sufficient stake to raise an action in a court of law."

But Mr. Scott being, as I have said, a hostile witness, proves his hostility by his remarks in answer to another question :

"I think it is very difficult to appoint a board, or define what the board shall be composed of, or what its functions are to be. It appears to me that the legislation already provided should be exhausted before any new legislation is attempted."

This is a line of argument with which we are familiar in this country, and it is a line of argument which had formerly been employed in England in reference to this matter. Now, just as we have these grievances, just as we have this difficulty in Canada, so they have had to encounter in England the same difficulties, where they found it was necessary in some way to build the power of the railway companies. But there was this difference in England, that the railway companies there never had and never could have the same power and influence that they have in Canada. The circumstances were widely different. In the first place, the population of England was not, as it is in Canada, a scattered and comparatively poor population, but it was a population which was very dense and very rich. In the next place, railway enterprise had its origin in England, and so to say, passed its childhood there, and it was, therefore, subject to the great influences by which it was surrounded in that country. Railway enterprise in England was subject to the influence of the great corporations of the ancient cities of England; it was also subject to the influence of the ancient and wealthy guilds, to that of the landed aristocracy, and to that of the enormously wealthy commercial classes of England. It was also subject to an influence which was still more powerful and effective, and that was the influence of society as it is constituted in an old-established country, a society which is very jealous of any interference with its rights and ready to resent such interference. These are some of the influences which controlled railway companies in England, which prevented them from obtaining dominance in that country; but notwithstanding these great influences which they had to contend with it was found in the case of England that the railway companies, holding, as they did, the whole carrying trade of the nation, required to be controlled, and the people of England set about discovering some remedy for this state of things. The first proposal was that the railways should be taken over by the Government of the country, that the Government should deal with the matter themselves and protect the public interests by taking possession of the railways. This idea was, however, soon exploded. It was thought, for many reasons, undesirable that the Government should take possession of the railways, one reason being that it would be an enormous political engine in the hands of the Government, such as it would be unsafe to entrust them with. The matter, however, was not allowed to rest. It was considered of too great importance, and a number of Commissions and Committees were appointed by Parliament and the Government to investigate the matter. Finally it was decided that a remedy should be tried—or that a remedy having been provided it should, at all events, be put into operation. The experiment tried was a suggestion by a Joint Commission of the Houses of Lords and Commons, and was some such remedy as that proposed by the hon. member for North Simcoe, the remedy of a Railway Commission composed of three members, an eminent lawyer, an eminent railway man, and a person who is designated by the hon. gentleman as a man of common sense. This Commission

Mr. McNEILL.

was appointed and it sat, and has carried out its functions from that day till now. Some doubt has been raised, both in this House and the country, as to whether the Commission has been a success or not. That is a point which, I think, can be very easily decided. If this issue is to be decided on the answer to the question whether the Commission in England has been a success or not, we can decide it in a very short time, because a Committee composed of twenty-seven of the most experienced members of the House of Commons was appointed recently by the Imperial Parliament to consider this matter and report upon it. The Committee was appointed and reported, and fortunately they reported unanimously. And it is worthy of remark that when the Commission reported as to the advisability of appointing a Railway Commission there was a difference of opinion; but after the Railway Commission had been in operation this Committee of twenty-seven members submitted a unanimous report. It will commend itself to hon. members that if twenty-seven members of a Special Committee appointed to investigate the subject, after having obtained all possible evidence, arrived at a unanimous decision, that decision should have considerable weight with this House and the country, and the Committee of the Imperial House of Commons reported as follows :—

"The Railway Commission has, to a great extent, been hindered in its work by the temporary character with which it has hitherto been invested. At the same time your Committee are convinced that the establishment of the Commission has been of great public advantage, not merely in causing justice to be speedily done in those cases that have been brought before it, but also in preventing differences from arising as between railway companies and the public. Its utility is not to be measured solely by the instances in which it has been called upon to hear and determine, but also by the deterrent and controlling influence of its existence."

That was the unanimous report of the Special Committee, and they proceeded to recommend that the Railway Commission be made permanent, and a Court of Record. I therefore think the matter should now be finally set at rest, so far as the success of the Railway Commission in England is concerned. There can be, I think, no possible doubt on that head. It has been suggested that, because legislation has not been placed on the Statute-book to carry out the recommendations of the Committee, there still remains some doubt as to whether the Commission has been a success or not. But I venture to say there has not been time for such legislation to be passed, because the Committee's report was only brought in at the close of the Session; and even suppose there had been time, the fact that Mr. Gladstone's Government have not placed such legislation on the Statute-book is no evidence that the Commission has not been a success. It may be a reason why there should be a vote of censure on Mr. Gladstone's Government, but it does not alter, in the slightest degree, one tittle of the evidence placed before the Government by the Committee which the Government itself called into existence. There has been an attempt made to show that, although the Railway Commission in England has been successful, yet, for some reason or other, such a Commission would not be a success in Canada. A number of objections have been brought against the present Bill, and it is rather curious to note that almost every one of the objections brought against it have been proved by the best of all tests—the test of practical experience—to have been fallacious. One of the objections is that the law as it at present stands is sufficient. That was brought up again and again before the Commission, during their enquiry in England. Another objection is that if the railways are interfered with by a Commission, the shareholders' money will be endangered, and railway companies will thus be endangered. I will read what the late Mr. Ward Hunt, who was one of the men upon the Commission of Enquiry, said, in raising the same objection :

"Your regulations may be well calculated to produce the highest possible dividend for your shareholders, but they are not well adapted for giving the greatest possible facilities to the public; and as the interests

of the company and the interests of the public do not coincide, we shall force you to sacrifice the interests of the shareholders to those of the public."

Another objection raised was, that it would be an injurious interference with through freights, and so would dislocate traffic. The same objection was taken in England, and on it Mr. Pease said:

"Being himself engaged in trade, he depended very much on the through rates on railways, but he very much doubted how far Parliament could sanction the powers which this Bill gave to revise every special Act and special toll, and to treat as waste paper agreements between existing companies which had been sanctioned by Committees of both Houses, and by the House itself."

Then we have the objection that the enormous amount of property invested in railways is to be handed over to three gentlemen who would make ducks and drakes of it. The same objection was raised in England, and on it Mr. Pease said:

"With regard to the appointment of the Commission, one of the Commissioners was to be a lawyer of great eminence, another was to be a man of experience in railways, and of the third they had no description at all. Such was the tribunal to which was confided a trust affecting the £600,000,000 of capital which Parliament had given the companies power to raise."

Another objection is thus stated by Mr. Pease:

"The Commissioners were to be paid at the rate of £3,000 a year each, a sum that would not secure the services of men required for the discharge of such important duties as they would have to perform; in fact they would be paid salaries inferior to that received by many railway managers."

So here is another of the same objections, another of our old friends urged here, as it was in England; but we find, by the test of experience, that it is utterly fallacious. We have another objection presented: that such an interference with railway management would depress the stock market and reduce railway values. This is a very important objection, and we find that the very same objection was urged in England. The Railway Commissioners in England, themselves, on the sixth page of their Report of 1878, referring to the very same objection, say:

"We have seen it stated here and there that this right is fraught with possible danger to railway property; but certainly, as yet, it has done no harm, nor developed any tendency to do harm: rather has it been of excellent effect as an additional motive to harmony of arrangement, and an additional motive to induce the companies to act as one concern in providing for the forwarding of through traffic."

Another objection is made that capital is sensitive, and that the appointment of this Commission, and even the knowledge going forth that such a Commission is likely to be appointed, would deter capital from coming into this country to be invested in railway enterprises. So far from this being the case, I venture to say that the very opposite is the case. What is it that deters more than anything else the investment of capital in new railway enterprises? Is it not the fact that new, young, and feeble railway enterprises will be dominated by large railway corporations in this country? Is not this the thing which more than any other prevents the construction of railways in this country at present? And you find on reading the reports of the Railway Commissioners, as they have been presented from time to time to Parliament in England, that one of the greatest feats they have achieved, and one of the greatest advantages which has accrued to the country from the existence of a Railway Commission there, is the fact that they have interfered to protect feeble companies against the stronger companies, and have forced the larger companies in England to do justice to the smaller companies, and to give them opportunities for through rates over the line, and for connecting trade and carrying on traffic, which otherwise they would be unable to carry on, just as we have seen companies in Canada unable to carry on traffic here, eventually being obliged to strike the flag to the larger companies, by whom they are swallowed up. I would like to refer to one other objection; that, owing to the

through traffic passing from some point of the United States through Canada, there will be some insuperable difficulty which would make it impossible for this Commission to work here. I just wish to call attention to the fact, that such an objection may be urged, I think, with much greater weight and force to the existence of the Railway Commission in England. If you take traffic from the north of Ireland by Belfast to Liverpool and Southampton, and to some port on the continent, you will find, that there is a far greater difficulty to its application in this case, than in that which is pointed to us as an insuperable difficulty here. Take linen for example, which is being bleached at Lintourne, carried by railway to Belfast, shipped thence to Liverpool, and then carried by railway to Southampton, and then carried to some port in Europe. Now, you will find, that in this process there are two portions of the freightage which are altogether beyond the control and outside of the control of the Railway Commissioners; the sea voyage from Belfast to Liverpool, and the sea voyage from Southampton to the Continent; and yet through rates there are and must be influenced by the sea freight rates; just in the same way, as you find, the freights passing through Canada are influenced by the rates on American lines. Moreover, you have another system there outside of the railway system altogether, which competes with the railways in such transactions, the shipment by sea. Vessels are lying in Belfast ready to carry that freight which passes over the railways in England direct to the ports on the continent in Europe; and, again, when the freight reaches Liverpool you also have vessels there prepared to do the same thing. This brings me to the objection that there is no system so competing in England as in Canada with the railway system, and there never was a statement made which is more inconsistent with the facts than is that statement. You have the whole shipping trade and interest of England competing with the railway system. Take, for example, freights from Glasgow which are to be carried to Southampton by railway: you have a railway making the charges and fixing the tolls, while, lying at the same port, you have vessels ready to carry the same merchandise at competing rates to Southampton, and this system is entirely outside and beyond the control of the Railway Commissioners in England just as much as any system which we have on this continent. I have only to say, in conclusion, I am perfectly satisfied on this point: that there is a feeling in this country that if the Government do not in some way control the railways the railways will before long control the Government; and there is a feeling in this country, and it is growing up day by day in the breasts of the people, that they are helpless and at the mercy of the railway companies of this country, and with that feeling there is a feeling of indignation growing up in the country; and I am satisfied that hon. gentlemen when they go back to their constituents, will find that the hon. member for North Simcoe has the people of the country at his back on this question. I am perfectly certain that the people will not be satisfied until there is some control brought to bear on the railway companies of this country. I do not wish to be misunderstood as to what I am saying. I am not one of those who would join in a howl of execration against the railway companies. I venture to say that they have done a great deal of good for Canada, and that they have on the whole treated the people of this country well, more especially when one considers the position in which they stand, and when one knows that they have absolute power in their hands. But I venture to say this, that it is just as true of human nature to-day as when Robert Burns said it, that:

"When self the wavering balance sets,  
It's rarely right adjusted."

The railway companies of this country have the setting of the balance entirely in their own hands, and the people ob-

ject to that. The people of Canada knowing, as they will know, when the remarks of my hon. friend go forth, that the people of England have a remedy which is practically effectual, or at all events of enormous advantage, knowing that there is such a remedy in the United States and that in the continent of Europe the railways are controlled and the people are not left to the mercies of these corporations—I say, knowing this, the people of Canada will call upon the Government to put in force such a remedy here to protect the interests of the people.

Mr. ARMSTRONG. At this late hour of the evening I have no intention of taking up the time of the House at any great length. But I do not wish to give a silent vote upon this question, and I have to say that I feel it my duty to vote for the Bill. I have the honor of representing part of the county of Middlesex, one of the largest and most populous in the Dominion. The County Council of that county is composed of more than fifty members, and from a long acquaintance with them, I am in a position to say that no more intelligent men of that description exist anywhere in the Dominion, and they have unanimously petitioned this House to pass some such measure as the one before us to-night. It therefore becomes my duty to vote for the measure. At the same time I beg to state that the Bill commends itself, to my sense of right; I entirely agree with its principle. I may go further and say that I am happy to think that there is an hon. gentleman in this House who has the courage to bring the matter before the public; and if it is any satisfaction to him, I can assure him that there is one humble individual who, whether in this House or out of it, will stand shoulder to shoulder with him in the fight. Great stress has been laid on the fact that a few days ago a very large deputation came down to the House to oppose this measure. I quite acknowledge the fact, and I have to say, at the same time, that I was very much astonished to see some of the gentlemen who composed that deputation. I do not know what the motives were that prompted them to come. We know that a free ride on the railway, with the condiments thrown in, is a great inducement to some persons, and I have had ocular demonstration that railway magnates, when they have great interests at stake, are not niggardly with the condiments. I would not for one moment suppose that the gentlemen composing that deputation were influenced by any such motives—I know many of them too well to suppose that. Then, Sir, there is the other alternative that they were in some way or other compelled to come. I do not wish to insinuate that that was the case, but we do know that these railway corporations, where there is no competition, largely have the fortunes of the people carrying on business with them, almost in their hands—that they can make one man and ruin another at their will. I do not mean to say that these gentlemen were coerced, but I am somewhat forcibly reminded of a little incident of the war on the other side. One of our newspaper men was going down the streets of New York one day where a great row was going on. Newspaper men are always very enquiring, and wish to know the reason of everything, so this gentleman waited until one individual became detached from the crowd, and he asked him what was the matter. This man happened to be a rollicking Irishman, and he replied: "O, nothing; they are only forcing a man to volunteer!" A word or two about the necessity of a measure of this kind. Facts have been brought before the House and the Committee, showing that railways do make most unjust discrimination. As the promoter of the Bill said to-night, they can, if they see fit, build up one place and let the grass grow in another. They can do the same thing with individuals, and this discrimination in certain localities is, perhaps, one of our greatest grievances. Allow me to refer to one or two instances in my own observation. A

Mr. McNEILL.

number of years ago I left this city in company with a friend who was going to a point on the Grand Trunk Railway. On the way to the station he said: "I will ask what is the price of a ticket to Buffalo." We went into the station and he asked the price of a ticket; and would you believe that the price of a ticket to travel 150 miles further was \$1 less than the price of a ticket to the place he was going to. Another case that came under my own observation was that of a gentleman who was buying cattle in one of our western localities. He was something between twenty and thirty miles from the far end of the railway and he was buying cattle and driving them on foot to that end of the railway and then shipping them back, and he said he was making money by so doing. I believe if my hon. friend from North Middlesex (Mr. Coughlin), would state what he knows on this subject he would say that at the present day they not only drive them on foot but put them on the cars, send them back to the end of the railway, and then re-ship them in the opposite direction and thereby make money. Some years ago one of the largest millers in the city of London, which, as hon. gentlemen know, is just half way between the two termini of the Great Western, actually shipped a cargo of flour that he wished to send to the East all the way back to the other terminus, from which it was reshipped back in the other direction, and he made money on the transaction. These are the things which compel us to come to the House and ask for relief. Great stress has been laid on the rights of the railways. We have been told that these railways have an enormous amount of capital in their enterprises, and that if we were to do anything which would injure them we would deprive them of part of their rights. I am prepared to admit to the fullest extent the rights of these corporations; but, Sir, we are pointed to the fact that these railway corporations are not paying dividends to the stockholders. I know that there are many hundreds and thousands of poor people who have invested their all in the railways of this country from which they have received no return; but who is to blame for that? Is it the people of the country? Have they had anything to do with it? Why, it has been the fault of the railway corporations themselves. Allusion has been made to-night to the original cost of our railways. It is a notorious fact that, to assist in building the Grand Trunk Railway, the Parliament of this country gave something over \$20,000,000; and it was only two or three years ago that Mr. Laidlaw, of Toronto, in a speech he delivered there, stated that he could take the bonuses that had been given by Parliament and the municipalities to the different railways, and build the railways with them, without asking the stockholders for a single cent. That is the way the railways came to be unremunerative. That same Grand Trunk Railway, too, instead of paying dividends, has been engaged in buying up all the railways it could get its hands upon, with the view of shutting out competition completely. With regard to the Great Western Railway, now a part of the same concern, time was when its stock was selling at 140, and to-day it is not selling at one-half of that figure. That company, being carried away by its anxiety to obtain the trade of the Western Peninsula, built a loop line, which it had no more need of than a cart has of a third wheel. But, Sir, it seems to me that there are other parties besides the railway companies that have rights in this matter. What about the great mass of the people of this country—have they no rights? Is it not a fact that almost every municipality in the country has burdened itself by voting bonuses and granting privileges of various kinds to railways? They have done so, if not in the hope of obtaining competition, at least to prevent this very discrimination of rates of which complaint has been made. They have burdened themselves almost ruinously, and what has been the result? The very companies so aided in a very few years have amalgamated with the very companies they were given the bonuses to compete

with, and the municipalities have been left with nothing but the disappointment and the debt. They, I think, have some rights that this House is bound to consider. Allusion has been made to-night to the great question of railway monopoly. We have been told that the indications are, and I believe events point in that direction, that so far as this Dominion is concerned, one single management is going soon to control the whole of its railway business, and on the other side of the line the same process has been going on. If we can judge anything from the events of the past and the indications for the future, at no very distant day the same thing is going to happen there, and when it does happen, and there are only two competing railway systems, what is to prevent them from going together and consolidating into one? I ask this hon. House if it is the part of wisdom to wait until that combination becomes so strong that it requires nothing short of a revolution to successfully grapple with it? Is it not the part of wisdom, while it is in our power, to grapple with the evil, to try to have it remedied? Objection may be raised. Hon. gentlemen have a perfect right to take exception to some provisions of the Bill if they see fit; but their proper course is to have the Bill amended and made workable, and I cannot see any other way in which the evil can be remedied than by some such measure. I have a pretty vivid recollection of the speeches made in this House not many years ago, when the Pacific Railway Company's charter was about to be granted. It was pointed out that a tremendous wrong was going to be done to the people of the North-West by imposing upon them, for twenty years—nay, for all time to come—a grinding monopoly. I want to ask in what better condition are four-fifths of the people of the rest of the Dominion to-day, or in what better condition are they likely to be in unless the House takes hold of this question, and passes such a measure as that now before it? I have great pleasure in voting for the Bill.

Mr. FAIRBANK. The question before the House has resolved itself, in my mind, into two parts. In the Committee and in the House arguments have been advanced to prove that there is no grievance. It is to this branch of the question that I wish for a few moments to direct my remarks. I am one of that now celebrated twelve who in the Committee sanctioned the preamble of the Bill—not that I was sure that it was the remedy, but because arguments had been advanced in order to show that there were no causes of complaint. In treating this question, it is necessary to keep constantly in view the real subject with which we are dealing. Roads in one form or another are by no means new. The man who views Rome in her greatness, and refuses to consider her magnificent highways, twelve in number, with many branches extending over the country, and constructed with a view to such permanence that some of them have resisted the wear of 2,000 years, and are serviceable as highways to-day—the man who does not consider these will fail to appreciate the full greatness of Rome. It is well known that the peculiar civilization of Peru was marked by her highways. In England the highways attracted great attention at the beginning of this century. Under the skill displayed by Macadam and Telford, her roads underwent a great change. In Canada we have passed through several periods in roads. We have passed through the period of the blazed lines, we have come through corduroy roads, the turnpike and the gravel roads, and the railway is now the public highway. It has passed from the period of being a luxury to that of being a necessity. Any man who has anything to buy, or to sell, is forced to use these highways; and this is the first time in the history of our race, in which the State has not owned the highway. The highway is now in the hands of a few corporations; but this result has been brought about so gradually that we have hardly perceived it. The perfecting of roads has been attained by the reduction of fric-

tion and the utilizing of the most economical forces by the combined use of steam and steel. We probably have arrived at the greatest perfection that it is possible to attain. We thought we had advanced much when we were using the iron rail, but the discovery of the Bessemer process for converting iron into steel rails, has quite revolutionized our highways again. It lessened the expense of maintaining railways very materially—so much as to quite revolutionize commerce. Now, I do not wish to be understood for one moment as being opposed to railways, or as opposing the Grand Trunk Railway, or any other line, but I wish simply to call attention to some of the difficulties under which the people labor. As was remarked in the Committee, this question is not one which can be buried in a hole dug in the Committee room, but is one which is before the people, and to which attention will be called until the existing evils are remedied. Under this wonderful change in the character of our highways fortunes have been amassed, to which the world before was a stranger. As an illustration of this, I may refer to the report which appeared in the press a few days ago, that one of our railway kings expended \$27,000 on a faucet for conveying water to his bath room. It has been intimated that the railways have shown no discrimination. That is not correct. To my own knowledge, I am positive that discriminations of a very injurious character have occurred and may occur again, but there is one point to which attention has not been called. It has been claimed that we wish to interfere with through rates. I believe such is not the case. There can be no contention based upon sound reason that we should injuriously interfere with railway's relation to their through freights which give employment and in many ways benefit the country. But there is a point in connection with through freight to which I wish to call attention. It is this: that local freights should not be compelled to wait upon the convenience of through freight. I know that in my own county much suffering has occurred, time and again, from this cause. Empty trains of grain cars have passed through to the west, while the granaries of the stations were filled with grain, and the shippers had to wait many weeks before they could ship at all, although the empty trains were passing through to the Western States to accommodate through freight. It is necessary some steps should be taken to prevent Canada being made simply a right of way, over which railways may carry on the business of the United States. I think that Canadian business should not have to wait upon the through business, and that the Canadian farmer and shipper should not be compelled to wait until the American shipper has been fully accommodated. I do not wish to presume on the patience of the House at this hour, and will conclude my remarks by simply saying to those others of the twelve that as allusion has been made to another twelve, who lived a long period ago, we should bear in mind that their doctrines spread nearly over all the civilized world.

Motion negatived.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and (at 11.40 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

THURSDAY, 12th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

## TITLES OF LAND.

Mr. McCARTHY, in introducing Bill (No. 97) for the declaration of titles to land, and to facilitate its transfer in the Territories of Canada, said: The Bill which I have the honor to introduce, is for the purpose of bringing into force in the Territories of this Dominion what is known as the Torrence system of the transfer and registration of land. This system was introduced in Australia, founded—or rather invented—if I may use the term—by Sir Robert Torrence, as he now is, who, at that time, was a clerk in one of the Customs offices, and who conceived the notion that land might be as easily transferred as vessel property—as shares in vessels are according to the Merchants' Shipping Act. He followed that idea up, and the result was it became the law in the colony of South Australia, in the year 1855. It has since been adopted in New Zealand, in Tasmania, in Victoria, and to the same extent also, though not altogether, in England. The object of it is to simplify the transfer of land, and to render the title of land absolute, and indefeasible, and unquestionable. When a person is entitled to a lot, or parcel of land, either by patent from the Crown, or by bringing a portion of the land which he owns under the operation of this law, he obtains a certificate to that effect. That certificate enables him to transfer the land to any person without the necessity of the purchaser seeing or examining the title; it enables the purchaser to assume, as he has the right to assume, that the certificate is, as it purports to be, the statement that he is the owner of the land subject to such claims as may appear endorsed on the certificate, and which he has himself created and burdened the land with. When the owner's title ceases; in other words, when he transfers absolutely his property, that certificate is brought back and a new certificate issued, so that the purchaser of the land is not required to, as in the old Provinces of the Dominion, go back to the time of the issue of the patent from the Crown, and see that the various conveyances or instruments by which the property has passed from hand to hand are correct, and be subject to the possibility of some difficulty arising, notwithstanding all the care he may exercise, and be deprived of his estate; but he is entitled to rely absolutely on the certificate which the owner has and which enables him to transfer the land as if it were a chattel property. The Bill is a lengthy one and deals with these different matters in detail. One thing it is to do, for instance, is to make land pass as personal property, so that on the death of an owner of land, the property goes to his personal representative instead of being distributed among his heirs, if he dies intestate; or among his various legatees if he makes a will. It then goes to the executor or administrator, who becomes, for the purposes of the Act, the owner, holding it subject, however, to the trusts and to the rights of the heirs at law, or the devisees, as the case may be. So in case of bankruptcy, or any other case, provision is made by the Bill which it would be wearisome for me to enter into at any length. Now, this is by no means at the present day a new law, and in considering the expediency of adopting it we would be guided very much by the success it has met with in those colonies where it has been in force for some years. We have in our North-West an enormous quantity of land. I find in the new Provinces which have recently been created, provisionally of course, that there are 431,000

Mr. FAIRBANK.

square miles, and if I am right in my arithmetic that would be about 200,000,000 acres of land. Probably that 200,000,000 acres of land, apart altogether from the division into town lots and town sites, would afford settlement for about 2,000,000 settlers. Now, we have been at great expense, in the first place, in obtaining that North West; we are at very great expense in opening up that great country; and we are at very considerable expense in bringing immigrants in, and we give to all *bona fide* settlers 160 acres of land free upon payment of a small registration fee of \$10. Sir, it will be a great boon, I believe, if, to those settlers, we also give a cheap and inexpensive system of indefeasible title. It will be another additional reason, to those which that great country already has, why settlers should settle there where they will be free from the burdens entailed in the old Provinces with respect to the transfer of property. How is it with us here? When property is sold the purchaser has a right to call upon the vendor for an abstract. The purchaser or his solicitor examines the abstract and makes what he calls perquisitions or objections to it, matters that require to be cleared up; and although it is not yet as bad with us as it is in England, yet it may be very many weeks and sometimes months before a title can be deduced and made satisfactory if strictness be insisted upon. Under this system that would be entirely dispensed with. A man would have his certificate, occupying not much more than a sheet of paper. If there was a mortgage it would appear on the face of it; if there was a lease it would also appear there; whatever he himself had done would also appear on the face of the document. When he sold either the whole or a part of it a new certificate would issue, and from that title he could start afresh as if a patent had been granted for the land. Under these circumstances, it does not appear to me that we ought to lose a day in bringing this law into operation in our great territories. We cannot of course deal with any of the Provinces which have already the powers of Government, but we have a vast territory, far greater than the old Provinces, including in that term the Province of Manitoba, yet subject to the laws of this Parliament, in which the greatest part of the land is yet not taken up; and I would press upon this House, that not a moment is to be lost if the law is, as I believe it to be, of a most beneficial character, for it adds to a great extent to the value of the land by simplifying the transfer of it in those territories. Let me draw the attention of the House to the fact that, according to the report of the hon. Minister of Interior, there have been some 21,000 entries made in our North West Territories, including, I suppose, the Province of Manitoba. This is exclusive of 3,000,000 acres of land which have been granted to colonization companies, and altogether it appears that, to the end of last year, there are in the neighborhood of 7,000,000 acres of land sold or agreed to be sold to different settlers of different companies. Now, these have not yet, except in rare instances, received their patents, and to all who have not received patents, this Act at once becomes operative; to those who have received their patents, they can make application to the registrar of land titles, and if satisfied that the patentee is the rightful owner of the land, these cases will also come under the operation of the Act. Now, it would be unwise for us to deal in a matter of this importance, to make this great change in the law of real property, without examining how it has worked elsewhere. We are fortunate in having brought down, amongst papers of the House of Commons, reports from the various colonies in which this law has been in force. One report was brought down in 1872; I will not trouble the House with any reference to it, but I will read some extracts from the report brought down in answer to an Address passed in May, 1881. The first of these is from the colony of South Australia,

and the report is made by the solicitors to the Lands and Titles Department, and what do they say?

"Up to the present time, October, 1880, no difficulty whatever has occurred in carrying out the ordinary transactions in land, such as transfers, mortgages and leases, and there can be no question that, as regards such transactions, the 'Torrence system' is a perfect success; land, in fact, being as easily and securely dealt with as stock in the funds."

Again:

"As to indefeasibility of title: This important result of the 'Torrence system' of registration of title has not yet been upset. The only instances in which a certificate of title has been ordered by the Supreme Court to be cancelled, are as follows."

He gives one or two instances where certificates have been obtained by fraud. This is, in short, a report from the first colony in which this law was introduced. Now, from the colony of Queensland, also to be found in the same return to the Imperial House of Commons, I find this statement. First, this question was asked:

"Whether indefeasibility of title has been practically secured under the law in force in your colony, or whether the courts of law or equity have been upset, and if so upon what grounds, any title which has been registered under such law?"

The answer to it is this:

"Although the number of new titles issued by the office to the end of the year 1879, was 57,143, there has been no title registered under the Act sought to be upset in a court of law or equity. A case occurred about eight years ago when a purchaser of a town property, having, by the blunder of his surveyor, included in his transfer a larger piece of land than the vendor was possessed of, and the mistake, not having been observed by the draftsman of the Real Property Office, a title was wrongfully issued for the whole of the land asked for, and the purchaser sustained serious loss, by erecting a valuable building upon another person's land. The loser did not proceed against the office by action at law, but petitioned the House of Assembly for compensation, and a Select Committee, appointed by the House, recommended that he should be paid the sum of £1,500 for the loss sustained."

I should have mentioned, perhaps, that it is impossible in every instance to avoid mistakes, but it has been enacted, and it is strictly observed that the certificate of title is indefeasible. If a mistake be made compensation is to be given to the true owner. I am now assuming the land certificate to be given to the wrong man; that man has transferred it to a *bona fide* holder, and the question arises between the man who is the true owner of the land and the person to whom the certificate has been transferred. According to the law, and without that enactment, the law would not be workable, the man who has a certificate, and has bought upon the faith of it, is entitled to hold the land; but the true owner is not without redress, as he is entitled to compensation. For that purpose an insurance fund has been established, which is found amply sufficient in those colonies to make such compensation as, in the circumstances to which I refer, can possibly be called for. Another question asked was:

"Whether persons availing themselves of the provisions of the Act have, as a general rule, recourse to legal advice, and whether it is considered that they do so unnecessarily, or that their expenses are thereby much increased?"

The answer is:

"In the great bulk of transactions the general public have recourse to professional assistance, the general opinion being that the filling up of the form is so simple that legal advice is unnecessary; but this does not apply to the bringing of land under the Act, by applications or transmissions of property, through death of registered owner, as in such cases professional assistance is almost invariably resorted to."

"How has the law worked in respect to mortgages and leases?"  
 "There does not appear to be any difficulty in the working of the Acts as to mortgages and leases. The Real Property Acts have greatly facilitated mortgages and leases, the simple form of mortgage and release allowing small sums of money, raised on mortgage, to be promptly registered at very little cost, as professional assistance is not required in the preparation of the deed."

If the House should think it worth while I could refer to similar statements made respecting New Zealand and the colony of Victoria. They are in purport the same as I

have already read, and, therefore, I need not trouble the House in reading them in detail. The result appears to be that, after over twenty years experience of this law in those great colonies, it has been found to be workable and to have given unqualified satisfaction. It simplifies the transfer, and if hon. members, when the Bill is distributed, will look at the schedules to the Act, the practicable way in which the matter is to be carried out will then be seen. A man, for instance, who is owner of land and either has a patent for it or desires to bring it under the operation of this Act, obtains this certificate: A.B. (of such a place) is now seized of an estate (whatever the estate may be) subject, nevertheless, to such encumbrances, liens and interest as are notified by memorandum endorsed thereon, in that parcel of land situated in the (township, town or city,) as the case may be. That is his title deed. His patent is held in the office, but this deed enables him to sell to any person, and so long as he can produce that paper the man's land can be sold without the necessity of examining all the deeds. The transfer is also quite simple in form. If the man does not propose to part *in toto* with his land, but merely to encumber, mortgage or lease it, the mortgage is stated, as in bills of sale for shares in ships, on the back of the certificate, and appears on the face of his muniment of title. Then, upon the death of the owner, his representatives come in bringing letters of administration or letters of probate, as the case may be, and the transfer is made equally as simply and inexpensive. I, therefore, have ventured to introduce this measure, believing it should go into operation. I believe it will enhance the value of the land in the North-West, and, when understood, it will prove an inducement to settlers to come here on learning that they can obtain land almost for nothing, and would hold it in such a way that its transfer would not be attended with any considerable cost, and would practically, therefore, add to the value of the estate. I have much pleasure in introducing this Bill, and I may inform the House that it is already in type and will be distributed within a day or two to hon. members. It may be impossible, and probably will be impossible, to carry the Bill through this Session unless the Government choose to adopt it as a measure which is in the public interest, and that is the reason I have occupied so much time in making the statement on the Bill which I have the honor of submitting to the House.

Mr. BLAKE. I am very glad the hon. gentleman has introduced this Bill. Without enquiring into the details and ascertaining how far the hon. gentleman has adopted or departed from the general line which is taken by the Australian Acts, it is impossible to speak of the merits of the measure in detail, but that an immense improvement will be effected and a boon of increasing value conferred upon the people who are to inhabit the North-West is very clear in the satisfactory and workable method which I doubt not has been adopted by the hon. member. A former member of this House, one whom some of us believe to have been elected at the late Elections, and whom we hope will shortly vindicate his right to sit here, did, several years ago, introduce a Bill to accomplish this particular purpose, which Bill is to be found among our records. I do not speak of that Bill as commending all its details—there were some that might have been improved—but it was the first practical application to which the hon. gentleman has alluded. Since that period I have, on several occasions, called the attention of the hon. First Minister, who is mainly charged with directing the affairs of the House, and who is in charge of the Department of Interior, to this particular subject, and to the fact that the introduction and application of a Bill of this kind would be infinitely easier, while the country is yet unsettled and lands are yet unpatented, than at a later period. On the last occasion on which I called his attention to the

subject the hon. First Minister said he was exceedingly doubtful, however applicable the principle might be to the Australian colonies, whether it would be applicable to the North-West Territories. The hon. gentleman did not give any reason for that statement, and I confess I do not see any particular reason for it either. I know the point of difficulty in a measure of this kind is the one to which the hon. gentleman has alluded—the apprehension of mistakes or fraud, and the possibility of large liabilities being incurred in consequence thereof. That was a matter on which we could speculate only when the Australian measure was introduced, and upon which, as the hon. gentleman has stated, the practical experience furnished to us valuable information; but before we could rest with absolute confidence upon that particular expression as satisfying us in this regard, it would, of course, be necessary to ascertain the number of cases in which there have been transfers, and so forth, and to see what are the differences between the cases dealt with under the Australian Act and our own Act. I think if we adopt a good plan as to its details, and if we obtain high class officers, as regards intelligence and integrity, for I think them essential, we would manage very well, without the danger of imposing a heavy burden on the public. An assurance fund, such as that to which the hon. member has referred, would be found adequate, if such were thought necessary, in order to quiet the apprehension of the public. As I have said, this will not only be a great boon, but an increasing boon, not merely for the present generation, but for generations yet to come, because they will be benefited, and that in a constantly increasing degree, as under the present system of land tenure, the more transfers, mortgages and liens there are, the more confused do titles become. The longer each link in the weary chain through which the purchaser has to cause to be investigated, tested and tried, to discover whether the title be good, the more expensive the operation, the more uncertain, the more doubtful; if then we can adopt a plan by which each man can obtain in this simple form a title, clear, plain and indefeasible, no doubt we will have done a great thing for the country. I recollect, Sir, that on one occasion, when a notable character in fiction was being consoled for a great grief he had sustained, Weller remarked to his son: "After all there was some consolation for this dispensation, else what would become of the undertakers;" I think the one question that may be asked on this occasion when we are not consoling with anybody in affliction, but are congratulating ourselves on a great boon, and one counterbalancing and consoling reflection which may serve to moderate our joy, when our hon. friend's joy is achieved, is, "What will become of the lawyers!"

Bill read the first time.

#### TORONTO HARBOR AND ESPLANADE.

Mr. SMALL, in introducing Bill (No. 106) to increase the harbor accommodation of the city of Toronto, extend the Esplanade, and control the use thereof by railway companies, said: I may say that in consequence of the accommodation furnished vessels in the harbor of Toronto being insufficient as to the depth of water, it has become absolutely necessary, in the interests of the vessel owners and of the citizens of Toronto, that the Esplanade should be extended to deep water for some little direction; and owing to the crowded state of the Esplanade, by reason of the many railway tracks extended over the water front, to compensate the Esplanade, impeded by cars standing constantly on the track and to provide for the safety of the inhabitants, it is absolutely necessary to increase the accommodation; and hence it is thought advisable that a new Esplanade should be constructed, and that there should be a rearrangement of the different railway

Mr. BLAKE.

tracks running along the Esplanade; and that a Board of Commissioners should be appointed by the Government for the purpose of rearranging the different lines of railway. The Bill is not yet printed, but it will be shortly placed in the hands of members.

Bill read the first time.

#### INLAND REVENUE CONSOLIDATION ACT.

Mr. COSTIGAN moved that the House resolve itself into Committee of the Whole to consider the following resolution:—

*Resolved*,—That it is expedient to consolidate the Acts respecting the Inland Revenue and to amend the same as follows:—

To provide that returns under the Act shall be made monthly, and that stock shall be taken annually.

To provide that the license bonds to be taken for carrying on business subject to Excise shall cover over the duty accruing on goods in warehouse use during the currency of the license.

To provide that the security of an approved guarantee company may be accepted by the Department of Inland Revenue in lieu of other securities.

To provide better means for obtaining evidence in matters connected with the collection of the revenue, and for enforcing penalties for infractions of the law.

To facilitate the use of distillery apparatus used in the manufacture of medicinal, chemical and pharmaceutical preparations.

To make better provision as to the warehousing and ex-warehousing of goods subject to Excise.

To authorize the establishment of Inland Revenue bonding warehouses by the Governor in Council, and the making of regulations for the use thereof, and for the bottling of spirits in bond.

To make better provision for the protection of the revenue in respect of used stamps and stamped packages, of the affixing and cancellation of stamps, brands and labels, and of the taking of raw leaf tobacco into tobacco and cigar manufactories.

To provide for the granting of a drawback in respect of stamps used in the payment of the duty on certain manufactured tobacco put up in packages of one pound or less, when entered for duty ex-manufactory.

To provide for the separation of cigar manufacturing from tobacco manufacturing, and for defining certain limits within which licenses for either may be granted.

To establish a minimum rate of production of tobacco and cigars in relation to the quantity of raw material taken for use.

To provide for charging the duty on cigars by the thousand instead of by weight.

To provide for the registration of cigar makers.

To provide for a modification of the methods in which packages of tobacco may be put up for sale and sold.

To provide that the duties of Excise on tobacco and cigars shall be as follows:—

On all manufactured tobacco, the product of foreign raw leaf (except moist snuff) 12 cts. per lb.

On cigarettes or cut tobacco, the product of foreign raw leaf tobacco, when put up in packages of one-twentieth of a pound or less, 20 cts. per lb.

On moist snuff, 8 cts. per lb.

On manufactured tobacco (including Canada twist) the product of raw leaf tobacco grown in Canada, exclusively, 2 cts. per lb.

On cigars manufactured from foreign raw leaf tobacco, 30 cts. per lb. until 30th June, 1883, and \$3 per 1,000 thereafter.

On cigars manufactured from Canadian raw leaf tobacco, exclusively, 15 cts. per lb. until 30th June, 1883, and \$1.50 per 1,000 thereafter.

All such duties to be charged from and after 1st May, 1883.

I would ask the indulgence of the House for a very few moments while I offer a few explanations with regard to the above resolutions. In the first place, it has been thought advisable that all the Acts respecting the Inland Revenue should be consolidated in the interests of the Government as well as of the public, and certain amendments have also been found necessary. Provision is made that the returns shall be made monthly, and this regulation will be equally effective for the parties concerned and important for the Government. It is further provided that stock shall be taken by the manufacturers annually. Under the present Act our officers have power to take stock, but this is not obligatory on the manufacturer. The next clause provided that the license bonds to be taken for carrying on business subject to Excise shall cover the duty accruing on goods in warehouse during the currency of the license. This clause provides for a change in the law with regard to the license bonds which are taken out. There are complaints that these bonds are very heavy at

present and difficult to obtain. Parties are put to great inconvenience not only on account of the amount required to be given, but because a separate bond is required for each transaction. The proposed change will provide for greater convenience to the Department as well as to the public, because one bond may be given governing all the transactions during the currency of the license. The next clause provides that the security of an approved Guarantee Company may be accepted by the Department of Inland Revenue in lieu of other securities. This will be a great convenience to the public, and will at the same time afford an equal surety to the Department. The next clause is to provide better means for obtaining evidence in matters connected with the collection of the revenue, and for enforcing penalties for infractions of the law. At present the officers of the Department are obliged to proceed in certain courts, or before certain Judges, but under the proposed system the cases may be brought before any Judge or court having jurisdiction in such cases, and penalties may be recovered. The next clause is to facilitate the use of distillery apparatus used in the manufacture of medicines, chemical and pharmaceutical preparations. By this clause there will be increased convenience to those using such apparatus, and a greater control will be exercised over them by the Department. The next clause is to make better provision as to the warehousing and ex-warehousing of goods subject to Excise. Under the existing law no provision is made for ex-warehousing or warehousing, except in the case of malt; but under this provision other articles will be treated in the same way in that respect. The next clause is to authorize the establishment of Inland Revenue bonding warehouses by the Governor in Council, and the making of regulations for the use thereof, and for the bottling of spirits in bond. This provides, when put in force by Order in Council, that Inland Revenue bonding warehouses may be in the same building as the Inland Revenue Department in those smaller places where warehouses do not at present exist. The next clause is to make better provision for the protection of the revenue in respect of used stamps and stamped packages, of the affixing and cancellation of stamps, brands and labels, and of the taking of raw leaf tobacco into tobacco and cigar manufactories. This is a matter of detail in the working of the Department dealing with the manner in which stamps shall be used and affixed. It provides also that manufacturers shall be obliged to have all the raw leaf taken in by the entrance, and a notice to the public is to be put over the door of such entrance. The next clause provides for the granting of a drawback in respect of stamps used in the payment of duty on certain manufactured tobacco put up in packages of one pound or less, when entered for duty ex-manufactory. The parties who will be affected by this change are those engaged in the manufacture of cut tobacco put up in packages of one pound or less. Such tobacco forms the great proportion of the tobacco paying duty at present, and for the greater protection of the Department and the convenience of the public, it has been found necessary to require payment of the duties in advance, and a drawback of 2 per cent. in consideration of the money being paid in advance. The next clause provides for the separation of cigar manufacturing from tobacco manufacturing, and for defining certain limits within which licenses for either may be granted. This provision will only affect two establishments which are carried on in the one place. It has been found almost impossible so far to provide regulations which would allow the working of these two branches of manufacture together satisfactorily. The next clause is to establish a minimum rate of production of tobacco and cigars in relation to the quantity of raw material taken for use. The necessity of such a provision has always been recognized, but it is not provided for in the present Act. The next clause provides

for charging the duty on cigars by the thousand instead of by weight. This is consistent with the other clause which declares that a maximum amount shall be fixed for the protection of cigars and tobacco. The next clause is to provide for the registration of cigar makers employed by manufacturers from time to time. While we establish a minimum rate of protection for tobacco as well as cigars, we ought also to know, for the protection of the revenue, the number of men employed, so as to form an idea whether the production is consistent with the strength of the establishment. It is no great inconvenience to the public, and will be a source of protection to the revenue. The next clause provides for a modification of the methods in which packages of tobacco may be put up for sale and sold. I may say that these modifications are very few and slight. The next clause provides that the duties of Excise on tobacco and cigars shall be as follows:—

On all manufactured tobacco, the product of foreign leaf (except moist snuff), 12 cts. per lb.

On cigarettes or cut tobacco, the product of foreign raw leaf tobacco, when put up in packages of one-twentieth of a lb. or less, 20 cts. per lb. On moist snuff, 8 cts. per lb.

On manufactured tobacco (including Canada twist) the product of raw leaf tobacco grown in Canada, exclusively, 2 cts. per lb.

On cigars manufactured from foreign raw leaf tobacco, 30 cts. per lb. until 30th June, 1883, and \$3 per 1,000 thereafter.

On cigars manufactured from Canadian raw leaf tobacco, exclusively, 15 cts. per lb. until 30th June, 1883, and \$1.50 per 1,000 thereafter.

The reason that we fix the 30th June as the time at which this change shall come in force is, that the Department is not at present prepared with the requisite amount of stamps. Having gone over these changes in detail, I may now be allowed to add a few words as to what I think their effect will be. All the changes contained in the first portion of the resolutions are for the better working of the Department—in some cases, for the greater convenience of the public having business to transact with the Department. The other portion relates to tobacco. Hon. members who have listened to previous discussions on this question, must agree with me that the cultivation of Canadian grown tobacco is a subject which is beginning to attract a great deal of attention. Not long ago it was thought that this country and this climate were not suitable for the growth of such a leaf as could be manufactured into a merchantable article. I am glad to know that that impression has given place to more favorable ideas as to the capabilities of the country. From what I have learned of Canadian grown tobacco, I am firmly convinced that, at no distant day, it will be very largely produced and consumed in the country. I am quite satisfied with the progress being made, and with the introduction of new seed, that a quality of Canadian leaf will soon be produced that will, to a great extent, take the place of the foreign leaf. Having stated the changes proposed to be made in the Excise duties on tobacco, I wish to add that some difficulty has been experienced, since I had the honor of taking charge of the Department, as to the proper interpretation of the law, and as to the privileges accorded to the growers of tobacco. It is the intention of the Government, and I am sure it is the intention of the House, that no doubt should remain in the minds of the people as to the meaning of the law, after this Act passes. The Bill to be introduced upon these resolutions will fix the amount of Excise duty to be paid on foreign leaf and on Canadian leaf. It fixes the duty on tobacco manufactured from Canadian leaf, at 2 cts., and on so-called Canadian twist or roll tobacco at 2 cts. also. Those who have taken a great interest in the tobacco question, were quite willing that the manufacture of Canadian twist should be entirely prohibited, and that the growers should be compelled to sell to manufacturers or licensed dealers. They would then not consider it a hardship that Canadian twist should be charged 2 cts. a lb. They are free to manufacture roll tobacco within the limits prescribed by the Act, for their own use, without any duty whatever. What, I think, the growers of

tobacco will be most pleased to hear, is that in the growth and cultivation of tobacco they will be as free as in the growing of oats, or wheat, or any other produce. No restriction will be placed on the cultivation of tobacco. We have taken a little additional power to control the leaf in the manufacturer's hands. Besides that, the only change made in the law is the reduction of the license duty, and the removal of restrictions imposed on the growers of Canadian leaf. With these short explanations, I think I may leave the resolutions in the hands of the House. I may give some further explanations at a future stage.

**Mr. BLAKE.** I would suggest that the resolutions be fixed for to-morrow, so that we may be able to see them and to properly consider them.

**Mr. LAURIER.** I desire to say a few words with respect to the resolutions now in your hands, so far as they relate to the production of tobacco. This is the third time since the present Government came into power that the Excise Laws regarding tobacco has been altered. In 1880 the scale of duties then existing were replaced by another scale, under which the duty on foreign leaf was fixed at 20 cts. a lb., and on Canadian leaf and Canadian twist at 14 cts. Provision was also taken to control the growth of Canadian tobacco; the grower could not sell it except to licensed dealers. Last year again, the duty was interfered with, the duty on Canadian leaf being reduced from 14 cts. to 10 cts. in the two following years, and to 8 cts. afterwards; and the provisions which had been adopted to regulate the growth of tobacco had been removed. I remember distinctly hearing last year what we are told this year—that henceforth the growth of Canadian tobacco would be as free as the growth of potatoes. It was found, however, that when the Bill came back from the Senate the benefits promised amounted to very little; the growth of tobacco was affected so far that it could be grown without a license, but it had to be sold to a licensed dealer. This year another alteration was made, by which the duty on the foreign leaf is fixed at 12 cts., and on Canadian leaf is reduced from 8 cts. to 2 cts. I have no fault to find with the reduction in the duty: but every one will admit that the constant alterations in the Tariff are very prejudicial to the public interests. They are not only annoying and injurious to the trade as it now exists, but deter new enterprises. Everyone will agree with me that it would be extremely desirable that the law should be so framed as to be permanent in its character; but I think we cannot expect anything like permanence in the proposed changes. I think the proposed duty of 2 cts. on Canadian tobacco, under present circumstances, is extremely objectionable. The hon. member has explained that the object of discriminating between the foreign leaf and the Canadian leaf is to afford the Canadian grower of tobacco Protection against the foreign grower, and the Canadian product Protection against the foreign product. So far so good. A duty of 12 cts. is kept on the foreign leaf for revenue purposes; but I am sure the hon. Minister does not expect to get a revenue out of Canadian tobacco when he reduces the duty to 2 cts. a lb. The statistics which we have before us show that in the year 1881 the total production of Canadian tobacco was a little over 445,000 lbs. A duty of 2 cts. a lb. upon this quantity would give a revenue of a little more than \$8,000. I need not go any further to show that the intention of the Government cannot be to get a revenue from this duty. Now, an Excise Law should only have one purpose, that is, to produce a revenue; unless it does that, it is not only purposeless, but useless tyranny. Of all the taxes levied on a civilized nation, there is no tax so obnoxious as the Excise taxes, because there is no other that so interferes with the liberty of the subject. The Customs Act is not to be com-

**Mr. COSTIGAN.**

pared with it in that respect. The importer has only to remove his goods from the Custom House, and then he is free from the Customs officers; but the man who has to pay an Excise tax is forced to live in the constant companionship of the Excise officer. He is almost compelled to sleep with him. His goods are under lock and key, but the key is not in his pocket, but in the pocket of the Excise officer; his books are in his possession, it is true, but they must always be under the gaze of the Excise officer; and by the new provisions of the law, he must take his goods into his building through a particular door. All these things show that there is no law so tyrannical as an Excise Law; yet we know, by the experience of all nations, that these restrictions are necessary for the collection of a revenue. But there is nothing whatever that can justify such interference with the liberty of the subject but the collection of the revenue, and the moment it is shown that the revenue cannot be benefited, there is no reason for such a law. Nay, more, I am warranted in saying that such a law is not only purposeless, but it is tyrannical. But there is another consideration, and that is the cost of operating that law. How much will it cost to collect those \$9,000 revenue, which the hon. Minister expects to receive from that source? I have not made a calculation, but I am sure the cost must exceed \$3,000 or \$4,000 at least, and perhaps more. For these considerations I submit to the hon. Minister and to the House that this duty should be removed altogether. The duty is now but 2 cts., and I see no reason why the Minister should not do 2 cts. better, and abolish it altogether.

**Mr. BOURBEAU (Translation).** I have heard, with a good deal of satisfaction, the explanations which the hon. Minister of Inland Revenue has given us. I have also listened to the observations of the hon. member from Quebec East. The hon. member from Quebec East, appears not to complacently accept the resolutions which are intended to impose a duty of 2 cts. a lb. on manufactured tobacco. I, nevertheless, think that the Government has always proposed good measures, that is to say, measures intended to diminish the tax on the Canadian tobacco leaf. As the hon. member from Quebec East explained, the duty was 20 cts., and I think that was the rate levied when the hon. member was Minister of Inland Revenue. After his retirement from this Department, the hon. Minister who succeeded him deemed it advisable to reduce the rate to 14 cts. This, as I just observed, was a step in the right direction, in reducing the tax on tobacco which is raised by the Canadian farmer. Later on, Mr. Speaker, it was deemed advisable to still further reduce this tax to 8 cts. This was a further step in the right direction, and, for my part, I approve of the policy of the Government in reducing the tax on Canadian tobacco leaf. But to-day it is not 8 but only 2 cts., that the hon. Minister of Inland Revenue proposes to impose on manufactured tobacco. It is necessary to observe, and I think I well understood the observations of the hon. Minister, that Canadian tobacco, if unmanufactured, will be subject to no duty. This announcement, Mr. Speaker, affords me much pleasure, because last summer the electors manifested some dissatisfaction—and I shared their feelings—when they learned that the Senate had not entirely approved of the Bill submitted by the hon. Minister. The Government was, consequently, obliged to pass certain resolutions and restore the tax which had been previously in operation. Today the Government is making a new effort, and presents a Bill, the effect of which will permit the sale of the leaf free from all duty, just as was proposed last year. In our county the farmers constitute a great majority of the electors, and I think that the farmers desire that what they produce should be placed on the market free of duty. I think that the Government is doing its duty, and that it will be very agreeable for them to learn that Canadian leaf tobacco will henceforth be sold in the market free of duty. Great efforts were made in the country, especially in the

Province of Quebec, to encourage the cultivation of the sugar beet. And why were these efforts made? Why did the Government of Quebec make certain sacrifices for this purpose? Why did it offer certain sums of money to develop the cultivation of the sugar beet? Because it realized the necessity of improving the lands of the country, and they said with reason, when the sugar beet is extensively cultivated, we will have succeeded in improving the land. Mr. Speaker, we are not here to discuss this question of the sugar beet, but I availed myself of it as a comparison, and I say that the Government, in encouraging the cultivation of Canadian tobacco, as proposed by the hon. Minister of Inland Revenue, is taking a step in the right direction, and by this means he will considerably increase the growth of Canadian tobacco and thereby improve the lands of the country. As I observed a moment ago, it is necessary to know how to understand the difference between the tobacco which enters into manufacture and that which does not. Tobacco which is manufactured will pay a duty of 2 cts. a lb. Now, as to the imposition of the tax. I do not think we could charge less, and I think, for my part, that we ought to accept that tax as imposed on the manufacturer. It is just that he who manufactures the tobacco, since he pays a duty on foreign tobacco, it is just that he should pay a duty on Canadian tobacco, and the manufacturer cannot complain when he will learn that he will only have to pay a duty of 2 cts. a lb. Mr. Speaker, I will venture to relate here what took place last summer after the General Elections. During our Elections we announced the good news to the electors that Canadian tobacco would be placed on the market free of duty, and the farmers received this announcement with great satisfaction, and I believe that this assisted us very much to obtain large majorities in the Province of Quebec. It contributed to increase the majorities very much. It contributed to increase our majorities to a great extent, when we informed them that the hon. Ministers of the Government had announced last year that Canadian leaf tobacco could be cultivated and sold like the other products of Canada; but it further gave them an agreeable surprise, and I think that our Ministers of the Province of Quebec have been satisfied, have reason to be happy in offering to the hon. Premier, the leader of the Government, the grand majority which the Liberal-Conservative party of the Province of Quebec gave him. I think that our leader from the Province of Quebec ought to be satisfied with that majority. But, Mr. Speaker, it was with regret that, later on, we saw the regulations that the Government had been forced to adopt, because the Senate refused to pass the Excise Bill which had been adopted by the House last Session. Those who opposed us at the last Elections did not fail to publicly declare that we had deceived the electors in announcing to the electors that we intended to place Canadian leaf tobacco on our market free of duty. They endeavored, by all means in their power, to arouse indignation among our friends and told them: "Just look at these Conservative gentlemen in times of election, they fail not to proclaim everything which may be advantageous to them, but they fail not to deceive you and the proof is the new law on Canadian tobacco." Now, Mr. Speaker, when these men who have spoken in this manner against us, learn that the Government is endeavoring, and absolutely desires that Canadian leaf tobacco shall be offered on our markets free of charge, I believe that these persons will understand that we did not intend to deceive the farmers, that we have worked in their interests, and I believe that they will be satisfied. Mr. Speaker, I do not desire to say any more; the law is clear on the face of it, and will give every satisfaction that we desire. I congratulate and thank the Government for having acquiesced in the desire of those who have endeavored to diminish the tax imposed on leaf tobacco when this tobacco enters into manufacture, and

to have entirely removed the duty on it when sold in an unmanufactured state.

Mr. LANDRY (Translation). I have only a few words to add to the remarks which my hon. friend the member from Drummond and Arthabaska (Mr. Bourbeau) has just made, and it is to reply to the observations presented to the House by the hon. member from Quebec East. The hon. member from Quebec East does not express now the same opinions as in the days gone by, when he occupied a seat on the Ministerial benches. It is not very long since the hon. member prepared measures similar to these just submitted by the hon. Minister of Inland Revenue, and on that occasion he expressed himself in a manner which perhaps he forgets to day. He announced at that time a principle which contradicts his present opinions, and with the permission of the House I will venture to repeat to the hon. member the words which he uttered in 1878, when being Minister of Inland Revenue he presented a resolution on the subject which engages our attention to-day. The hon. member in changing position has also changed his views. To-day, according to him, nothing is more iniquitous than any tax on tobacco. Nevertheless, Sir, in 1878 he proposed one; not only he proposed one, but he sustained his position in a speech which the Debates of the House have preserved, and in which he said:

"There is no person in a civilized country who will pretend that tobacco should be exempt from taxes; it is, among all others, the one on which every Government imposes taxes. At the present time there is not a civilized country which would dare abolish these Excise duties and exempt tobacco from taxes."

Well, Mr. Speaker, we must believe that the country has retrograded and that we are no longer in a civilized country, or it is the hon. member from Quebec East himself who has retrograded, and he asks to-day precisely that exemption from taxes which, according to him, no civilized country would dare ask. And the hon. member went further; he adds:

"In the second place, it is impossible to impose duty on foreign tobacco, unless we impose the same duty on Canadian tobacco."

You will thus perceive that the views of the hon. member from Quebec East have entirely changed on this subject. The hon. member asked not only an Excise duty, and declared that no civilized country would dare take off the Excise duties on tobacco, but he wished also to impose the same duty on Canadian as on foreign tobacco. He further said:

"I am of opinion that tobacco is one of the articles on which a duty should be imposed, and that it would be a most erroneous and ruinous policy to the revenue to take off such duty."

Why, then, Mr. Speaker, is the hon. member indignant to-day at what he then worshipped? The reason is very apparent: then he was a member of the Government, he had the interests of the country at heart, and it was at least his duty to enhance them. To-day he makes war on the Government, and the present measure offers him a favorable occasion to direct against the present Administration the blows which he received in the past, but which were cast on him simply because his promises did not meet the views of the people of the Province precisely, because the policy which he announced in his speech placed the Canadian tobacco on the same footing as the foreign tobacco, and consequently prevented the triumph of the National Policy on that question. I join with my hon. friend who has just spoken to congratulate the Government on the course it has been pleased to adopt on this question. The hon. members from the Province of Quebec in particular, have always taken a profound interest in this question of Canadian tobacco, and the Government in introducing the measure which is before the House, has acceded to the requests which we have at various times made. This condescension of the Government to yield to the demands which are made in the interest of our Province—this condescension, I say, deserves from us, an expression of our recognition.

Mr. LESAGE (Translation). I did not intend to speak on this question, especially in view of the able manner in which it has been treated by my hon. friends the members from Quebec. It may seem a little parsimonious to members who are strangers to our Province to observe that we take so much interest in the cultivation of an article which has not yet received in the rest of the country, all the attention which it deserves; nevertheless, Mr. Speaker, if we consider the importance of this product, we will understand the reasons which induce us to regard it so favorably in the Province of Quebec. In various districts to the south of Quebec, we have observed that during a certain number of years the production of tobacco had considerably diminished. This was owing to the fact that our farmers were obliged to submit to a system of inspection at times very arbitrary, and more calculated to discourage than increase this source of production. Some years later, especially since the present Government came in power in 1878, we have been able to establish a very considerable increase in the cultivation of Canadian tobacco, owing to the fact, that the representatives from the Quebec district had promised the farmers, that the cultivation of the Canadian tobacco, in view of the state of the finances, in view of the surplus in the Treasury, would be relieved ere long from all taxation. Gradually this idea expanded, and at the General Elections in 1882 we promised our electors that the law passed in 1880 should be interpreted in this sense: That is to say, that the cultivation of Canadian tobacco and the sale of the leaf would be free as a matter of fact. Nevertheless, certain interpretations were put on our promises and gave rise to commentaries of a more or less interesting character. One contended on the hustings that we had availed ourselves of a false interpretation of the law to increase our majority, and that this law would not bear the broad interpretation we had put upon it. I am, therefore, happy to note the resolutions which the Government introduced to-day, because they entirely justify the promises which it seemed right to us to hold out to the electors. We promised, in the name of the Government, that according to a law which in one sense had ceased to exist, that the sale of the leaf would be free on our markets. Now this is an established fact by these resolutions. This, Mr. Speaker, is an important question for the Province of Quebec, as it is estimated by the Census of 1881 that our Province produces 2,400,000 lbs. of tobacco, whilst in all the other Provinces the production is much less. Upper Canada only produces 160,000 lbs., Prince Edward Island 13,000 lbs., and the others in like proportion. I remember that at the time of the discussion of the Tariff in this House, an hon. member, on the right of the Speaker, calculated this difference of production between the Provinces; in seeking an explanation of the cause, he believed he found it in the fact that in Upper Canada the duties imposed on this product were levied, whereas in Lower Canada the law was a dead letter. Well, this goes to prove that the tax imposed on tobacco prevents its cultivation. If such is the case I consider that the resolutions which are now submitted, must have the effect of considerably augmenting the cultivation of tobacco, since we import into this country 8,000,000 or 10,000,000 lbs. of tobacco. I do not see why the Province of Quebec, which undoubtedly produces 2,300,000 lbs., should not receive all necessary encouragement. I live in an agricultural district, and I doubted that we raised tobacco on this grand scale; nevertheless, we raise in my county some 50,000 lbs. per annum. If, then, tobacco manufactories are established, they will naturally be supplied by the surplus product, and the cultivation of Canadian tobacco will receive a great stimulus in the other Provinces. The time will then arrive when the hon. Minister who presides over this Department—and I trust the present one may continue to be so then—when he will impose an additional duty on tobacco, which will be a luxury, and thus diminish in proportion the taxes on other

Mr. LANDRY.

articles. I, therefore, congratulate the Government and the hon. Minister of Inland Revenue on the measure just introduced. This measure may not, perhaps, appear very important to our friends in the Maritime Provinces, but is highly so for us, in order to relieve us from certain accusations made against us in the Elections of 1882. I again unite with my hon. friends, who have discussed this question more at length, in congratulating the Government on this question.

Mr. BÉCHARD (Translation). Mr. Speaker. The hon. member from Drummond and Arthabaska (Mr. Bourbeau) was pleased to congratulate the Minister of Inland Revenue on the concessions made in favor of the free cultivation of Canadian tobacco. I do not hesitate to join in the congratulations of the hon. Member, but he will permit me to observe that he has made a comparison relative to the cultivation of Canadian tobacco, which I would call an unfortunate comparison. He mentioned the cultivation of the sugar beet, which he called an ameliorating product, a product which contributed to add to the fertilization of the soil. That is all very good. Everyone knows that; it is not necessary to know much about agriculture to learn that the cultivation of the sugar beet improves the soil. But when he said it was the same with relation to the cultivation of tobacco, I think he is very much mistaken, because every one knows that the cultivation of this product, instead of enriching, exhausts the soil. This comparison led me to the conclusion that he did not understand any more about selling than cultivating tobacco. Now, I take the same ground on the present that I did on past occasions, regarding the cultivation of Canadian tobacco. Last year the hon. Minister of Inland Revenue proposed a reduction of the Excise duties on Canadian tobacco. This year the present hon. Minister proposes another reduction. He proposes that the tax on manufactured Canadian tobacco be reduced from 8 cts., which was the duty last year, to 2 cts. This is another step in the right direction. But as we seemingly can only impose a duty of 2 cts. per lb., I think we might go a step further and take the duty off altogether. It is said, with a good deal of reason, that tobacco is an article of luxury; but on the other side, Mr. Speaker, I have always thought that the cultivation and manufacture of tobacco might be left free, because it is a great agricultural industry in which protection can be given to the farmer; and since the party in power has undertaken for the last five years to give what it calls protection to the farmer, I do not see why it should not give it, to be consistent with its teachings, to the producers of Canadian tobacco the greatest liberty for the cultivation and manufacture of tobacco. I would then understand that the farmer receives protection. There is only one means of affording complete protection to the producers of Canadian tobacco. Tobacco is a product which we are obliged to import because we do not produce enough for consumption, and in imposing a duty on foreign tobacco we encourage the production of domestic tobacco. But, again, you tax the manufacturer of Canadian tobacco; instead of giving protection you discourage production. This tax of 2 cts. per lb. is not worth the trouble of collecting, and the cost of collection will probably amount to more than the amount collected. In our rural districts, at least in the Province of Quebec, those who raise tobacco prefer to manufacture it themselves. They make it in plugs and rolls; they roll the tobacco. This is a practice in vogue everywhere in Canada. They do this work in the evenings or in bad weather, when their work cannot be otherwise utilized, and when they have made their tobacco in this form they bring it to market. It is true that the sale of the tobacco leaf is free, but I can tell you that this is not sufficient for the cultivation of Canadian tobacco. If you wish to see it raised in large quantities, if you wish tobacco to become an important factor in our agricultural industries, I say you must leave the pro-

ducer free to cultivate his tobacco, and make it free in every particular. It must not be restricted in this respect, for the moment that you handicap it and prevent its manufacture, or that you impose taxes on the manufacture of tobacco, you discourage its cultivation. The Canadian farmer will only raise tobacco in proportion as he is perfectly free not only to produce the leaf but also to manufacture in his manner and sell it free of taxes. Mr. Speaker, everyone wants to be protected—we are protecting the manufacturers of cotton, of agricultural implements, of overshoes—we protect all classes of manufactures and we pretend to protect agriculture. Well, I say that tobacco is one of the rare agricultural products, relative to which the farmer can receive protection, and if you wish to protect him, and if you wish to make him have faith in that protection, give him entire liberty to cultivate tobacco at home, to manufacture and sell it without obliging him to pay any tax. Now, Mr. Speaker, the hon. member from Montmagny (Mr. Landry) was pleased to attack my hon. friend the member from Quebec East (Mr. Laurier). The hon. member from Quebec is able to take care of himself and to defend himself in this House or elsewhere. But as, according to the Rules of the House, he cannot reply to the charges brought against him, I will venture to say a few words in reply to my hon. friend the member from Montmagny. The hon. member reproached the member from Quebec East, of expressing opinions on this question of Canadian tobacco which formerly he did not hold; it is possible he has changed his views. But, Mr. Speaker, if that is the case he will have only followed the example which has been so often given by gentlemen who sit on the other side of the House. I remember that in 1867 or 1868 a duty was imposed on agricultural products, and in the following Session this tariff was abolished. I remember also that in 1869, I believe before dinner a tax was imposed on coal and flour, and after dinner the same men who imposed this tax withdrew and abolished it. They changed their opinions rather quicker, I think, than the hon. member from Quebec East did on the question of Canadian tobacco.

Mr. GIGULT (Translation). Mr. Speaker. It is surprising to see the Opposition criticise a measure of the present Government, when we remember what our opponents did when they were in power. We remember that the Liberal party, when it was in power, far from diminishing the taxes on Canadian tobacco, increased them; and the hon. member from Quebec East, who was then a Minister, strongly approved of this tax, and pretended, as the hon. member from Montmagny has proved, that this tax should be imposed in every civilized country. It seems to me that the hon. member from Iberville, who sustained that Government, cannot with good grace reproach the present Government with discouraging the cultivation of Canadian tobacco. On the contrary the present Government has done much to encourage its cultivation, and the facts are here to prove it. I know that in my county, and in the neighboring counties, there are farmers who raise two, three and four acres of tobacco, who under the Mackenzie Government raised very little. I asked during this Session, for a statement of the amount of Canadian tobacco used in the manufactories, which is Canadian tobacco, and by this report it appears that 194,529 lbs. of Canadian tobacco were used in manufactories, whilst under the *regime* of the Mackenzie Government not one pound was manufactured, and every one knows that to-day Canadian tobacco sells at a much higher price than four five or years ago. We know that this tobacco brings 4, 5 or 6 cts. more now than under the former *regime*. I, therefore, say it ill-becomes the hon. member from Iberville to say that the present Government has adopted a policy which discourages the cultivation of Canadian tobacco. I contend that we ought to maintain a tax on Canadian tobacco, as long as we maintain taxes on molasses and other necessaries of life. Tobacco is an article of

luxury, and all writers on political economy agree in this, that tobacco and spirits ought to be taxed rather than articles of prime necessity in life. This tax of 2 cts. is very light, and ought to be approved of, when we remember that the present Government has always sought to impose much higher duties on foreign tobacco than on our own. We know, moreover, the practice which exists in several other countries. In England the cultivation of tobacco is entirely prohibited. There the importation of foreign tobacco is alone permitted. In France we know that the cultivation and manufacture of tobacco are entirely in the hands of the Government. And in most other countries it has been decided that tobacco should be taxed, and employed to largely contribute to the revenue and expenses of the Government. We know that the tax on tobacco produces a revenue of more than \$1,900,000, as is calculated in the Report of the hon. Minister of Inland Revenue for the past year, and consequently we should act prudently with this question, if we do not want to impose other taxes—which the people would not so generally accept by far, as that imposed on Canadian tobacco. We remember that when, in 1880, we commenced to impose a Protective Tariff, and to increase the duty on foreign tobacco used in our manufactories, we remember that several hon. members of the Opposition severely criticised this measure. Among others Messrs. Anglin and Cartwright, who said that the tax on tobacco ought not to be lowered, and that it would be very bad policy to do so. I cannot understand why, to-day, the very liberal measure of the Government is criticised, when it tends to considerably lower the duties, and is of a nature to cause to be used in our factories, a large quantity of tobacco actually produced in the country.

Mr. DUGAS (Translation). Mr. Speaker: The question which is now before the House merits our most serious consideration, as it has a tendency to develop a new industry, which will be a source of immense wealth to the agricultural class. Convinced as we are that agriculture is the basis of the wealth of nations, it becomes us to unite, and by united action, stimulate as much as possible, the cultivation of this native product. As my constituents are deeply interested in the growth of tobacco, I think I would be wanting in my duty if I did not raise my voice in the interest of this large body, whose interests at times are considered secondary. It is unnecessary for me to dilate on the immense advantages and importance for the Province of Quebec and the other Provinces of the Dominion, of giving more attention to the cultivation of tobacco, than has hitherto been bestowed, as this question has been, at great length and ability, discussed before this House. The interest which the Government takes in this industry, the instructions, and the various pamphlets issued to give information concerning the cultivation of this plant, and on the approved methods for drying and preparing the plant, have originated in the rural districts. Much emulation and progress has been attained in the cultivation of the leaf, but it is far from realizing as yet, the exigencies of the manufacturer and consumer. This industry is being much extended this year, and with proper improvement in the mode of culture, will become very remunerative for the agricultural class. According to the report which has been submitted during this Session, it has been proved to us that of the 400,000 lbs. of tobacco, on which duties have been collected, 300,000 lbs. were raised in the district of Joliette, in the county of Montcalm; and I can say with pride and with truth, that the county of Montcalm is the banner county in the matter of the cultivation of tobacco. And I can state before this House that the improved cultivation of this plant has largely contributed to the prosperity of those who have embarked in this industry. Mr. Speaker, what is the object which we desire to attain in legislating on this question? It is to increase, by every legitimate means, the cultivation of this plant, to gradually diminish the importa-

iton of foreign tobacco into our country, to get control of the market ourselves, in producing a sufficient quantity for local consumption, and finally to retain at home the millions of dollars which we give to the foreigner; and to attain this end, what must we do? In my opinion, it is necessary to protect both the producer and the manufacturer, whose interests are identical, and thus immediately establish a market for our tobacco, and introduce a competition which will favor the producer, and give an impulse to the cultivation of this plant. These, Mr. Speaker, are the considerations which I submit to this House. Congratulating the Government at the same time for the interest which they have manifested in this industry for the last few years, I must also extend my congratulations to the hon. Minister of Inland Revenue, for the care and skill with which he has prepared these resolutions which he has submitted to us, and which I am convinced will be favorably accepted by this House, as well as by the producer and manufacturer.

Mr. LABROSSE (Translation). Mr. Speaker: I concur entirely in the views propounded by the hon. members who have preceded me, in approving of the resolutions submitted to this House by the hon. Minister of Inland Revenue; and as a member from the Province of Ontario, I may say that in my county the cultivation of Canadian tobacco has been commenced, and that it has proved very successful; but in view of the higher duty which had been imposed on Canadian tobacco some years ago, and that the manufacturer and the farmer had to obtain licenses to sell their tobacco, its cultivation was impeded. To-day I am happy to announce that in my county the farmers will be happy to learn that the members here manifest a desire to see the Canadian leaf tobacco placed in the market free of duty, and moreover the farmers will be able to sell without impediment their tobacco to the manufacturers and merchants of the city. I have reason to believe that some will this year be influenced to multiply their production in order to increase the cultivation in the counties where it has heretofore proved a success; in these counties where the manufacture of butter and cheese have progressed in the last two or three years. I therefore assert that the cultivation of tobacco, with the slight duty which it is proposed to impose upon it, and the promise that the Canadian leaf tobacco will be free of impost—I say—that this will be a great advantage to the country in general, and especially to the Provinces of Quebec and Ontario.

Mr. DUPONT (Translation). Mr. Speaker: The opinions expressed on the question submitted by the hon. Minister of Inland Revenue, by the hon. members from the other side of the House appear to me entirely erroneous, and very amusing. These hon. gentlemen, when they occupied the Treasury benches, were hostile to the adoption of the policy now proposed, but at the present time, are more enthusiastic in its favor than we are ourselves. They desire that the cultivation of this product shall be absolutely free from duty, and that even the manufacture of Canadian tobacco shall be relieved from all Excise duty. These tergiversations, on the part of these hon. members, in regard to the measure of protection on this product, so important for the Province of Quebec, and I might say for the entire Dominion—these tergiversations, I say, remind me of an individual who, having passed his life in sin, and arriving in another world, regretted not having practiced here below the virtues which would have assured him happiness in the world beyond. The opinions expressed by the hon. gentlemen of the left, in the matter of protection, induce me to believe that they regret very much, now that they are in Opposition, not to have treated the Canadian people better when they occupied the Treasury benches, and especially not to have better protected the Canadian farmer, when, time and again, they demanded the protection which is now afforded to them by the present Government. An hon. member

Mr. DUGAS.

ventured to say that the cultivation of Canadian tobacco was not the only industry which the Government could protect, was not the only protection which the Canadian Government could bestow on the Quebec farmer. I, nevertheless, think that the hon. members of the left, if they continue to pursue the course which they followed before 1878, will find it enough to protect the Canadian farmers in this matter; but I must candidly say that the Government have not confined themselves to protecting the farmers on this one point alone, of Canadian tobacco. But that this Protection has extended to all agricultural products in general, to the products of the Province of Quebec, as well as to all those of the other Provinces. I had not the honor of being a member of this House when the present Government propounded its Tariff, but I remember well that, having glanced over this Tariff, to assist us in the Elections, we were able to demonstrate to the members of the Opposition, during the electoral campaign, that the present Government had protected the cultivation and sale of all products of the Canadian farmer. Thus when my hon. friend made the assertion above alluded to, he certainly made an inaccurate one, and gave manifest proof of the habitual ingratitude of the hon. members of the Opposition towards a Government which had accorded all the protection that any Government under like circumstances could bestow, having regard to our finances and our economical position. I should say, Mr. Speaker, that the hon. members who now occupy the Ministerial benches, differ in opinion from their predecessors. The hon. members who have spoken on the subject under discussion, my hon. friend from Quebec East, and my hon. friend from Iberville, who now share our opinions in giving protection to the Canadian agriculturist, held very different opinions when they occupied the Ministerial benches. To obtain their positions, they made promises which they did not carry out, and that is the reason why they were forced to surrender their positions; and if the members of the present Government occupy the Treasury benches to-day, after having submitted their policy for the approbation of the people, it is, Mr. Speaker, because they know how to keep the promises they made to the people, and not later than the last Elections, when we appeared before the electors, when we were in a position to state that the Government had taken off the duties on the product of tobacco, in such a manner as to admit of the free sale of the raw leaf, we believed we were making a correct statement. Unfortunately, in the law of 1882, there was a contradiction which had the effect of destroying all the advantages of the protection which that law was intended to confer on the producer of Canadian tobacco. Well, Mr. Speaker, having represented to the present Government, the promises which we had made to the electors, they hastened to take off all restrictions on the free sale of Canadian tobacco on the market. This, Mr. Speaker, is what we call keeping promises, and a Government which advances in this direction, must necessarily obtain the confidence of the people and of the House. For my part I am decided to give to the present Government that confidence which the entire country has accorded to it, because, in the financial administration of the affairs of the country, I think the present Government has done its duty, that it has fulfilled all the promises it made.

Mr. RINFRET (Translation). Mr. Speaker: I will make a few observations in reply to the hon. member who has just taken his seat. I must first congratulate the hon. Minister of Inland Revenue on having lowered the taxes on Canadian tobacco. In that, I believe, I am altogether consistent with the course I have taken in the past. Indeed, since I have had the honor of a seat in this House, whenever the tobacco question came up I have always voted for the abolition of duties on Canadian tobacco, and in favor of the free sale of the leaf. Therefore, Mr. Speaker, accordingly as they lessen the duties, the hon. Ministers approach the ideas

that I have already advanced on this subject. I will now say a few words in explanation of the stand taken by the Liberal party, whilst in power, on the tobacco question. The hon. gentlemen on the right have accused us of inconsistency because of our having placed a duty of 10 cts. per lb. on Canadian tobacco whilst we were in power, and because to-day we ask that this duty be taken off altogether. I believe I can prove that this inconsistency does not really exist, and for this reason: whilst we were in power we established a Revenue Tariff, and every one knows there was a deficiency then in the public treasury. I hear some members cry "hear, hear." I am only speaking of facts admitted by every one, and repeated to us time and again in this House and on the hustings. It was an inconsistency then on the part of our opponents to ask for the complete abolition of taxes, because at that time we had a lower Tariff than to-day and the revenue was insufficient. The abolition of duty on Canadian tobacco does not lower the revenue merely on the native, but also on the foreign tobacco, and the reduction of the revenue would have been from \$500,000 to \$750,000. If we to-day, Mr. Speaker, demand the entire removal of duties on Canadian tobacco it is because we have a Protective Tariff and that the other taxes are very high. We contend that the farmers who are taxed on everything they buy, have a right to a special protection on Canadian tobacco. I do not think there is any contradiction in that. We say that since we have a Protective Tariff which discriminates against the farmers on cottons, woollens, and everything they buy, we ought to grant them a compensation for the heavy taxes which they are forced to pay. The hon. member for Rouville said, just a moment ago, that we ought to admit the propriety of imposing a duty on tobacco because of its being an article of luxury, there is no doubt we ought to admit that if any article should be taxed, it is tobacco. But there is all the difference in the world between the English Tariff to which the hon. gentleman alluded and the Canadian Tariff. The English is a Revenue Tariff, and there is no doubt that the means to obtain a large revenue is to prevent the growth of domestic tobacco. If we ask the complete removal of the 2 cts. duty on Canadian tobacco it is simply because we have a Protective Tariff—and if we had as formerly a Revenue Tariff I would not rise to ask the abolition of duty on Canadian, and the lowering of the tax on foreign tobacco. The hon. member from Dorchester (Mr. Lesage) has reminded us that the product of Canadian tobacco during the last few years has considerably diminished. He gave as a reason for this decrease, the high taxes which were imposed on this plant. Well, I will tell you one thing which has been more injurious than the tax itself. It was the system of inspection established by the Minister of Inland Revenue. For some years the farmers have been harassed by a legion of inspectors, who came from all parts, scoured the country, frightened the farmers and unjustly and needlessly tormented the agricultural class. This system for which the hon. gentlemen on the right are responsible, injured the production of tobacco more than duties which we imposed whilst we were in power. I will not extend my remarks; I share the opinion of the hon. member for Iberville, who asks the abolition of the 2 cts. tax, because I consider the revenue derived from it will not be sufficient to compensate for the cost of production; and I am perfectly convinced that within one or two years the Minister of Inland Revenue will be again obliged to amend the duties on domestic tobacco, as he has already done five or six times during the few years the Conservative party has been in power. No doubt he will come to the conclusion that the cost of collection of this tax will far exceed the revenue derived from it, and moreover, that this tax which will afford no revenue will prove a great nuisance to the Canadian tobacco grower.

Mr. AMYOT. Mr. Speaker: I am glad to see that most of the members of the Opposition join in the praises which

on all sides are bestowed on the Minister of Inland Revenue and the Government. There is one point, however, which the Opposition does not seem to appreciate. There is one politico-economic maxim upon which we all agree, that is, that objects of luxury such as tobacco and liquor, ought first of all to be taxed. We also to-day agree that we should give all possible protection to agricultural products. Nay, we differ with the Opposition as to the measures necessary to attain this end. When the Liberal party was in power it was their policy to tax Canadian tobacco as high as foreign tobacco. We desire to have a discriminating duty. We say if you tax Canadian tobacco, the production of which is only in its infancy, the Canadian producer being still ignorant of the secret of ripening and preparing it, if you tax it as high as foreign tobacco you will not give him a chance to compete with the latter which has the advantage of an experienced cultivation. But if you tax foreign tobacco more than the Canadian, if you put a discriminating duty in favor of the latter, you encourage the farmer to cultivate tobacco and ensure its production here. It was objected when we inaugurated this policy that enormous deficits would follow. This was the era of deficits, but this era has passed. A wise policy has produced surpluses. What does the Government do? It lays down the principle without any danger to the Treasury, that the farmer must be afforded sufficient protection for all the products of the farm, not only for wheat, oats, barley, potatoes and other products of the farm, but also on tobacco. On the one hand it makes the cultivation and sale of leaf tobacco free, and on the other it reduces the tax on Canadian manufactured tobacco from 8 cts. to 2 cts. Why? Firstly, to protect the farmer who raises the raw material, the tobacco plant; and secondly, to maintain the principle that objects of luxury should be taxed. But it fixes the rate to correspond with the lowering of the tax in the United States. If the tax on tobacco in the United States had not been reduced, that on Canadian manufactured tobacco could not have been so much reduced. The Government had an only alternative to maintain in favor of Canadian tobacco, a differential duty. It is necessary also not to take off the tax altogether in order that the people may not lose sight of the idea that objects of luxury must be taxed in preference to objects of prime necessity. The Government merely inaugurated last year the encouragement of the cultivation of tobacco. A new era is opening. We import each year nearly 10,000,000 lbs. of tobacco from the United States. At 6 cts. a lb. \$600,000 of Canadian money is annually sent to our neighbors. Of these 10,000,000, 600,000 enter into Canadian manufactures to make twist tobacco. The experience which we have acquired in the last two years has clearly proved that Canadian tobacco is better than that of the United States for twist tobacco. We have to-day a certain market for 6,000,000 lbs. not for smoking tobacco, but for twist tobacco. This latter will be exported to the West, where it will find a large and good market. So much money will cease to be exported to the United States, and remain in the country, thanks to the encouragement given to Canadian tobacco. This, Mr. Speaker, is a very important point. We know by experience that any person who cultivates his tobacco properly can realize from its cultivation, from \$30 to \$50 per acre, per annum. The hon. member from Iberville (Mr. Béchard), with the experience which characterizes him, and the eloquence which distinguishes him, tells us that the cultivation of tobacco is ruinous to the soil. I will venture to inform him that if the cultivation of tobacco exhausts somewhat the soil for a short time, it benefits it in destroying weeds. The soil where tobacco has been cultivated becomes susceptible when manured, of raising wheat, barley, and the richest grains, and the harvest which it yields is clean, it is not necessary to make it pass through the ordinary process of sifting and cleaning. The hon. member from Drummond and

Arthabaska, was therefore entirely justified in saying that the cultivation of tobacco was beneficial to the soil, because it improves and cleans the soil. Mr. Speaker, I just observed that we import millions of pounds of tobacco, but the population of Canada increases considerably each year, thanks to the wise policy of the hon. Ministers. A large population is going to the North-West and British Columbia. There are so many more comers, which will augment by many millions of pounds the consumption of tobacco which we can produce, manufacture here, and export. After a careful study of the question, after having weighed as much as possible the demands of the Treasury, those of the manufacturer and farmer, we say to the Government: In principle tobacco should be taxed; but in the beginning of this industry when the farmers of all parts of the Dominion are only, I may say, preparing for it; when the people of Canada are only realizing the possibility of this product in this country, we ask you to give to the farmer all possible latitude, to leave cultivation and sale of Canadian leaf tobacco entirely free, in order to induce the people of the Dominion to cultivate this plant, and prevent it from importing its tobacco from the United States. We ask this from the Government, not only on account of the promises we made, and which you repeated, not only on account of the late law but also for the farmer in the interest of this product, in order to give him a more rapid and complete stimulus, so that he may know what it is necessary to do to perfect its cultivation. The Government has consented to it—if it has been possible to do so, it is because the Treasury is rich enough to submit to the reduction of receipts consequent thereto. It is owing to this that the Government can suffer a reduction of duties on this article, to the extent of a million or more; encouraging and creating, at the same time, a new industry which will contribute very much to the prosperity of the agriculturist. Secondly, we said to the Government: We know that Canadian tobacco is not first-class smoking tobacco, but it is preferable for twist tobacco. But give the manufacturer the exclusive right of manufacturing tobacco so that neither the farmer, nor the merchant, nor anyone else will have the right to sell it except the licensed manufacturers, and we may rest assured that factories will be established and that Canadian tobacco will find its market. When the tobacco enters into manufacture, it is prepared in a special manner according to modern processes; it will become a tobacco of good quality. As these manufacturers will have the exclusive right of manufacturing tobacco, they will be sure to control the market sufficiently to obtain a suitable return, which will reimburse them for their expenditure and for interest on their capital. The profits will be sufficient to maintain fair prices. Thirdly, we said to the Government: We know that your receipts will be diminished, we know that they will be less in the first few years. We understand that, but when the cultivation of tobacco has become extensive, well understood, well performed, when we are in a position to produce all the tobacco which we need for the consumption of the country, then you can say to the people the tax on tobacco should be increased. This is the real position which we took, Mr. Speaker, we who have paid so much attention to this product in an agricultural and manufacturing point of view. I am exceedingly happy to realize that the Government has formally considered this demand. I was sure of it from the beginning, for I have the greatest confidence in the Government. I was sure that they would understand our desires and the necessities of the population. I am happy to note that the measure submitted is the most equitable one possible, and the best adopted to encourage the farmer to raise tobacco, and to manufacture it at the factory. There is another point which we have not been able to attain; but I know that the hon. Minister of Inland Revenue is very anxious to concede it, and that sooner or

Mr. AMYOT.

later he will find a solution of the problem. It is difficult, in the first instance, to build factories exclusively intended to manufacture Canadian tobacco; and if it were possible to allow manufacturers of foreign tobacco to manufacture Canadian tobacco in the same establishment it would be a great advantage, and I am sure the manufacturer would try and mix the two tobaccos, which would add to the value of our tobacco and extend the market for it. The present manufacturers desire this; they are ready to favor and encourage, on this condition, the cultivation of our tobacco. I know that the hon. Minister is giving all possible attention to this question, and if it is possible to arrive at a solution of properly guarding the revenues he will concede our request. Before closing I wish to say a word about rolled tobacco. We have already stated here what is the general opinion on this point. If you permit the farmer to roll the tobacco—there are among this class, as among all classes, dishonest individuals—it will happen that some will use bad tobacco, will cover it with a good leaf, and will sell it in the market for tobacco of good quality. He who buys it perceives in cutting it that the tobacco which he buys is of an inferior quality, and he thinks that all Canadian tobacco is of the same quality. Thus you see our rolled tobacco, instead of being an advantage to Canadian tobacco, injures its reputation. It is better, therefore, that rolled tobacco should disappear, and that the farmer shall only have the right to sell the leaf tobacco, provided he can sell it free and without duty in its original state. This is the best way to render this cultivation prosperous. I congratulate the Government on the measure it proposes. It is a new proof of its devotion to the agricultural and manufacturing interests. The people demanded that its cultivation should be free, and it will be grateful for having rendered it so. The Opposition says it would like to see the duty disappear, and have tobacco placed on the same footing as wheat, oats and rye. But when these things enter into the distillery or brewery are they not taxed? and the Opposition do not ask that they should be exempted from duty. Why should it be otherwise for manufactured tobacco? The Opposition has no plausible reason to make such a demand when the cultivation of the tobacco leaf is free, and, as in the matter of manufactured tobacco, Canadian is the most favored of all countries.

Mr. De St. GEORGES (Translation). Mr. Speaker: I am happy to join with those who have congratulated the Government for having reduced the tax on Canadian tobacco, but I regret with the hon. members from Iberville and Lotbinière, that it did not go a step further in the right direction and abolish altogether the tax. In 1874, I moved a resolution which was one of want of confidence in the Government which I supported, because it refused to abolish altogether the tax on tobacco. I did not succeed at the time because the Treasury was empty, and we could not sustain such a drain on the Treasury. To-day we are no longer in the same position; we have a surplus, and the Government can afford to dispense with this Excise duty altogether. When I made the aforesaid motion in 1874, I was assisted by the hon. the present First Minister, the hon. Minister of Railways, and by a large number of Conservatives, nevertheless we were defeated by a majority of fifty-six. I congratulate the Government on having adopted the advice which I then gave, and I am happy to be able to congratulate myself on the fact that the little I did then has borne its fruit, and that it has induced the Government to reduce the tax on tobacco. The county which I represent, produces much tobacco, and could greatly increase its production, the soil being adapted for the growth of this plant, but the fear of fine and imprisonment prevents the farmer from giving proper attention to the cultivation of this plant. It would be, however, a very remunerative husbandry, as it is established that we can obtain therefrom from \$50 to \$100 per acre, something which we

are far from being able to realize from the cultivation of oats and other grains. It will, therefore, be a protection for the farmer to permit him to raise, manufacture and sell his tobacco without a single cent of duty. This is the protection which I ask and especially for the finest county in the Province which I have the honor to represent. But this is not all we must do in encouraging the cultivation of tobacco, we must find a market for its sale. You will find this market in the factories. But the Government fears that Canadian tobacco will be mixed with foreign tobacco. Let the Government then appoint officers to watch the preparation of tobacco in the factories, and let those officers be paid one-half by the manufacturers and one-half by the Government. This proposition was made by one of the largest manufacturers of the Province, Mr. Lemesurier, of Quebec. I hold in my hands a letter in which he makes this proposition. I do not share the opinion of the hon. member from Bellechasse, who says that the Canadian is superior to the American tobacco. And this is my reason: the Canadian tobacco would certainly be superior to the American if it were properly prepared, but the farmer not having the desired encouragement cannot make the necessary expenditure in order to prepare the tobacco in such a manner as to make it of first-class quality. I still ask for this protection. Let the farmer be free to cultivate the tobacco without tax, let him manufacture it without any restriction, and I am sure that ere long he will know how to prepare his tobacco so as to render it not only equal but superior in quality to the American tobacco. I hope the Government will continue in the good course on which it has entered, and that perhaps this year or next year it will abolish altogether the tax on tobacco, as also on all the necessaries of life such as wheat and flour. If it cannot do it the people will be satisfied, and we will thank the hon. gentlemen on the Treasury benches.

Motion agreed to.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

#### REPORT.

The following Report was laid on the Table:—

Report of the Minister of Agriculture of the Dominion of Canada, for the Calendar year, 1882.—(Mr. Pope).

#### MILITIA OF CANADA.

Mr. CARON moved that the House again resolve itself into Committee of the Whole on Bill (No. 31) to consolidate and amend the laws affecting the Militia of Canada.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On section 37,

Mr. CARON. When the Committee rose and reported the other night we had arrived at clause 37. I propose to amend this clause by striking out the words after "arms and accoutrements." Hon. gentlemen will see—at least those belonging to the legal profession—that the provision made in the old law, as I view it, is *ultra vires*, infringing on Provincial rights, and the rights of the municipal councils to impose taxation. The clause, amended as I propose to amend it, will read: "Officers shall provide their own uniforms and accoutrements."

On section 39,

Mr. CARON. I propose to amend this clause by introducing what I really consider will be of great benefit to our different battalions and military organizations. The amendment I propose is to add, after the words "shall have the power to recover the value of such articles of public pro-

perty" the words "or property of the corps." Hon. gentlemen who take an interest in Militia matters know that outside of the public property, which is the property of the Government and the Department, there may be articles, such as musical instruments, which really do not belong to the Government, and it is only right that the protection to Government property should be extended to this property. I am glad an hon. gentleman mentioned this point to me; and hon. gentlemen will readily understand that in framing a measure of this kind it is only by an exchange of views with hon. gentlemen on both sides, who take an especial interest in Militia matters that one can hope to frame a comprehensive measure.

Mr. BLAKE. That provision the hon. gentleman refers to would permit the recovery by the hon. Minister, or by his nominee, of the value of articles of public property, or of the corps, articles which may have been deficient or damaged. I think the hon. member for Lambton suggested there was sometimes difficulty in obtaining recovery of band instruments in species, not that they were lost, but there was a difficulty in getting hold of them—perhaps for want of harmony among the officers—and the question is whether, if we have power to provide that value may be recovered, we ought not also to provide some summary means for holding custody of corps property, which would enable speedy jurisdiction to be exercised over any officers or men, in order to get back the property in species.

Mr. CARON. I can see the force of the arguments, but the hon. gentleman will see that we are treating this property exactly in the same way and in as favorable a manner as we treat Government property. It is very difficult in a Bill of this kind to provide for cases which might enter into a civil suit and come under the regulations and procedure of a court of justice. I felt that gentlemen who are at the head of battalions, and who had expended money in organizing bands, or in improving the appearance of the battalion, ought to be able to consider that property in exactly the same light, and that it should be protected in the same way as Government property. However, to meet the suggestion of the hon. member for Lambton, I will amend the section by adding the words "or corps" between the words "public" and "property."

On section 44,

Mr. THOMPSON. I think it would be much preferable if a less number were drilled annually than 45,000—say 15,000; if they were drilled annually you would have a more effectual force than you have now in these 45,000 drilled every alternate year. Their pay might be increased without increasing the burthens of the country, which would be a great inducement for the men to serve. I think it is worth the hon. Minister's consideration. We have in the hon. Minister of Militia an hon. gentleman who has taken a very lively interest in Militia affairs, and one who, from my stand-point, at all events, has given very great satisfaction irrespective of his politics. They are bad, but we can't help that. I trust he will take into consideration the suggestion I have made.

Mr. CARON. I am exactly in the same position as my hon. friend. Although I do not approve of his politics, I have had occasion to know what an excellent military man he is himself. I can assure my hon. friend that in everything relating to the Militia force I try to forget my bad training, politically, and think of nothing else but the interests of the force. I consider the suggestion my hon. friend has made is one of very great importance. I have considered the matter seriously. If the hon. gentleman will take the trouble of looking into the strength of the force, for a few years back, he will see that we have been gradually working in the direction he indicates. We have reduced the force by 5,000 men already. The hon. gentleman knows how difficult it is to reduce an

old organized force which has always done its duty so well. I have taken the number of men as laid down in the original Bill. I am glad to be able to tell the hon. gentleman that whenever any corps have been found to be inefficient, and unable to contribute to the general efficiency of the whole force, we have been gradually disbanding them.

On section 57,

Mr. THOMPSON. Perhaps the hon. gentleman can tell us how many officers there are with certificates, and how many of them are available?

Mr. CARON. That is rather an extensive subject, but I will be very glad to procure that information from the Department.

Mr. BERGIN. Would it not be well, while forming camps of instruction, to order officers without certificates from the Board of Volunteer officers to attend these camps?

Mr. CARON. I look upon the suggestion as really an excellent one, and it will have the consideration of the Department. I do not think that the law as it is now at present, would prevent that suggestion being acted upon.

Mr. BERGIN. I do not think that, under this clause, it would be possible to order the attendance of commissioned officers, excepting those who had received certificates from the regular schools.

Mr. CARON. I am perfectly willing to add the words "to attend the camp or camps of instruction."

On section 59,

Mr. ROSS (Middlesex). How far have these provisions been accepted by the schools and colleges in the country? How many companies have been formed for drill in these institutions? This clause was introduced some years ago; it is a desirable one; and it would be very agreeable to know how many have taken advantage of the provision?

Mr. CARON. I congratulate the hon. gentleman on the interest which he seems to take in the Militia force; but the hon. gentleman will understand that I have not come here arrayed in perfect fighting order, and am consequently unable to give the precise figures; but I can inform the hon. gentleman that several schools have taken advantage of the provision, and the Department has received applications from others. This movement, which I consider to be of the greatest possible importance, is extending and growing in Canada. The boys in the different schools, trained, I may almost say, as part of their holiday performances, acquire a knowledge of military discipline, order, and science—if I can so speak—which they never forget; and I have had most satisfactory reports from schools in Ontario, Quebec, and elsewhere, on this subject. The system promises very considerable extension. It is inexpensive; the boys are fond of it; and it does a great deal of good. If the hon. gentleman so wishes, I will have the information prepared.

Mr. ROSS. I will be glad to have it. I looked through the Militia report for it, and did not find it. I consider this a very important part of the service; and on that account, am anxious to obtain the information. I agree with the hon. Minister, it is very desirable that the schools should accept the proposition of the Department and organize these companies. The effect upon our young men physically will be to them a decided advantage; and I think that the military spirit that the hon. Minister considers so important, and which we all appreciate, will also in this way be cultivated and be of some benefit to the country. If the report on this subject is not satisfactory, I will suggest another mode by which the same results in my judgment may perhaps be more successfully attained.

Mr. VAIL. Have schools in Ontario taken advantage of this clause? Before I left the Department several in Quebec had done so.

Mr. CARON.

Mr. CARON. Yes; a number have.

Mr. THOMPSON. I am glad to see so many laymen take an interest in this question. My hon. friend from Huntingdon complained recently—and I think justly—of their lack of interest in it; and it is a fact, that in many Sessions of Parliament, when the Militia estimates were under consideration, they hardly involved more than one hour, or an hour and a-half, in discussion. I am glad that they have woken up to the importance of the question now before the House. I rise for the purpose of asking the hon. Minister a question in reference to this clause. It provides that:

"There shall be furnished to every Normal School, University, College or School in Canada, in which there shall be instituted classes of instruction in military drill and exercises under regulations prescribed by Her Majesty, arms and accoutrements necessary for the instruction of the pupils thereof over the age of twelve years."

Is it the intention to furnish them with arms and accoutrements? I hardly think myself that it will be necessary in the general public schools of the country, as I think it would be sufficient that the pupils of the schools should be taught extension motions, marching and counter-marching, while arms might be placed in the hands of more advanced pupils with safety and advantage.

Mr. CARON. We do not intend furnishing arms to the ordinary schools. The hon. gentleman will see, if he looks into the system of France and Switzerland, that they give arms to the smaller schools, or those outside of the normal schools and colleges. I have some specimens in the Department of the arms they furnish; they are a very light and nicely made weapon, but, of course, they have no range whatever, and are used merely by children of say fourteen or fifteen years of age. As the cost of these arms is between \$4 and \$5, if they were to be furnished to all the schools, an expenditure would be entailed which we are at present not inclined to incur.

On section 64,

Mr. CARON. I ask leave of the Committee to insert in the middle of line twenty-three, after the words "or as a spectator," the words "and also when going to or from the place of drill or parade of his corps."

Mr. VAIL. Would it not be well to leave the clause as it stood in the old Bill?

Mr. CARON. I do not agree with the hon. gentleman. In a country like Canada we must consider that we have a force equal to any volunteer force in the world, and I do not think the privileges of these volunteers, outside of their military service, should be interfered with. Any militiaman, or any one who takes an interest in the force, will see that the words I have suggested to the Committee practically cover the whole ground. Hon. gentlemen will see that if we re-enacted the old clause it would put the Militia force of Canada in this position: that at any organization which is not a military organization these men might be punished for what would be during active service looked upon as a military offence. By the other clauses of this Act militiamen may be punished for wearing their uniforms when they are not entitled to wear them. We lay down the rule which, according to my experience of military life, will cover every possible occasion when they may turn out in uniform; but I do not want to see our citizen soldiers who are doing service as military men, brought on any occasion, outside the service, before any except the ordinary tribunals of their country.

Mr. VAIL. I have never yet heard any complaint against this clause in the old Act. Some better reason should be given for an important change like this. I consider that when any member puts on the uniform of the Queen, as officer or private, he is bound to be a gentleman, and he ought to be under discipline; otherwise he should not

wear his volunteer attire. Under this clause, as it stands, he may wear his uniform for a week before going to or coming from drill, and is not amenable to anybody, except that he may be punished for using his military clothing improperly. The hon. Minister of Militia should mention some case in point, if he knows of any, in which the old clause worked badly, and we will accept his view; but otherwise I can see no reason for the change.

Mr. BERGIN. The changes will be, I am sure, acceptable to every member of the Militia force. The law as formerly worded was no doubt a hardship. Under it gentlemen going to a ball or dinner in uniform were under martial law. Now the clause is so worded as to apply only to militiamen when on duty; and "going to and from the parade of their corps," covers all that the officers of Militia think necessary to be added to this clause.

Mr. VAIL. If I am not mistaken, one hon. gentleman who spoke very highly of the Bill the other day, mentioned this as objectionable. That hon. gentleman is not present now, but he probably would reiterate his objection.

Mr. BERGIN. The alteration is made in the sense required.

Mr. VAIL. I should like to know the opinion of the inspecting field officer or the Inspector of Militia.

Mr. LANDERKIN. Some two or three years ago when drill was held in the city of Toronto, the Grey battalion attended that drill, and about seven or eight members of the Durham company contracted typhoid fever in consequence. It came upon them shortly after they came home. No provision was made to defray the expenses incident to their illness, which was long and tedious. In one instance that came under my notice, a young man was confined to his bed for months. I understand that the Militia Department was applied to for payment of the expenses he incurred during his illness, and no response was given. If this clause was in the old Militia Act he had certainly claim for compensation for the time he lost and the expenditure incurred through the illness, which it is quite clear to my mind he contracted in service. Seven others contracted the same fever through the same cause, and no compensation was given them, though application was made in two instances to the Department for compensation. I think I made application myself, and I understand that an officer came to make inspection and to report. He was thoroughly satisfied that these volunteers had contracted the disease in the service. I might add that they were not in very comfortable circumstances, and that after they came home a brother of one of them contracted the same illness and subsequently died. This, I think, is a fitting time to draw the attention of the hon. Minister of Militia to these cases, and we know that with all his eminent qualifications for the position he holds, he has the generous heart of a soldier. It is only fair that these men who prepare themselves to defend their country, and are ready if necessary to die in its service, should receive compensation for injuries contracted in that service. Now that I have brought this matter up, the hon. Minister of Militia will not be able to say that it never came under his personal notice. I can give him the names of every one of the volunteers who suffered illness, and I hope they will yet be compensated for the losses they sustained on this account.

Mr. SPROULE. The hon. member for South Grey is laboring under a misapprehension in attempting to put any blame on the Department in this matter. I saw the report which was made by Dr. Barnhardt, the surgeon of the 31st Battalion, to which this company belonged, and that report was to the effect that the volunteers in question were not suffering from typhoid fever at all, and that their sickness was not contracted at their annual drill. It would be very unreasonable to expect the Department to give compen-

sation for all pretended claims that might arise through men being sick for weeks after their annual drill.

Mr. LANDERKIN. Two of the cases came under my own notice professionally, and were tended by me during six weeks. The disease was typhoid fever, and no other person saw those cases. Dr. Barnhardt came and consulted with me. I told him it was typhoid fever, and he said compensation should be given. What report was made I know not, but I know the cases were well marked cases of typhoid fever. Both the surgeon of the battalion and the captain of the Durham company were of the opinion these men should be paid. I did not ask the Department to give anything to those who were not entitled to any compensation; and the hon. member for East Grey has no right to make the statements he has made, when I state that I know those cases, and that they were distinctly typhoid fever of a most virulent form.

Mr. SPROULE. I read the report, and I think the Department have nothing else to go on but the report of the surgeon of the battalion. In that report it is stated that the disease was not typhoid fever. I have letters from Dr. Barnhardt in reference to cases which I supposed were the same as those referred to by the hon. member for South Grey. I understand a claim was set up by several doctors for compensation, and their fees were put at extensive figures, expecting the Department to pay those fees, and, no doubt, the hon. member for South Grey feels it hard that he did not make a haul out of the Department. I ask whether the Department are not in duty bound to accept the report of the surgeon of the battalion, and not that of an outside person.

Mr. LANDERKIN. Those parties live about forty miles from the surgeon of the battalion, and it was impossible for him to render them assistance. I made no claim for compensation for professional attendance, I sent in no bill, and if I had I do not think I would be anything but justified in the matter. I have only to state this, that if any person from the Department or any surgeon made the statement that these were not cases of typhoid fever, and that the disease was not contracted when on service, he made a statement which I think to be untrue. I understood there were five or seven cases in the Durham company, and I understood they contracted it in the same way. Of these I have no personal knowledge, but of the two cases that came to my own notice, I have no hesitation in affirming that they contracted the disease while on service, and suffered a long and dangerous illness. I think they are entitled to compensation. I think I am entitled to compensation for my services. I do not ask the Department to compensate me, but I want the Department to compensate those that suffered loss. I know perfectly well of what I speak. It was impossible for the surgeon of the battalion, who was about forty miles from those parties, to have known anything further than what I told him myself, and he admitted at the time that they should receive compensation.

Mr. CARON. We see here how difficult it is for the Department to decide all such cases that are submitted to it. When doctors differ it is difficult for the Department to decide who is right and who is wrong. I regret extremely any illness that may have been contracted by any member of the force. Every case of that kind is always thoroughly investigated, and we try to give every possible help to the men who meet with any injury or contract any disease while serving in the Militia force.

Mr. LANDERKIN. I would observe to the hon. Minister that these men were taken from Owen Sound to Toronto on an open flat car. It rained nearly all the way to Toronto, and I think this was one of the causes of the illness from which they suffered. The weather came out very hot

immediately afterwards, and I understood that the water they drank from the bay was unhealthy. It was doubtless from these causes that they contracted the disease.

Mr. TAYLOR. I am pleased to see the provision made in the sixty-eighth section, but I think the word "liberal" should be inserted before the word "provision." In the town of Gananoque, where I reside, we have a Field Battery of Artillery, which, I think, stands second to none in Canada, and I think the hon. Minister of Militia will agree with me when I make that statement. I had the honor to be present at Brockville last fall when that hon. gentleman was there, and I think our company stood at the head of the list. Some years ago, when the country was threatened with a Fenian invasion, orders came from Ottawa for our company to report themselves at Brockville on the shortest possible notice. This order was received at nine o'clock at night, and next morning at eight o'clock they reported themselves for active service at Brockville, thirty-two miles distant. Last year, on the Queen's birthday, the same battery received orders from the Department here to proceed to Kingston to join in the celebration there. While on service at Kingston, and performing their duty, one of the drivers, Mr. John Dempster, who was in charge of a team, met with a fatal accident. His horse stumbled, and he fell, and was thrown on the road, and a cannon passed over him, killing him instantly. There was no fever, in this case, and no dispute about the matter. This case is now engaging the attention of the Government, and when I say that this young man had only been married three weeks before his death, I think the House will admit that the Government ought to make liberal and ample provision for the care of that young widow.

Mr. CARON. I can tell my hon. friend that this matter has received the attention of the Government, and upon the urgent solicitation of my hon. friend made in behalf of the widow, the Government is reconsidering the matter.

Mr. IVES. While upon this clause, I beg to call the attention of the hon. Minister of Militia to a case which has been receiving his attention for the last fifteen or sixteen months, and there is very great danger that if the consideration lasts much longer that the widow of the man who is killed may starve to death, possibly before his consideration is terminated. In this case my unfortunate friend had been married for a number of years, but still he was a comparatively young man, and the injury he received was of a character to render him perhaps as useless as he would have been if he had died. I think it is a case that deserves the attention of the hon. Minister, and I hope he will not take three months longer to come to a decision.

On section 73,

Mr. CARON. The only change in this section is introducing the law which prevails in England, and which is taken from the Army Act as to the attendance of witnesses who are summoned to give evidence. We feel it necessary to have some provision by which offences against the regulations of the Militia force could be dealt with. These clauses have been submitted to the hon. Minister of Justice for his careful consideration, and I think they are fraught with no danger to the civil liberties of the subject. For instance, it is provided that any refusal to obey a court-martial, or any contempt, cannot be tried by any court-martial or military tribunal, but must be referred to a civil tribunal, the offence to be certified by the president of the court-martial as an offence against the court-martial. If the act is considered to be a contempt of the civil tribunals I will have to deal with it, and while it is proper not to give too extended powers to a military tribunal it is proper to protect military tribunals and court-martials against ill-will on the part of witnesses who should refuse to give evi-

Mr. LANDERKIN.

dence necessary in the interest of justice and to carry out the law of the land.

Mr. BLAKE. What is the law as regards oaths and affirmations in courts-martial? Is it according to the law of the Province in which the court-martial happens to sit?

Mr. CARON. It is according to the law prevailing in the different Provinces.

Mr. BLAKE. The provisions seem to be reasonable; the only point respecting which I have doubt is as to the machinery. It is different with countries such as England, where all the civil courts are entirely under the control of the central Parliament than what it is with us. What is proposed to punish under this Bill are not criminal offences, but such acts as breaches of discipline. I do not know whether the hon. gentleman has considered how far the local courts will be affected.

Mr. CARON. The hon. gentleman has pointed out the very difficulty which stared me in the face when I had to provide this machinery. We know that in England, France, and other continental nations, the military court is as perfect a court for the trial of the military as any court under a civil code, and they act upon the code just as completely as they do in civil matters under the codes of law which exist in the different countries. In Canada we found, from our experience with "A" and "B" Batteries, that we had offences to punish which we could not treat as cases, coming before an ordinary magistrate, and it became necessary to introduce into this Bill laws which I believe are not antagonistic to our system of Criminal Law, and which will meet all the requirements of the force for all time to come. Those laws afford no danger to the subject, and meet the requirements of the case.

On section 80,

Mr. O'BRIEN. I think there is a little ambiguity here. One clause of the Bill gives power to an officer to call out a company for drill. Is it intended to give the officer power to prosecute a man who does not attend?

Mr. CARON. The clause provides for that case. I think it is only right that it should do so.

On section 83,

Mr. CARON. This is a new provision, and it is inserted for the following reason: We found last year that when owing to the lateness of the season, seamen were difficult to get in Quebec, attempts were made by civilians to induce members of "A" Battery to desert, and this provision is copied from the English Army Act providing for such a case; although they have not frequently occurred, still they may happen.

On section 89,

Mr. BLAKE. Do you intend to have any Militia in the Territories at all?

Mr. CARON. We have in Prince Albert, and some other of the Territories, several companies.

Mr. O'BRIEN. Suppose that a portion of the force in Ontario was sent to the unorganized territories in the North-West, would they be under the same law as if they were in the Province of Ontario?

Mr. CARON. The hon. gentleman and gallant officer knows that if they were sent out on active service they would be under military law, which would then apply to the whole Dominion, and even outside of the Dominion.

On section 90,

Mr. BLAKE. Have we still a Receiver-General?

Mr. CARON. We have, and all the money that we receive in the shape of penalties is always paid over to him, though I think it should come to the Department.

On section 100,

Mr. SHAKESPEARE. I would like to suggest to the hon. Minister of Militia, the advisability of inserting a clause in this Bill, prohibiting the use of intoxicating drinks in the camps. I know very well that in some parts of the Dominion, intoxicating drinks are used very freely in camps, and are supplied by the officers to the men. I am not aware that there are any provisions prohibiting such conduct; if there are, they are violated; and if not, I think it wise to place them in this Act. We have the authority of the greatest soldier of the day, for the statement that the men who abstained from intoxicating drinks altogether are the men who are to be the most relied upon; and also the men who are capable of the greatest amount of endurance; hence, I think, it would be well for the hon. Minister, who evidently takes very great interest in the military affairs of this Dominion, to have a clause of that kind inserted, imposing a penalty on the officer who supplies intoxicating drinks to the men while in camp. It seems to me to be very proper that such a provision should be in this Act, for this reason: we expect the young men of this Dominion to join the Militia. Many of those men are of temperate habits previous to joining, but whilst in camp they are confronted with the temptation of drinking intoxicating liquors, perhaps for the first time in their lives, and many of them, I am sorry to say, have yielded to that temptation and have become perfectly demoralized under the influence of liquor presented to them in camp by their superior officers. I speak feelingly on this matter because I have a son in the Militia, and may have two or three there in time perhaps. I sincerely trust that the hon. Minister of Militia will think favorably of this suggestion, and have a clause inserted in the Act in that direction.

Mr. BLAKE. I think the hon. member who has just spoken is a member of the Select Committee on the subject of the Liquor Laws, and perhaps he may bring this matter under the consideration of the Committee.

Mr. CARON. The hon. gentleman knows that when the Militia are out on service they are altogether controlled by the rules and regulations of the army. They cover everything, and the men are punished for every offence. The sale of intoxicating liquors is not allowed in any way to be carried on during the existence of the camp.

Mr. SHAKESPEARE. It may not be allowed but it is carried on. It is well known that officers themselves supply intoxicating liquors to the men whilst in camp.

Some hon. MEMBERS. No, no.

Mr. SHAKESPEARE. I know it; I have seen it, and I speak from experience. Since I have been in Ottawa I have heard that the same thing occurs in other parts of the Dominion. I have been told by those who are in the Militia that the officers themselves supply intoxicating liquors to the men in camp. The hon. leader of the Opposition suggests that I should bring this matter up in the Committee, but that is not the proper place. This is the proper place and time.

Mr. WILLIAMS. My experience is entirely different from that of the hon. gentleman who has just addressed the House. This is a matter which is entirely controlled and regulated by the Queen's Regulations, as the hon. gentleman will see by referring to paragraph 60 of the regulations.

Mr. BLAKE. But is not paragraph 59 a little more elastic?

Mr. WILLIAMS. That does not apply to the Militia Act of Canada.

Mr. O'BRIEN. If any officer of the Militia supplies liquor to the men, I have never heard of it, and I have attended a good many camps. I think the hon. gentleman

is making a statement—no doubt ignorantly—altogether void of foundation, when he says that the officers have sold liquor to their own advantage to the men in camp.

Mr. SHAKESPEARE. I never said that an officer sold liquor to the men. I said that they gave it to them whilst in camp.

Mr. O'BRIEN. Of course, if an officer chooses to give a man a glass of liquor of his own I do not know of anything to prevent him. My own opinion is in favor of having regimental canteens, although I am aware that that system is condemned by some authorities. I have always been in favor of having in camp canteens for the sale of beer and other necessaries that the men like, entirely under regimental control. You bring a lot of young men together in camp who are not teetotalers at home, and who are, therefore, not likely led for the first time to drink intoxicating liquors, and my experience is that it would be better to have these canteens controlled under the conditions of the Queen's Regulations than to allow men who want liquor to make excuses to go to the taverns in the towns. I have found that where these canteens are established there is less drinking than under the other system. Leaving out the question of whether men should be teetotalers or not, which, of course, we cannot control, my experience is that regimental canteens under proper control rather promote sobriety and temperance than the opposite.

Mr. THOMPSON. While I would go as far as any man in keeping liquor from the volunteers, I may say that two years ago I attended camp at Niagara, where I found that there were canteens in some regiments and none in others. I have found, when I was detailed to inspect the canteen, that no liquor was given or sold to the knowledge of the officers, and I found no liquor in them.

Mr. BLAKE. When is the Act to come into force?

Mr. CARON. It is to come into force immediately.

Progress reported; Committee so sit again.

#### THE CUSTOMS ACT, 1883.

Mr. BOWELL moved that the House resolve itself into Committee of the Whole on Bill (No. 34) to amend and consolidate the Acts respecting Customs.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On section 7,

Mr. MITCHELL. What does this clause mean?

Mr. BOWELL. It is a clause that has been in the law ever since there has been a Customs Act. It simply means that if an article is entered for duty, and there is a difficulty of deciding to which class of goods it belongs, the duty charged is to be what is charged upon the article it most resembles, and if it resembles two articles, then the highest rate of duty shall be charged.

Mr. MITCHELL. I am glad to get the information. The law may be the same, but we know that the administration of the law is quite a different thing, and I know that we have never had so much trouble in the administration of the law for the enforcement of the Customs regulations as we have had lately, and therefore we require to examine this Bill very carefully.

Mr. BOWELL. I hope that in the administration of the law, my hon. friend from Northumberland is satisfied that we carry it out as it is on the Statute-book.

Mr. MITCHELL. I have no doubt of that. What I complain of is that sometimes the letter of the law is strained too far. I would like to see a little relaxation, and a little more elasticity. Instead of the hon. gentleman

saying, this is a cast-iron rule, and we will adhere to it, I would take the spirit and the intention, not only of the law, but of the people who deal and make entries.

Mr. BOWELL. Well, if that is the manner in which the hon. gentleman wants the law to be administered, I do not think he will find it so administered while I preside over the Department. What I understand him to desire is that a meaning should be applied to the law—to suit the particular case and the requirements of a person who has violated the law. To attempt to carry it out in such a way as he suggests would be impossible, and you might as well repeal it.

Mr. MITCHELL. I do not mean to say that you should act upon the law so as to violate it, but I do say that when people in any mercantile business pursue the usual course and happen from error or other cause to violate the law, the circumstances should be taken into consideration, and they should be dealt with liberally. That is what I mean to say.

Mr. BOWELL. I mean to say that is done.

Mr. MITCHELL. I mean to say it is sometimes.

Mr. BOWELL. No one knows better than my hon. friend that when attempts are made to defraud the revenue, I am not one of those who think that the parties so offending should be dealt with leniently.

Mr. MITCHELL. While I am quite willing to concede that the hon. Minister makes every effort to administer the law, I am under the impression that it is administered with a severity that ought not to be characteristic of a Government disposed to foster and encourage public industry and public commerce, and that the hon. gentleman should not lay down such rigid rules as he does, and as my own experience has taught me he has done in several cases.

Mr. BOWELL. Hear, hear.

On section 13,

Mr. BOWELL. I desire to add a new clause here, in order to provide for fixing a value on foreign coins or foreign paper money. At present we have to accept arbitrarily the values put upon foreign money, whether paper or coin, by the Treasury Department of the United States; but there has been no real authority for that, and I desire to insert a clause to put that difficulty beyond dispute. In the purchase of teas from China and Japan, or of sugars from Brazil, invoices are very often made out in the currency of the country from which the goods are imported; but that currency fluctuates very much in value, and in order to prevent any difficulty in the future, that upon the certificate of some British or Foreign Consul being attached to the invoice as to the value of the coin, that shall be accepted as evidence of its true value. In other cases, it used to be the practice to take the bill of exchange, which is sent to cover the purchase, as the value for duty of the article imported. This simply gives us the power to do what has been done in the past during my administration, and, no doubt, during the administration of my hon. friend. Then, in order to prevent constant demands for readjustment, when once the bill of exchange is accepted as the value of the article for duty, according to the value of the currency in the country where it was purchased, the transaction is considered final.

On section 24,

Mr. BOWELL. This clause is made to apply to employés and officers of railway companies who are privy to or aid or abet in unlawful importations. The penalty formerly applied to goods unlawfully imported by vessels and other vehicles, and not by railways. We now propose to extend it to railways, but not to punish the railway companies altogether; that is to say, this clause relieves the Department from the necessity of seizing railway trains, but if employés are privy to and aid in unlawful importations, they can be fined, instead of the railway train being seized.

Mr. MITCHELL.

On section 27,

Mr. BOWELL. We have added the words "shall go without delay, when such vessel is anchored or moored, directly to the Custom House." This places beyond dispute cases where vessels have been in the harbor and the officers have not gone ashore. Various interpretations have been given to this clause. The hon. member for Victoria (Mr. Cameron) has given me one, and the hon. Minister of Justice has advised me in another direction—that it shall become necessary in all cases where vessels coming from foreign ports, enter our harbors even from stress of weather they shall report to the Custom House why they are there.

On section 34,

Mr. BOWELL. This clause is to provide for cases of vehicles crossing the border, with which, under the old law, there was no power or authority to deal.

Mr. MITCHELL. Complaints have been frequently made to me that an unnecessarily strict examination of the baggage of travellers is made. I do not know whether this clause applies to the case, or whether it leaves matters pretty much as they are.

Mr. BOWELL. This clause does not provide for cases mentioned by the hon. member, but simply that vehicles when they have crossed the border shall at once report at the Custom House.

On section 35,

Mr. BOWELL. There is a provision in the Merchants Shipping Act, from which this clause is copied, giving certain powers to Custom House officers where there is no Receiver of Wrecks, and we thought to embody it in the Customs Act, so that every officer should know what his duty was under the circumstances.

On section 38,

Mr. BOWELL. This is a clause added for the purpose of comparing the importation of goods in registered vessels, so that the Government can have some control over them. There is a provision in the Customs Act of our neighbors of a like character, only much more restricted, particularly on the Pacific coast, where they prevent, under their coasting laws, the employment of any vessel under thirty tons to carry on the trade of the country. It was thought by the Government it would be much more in the interest of the revenue if the carriage of goods imported into Canada by vessel should be confined to vessels having a register. There is a great deal of this kind of smuggling, by bringing goods in small boats across the St. Lawrence where it is impossible for the Department to have proper surveillance on them.

Mr. BURPEE (St. John). There are no vessels without a register, only row-boats.

Mr. BOWELL. Yes; row-boats and small sail-boats which are generally used for the purpose of smuggling; and we want to stop smuggling if possible.

On section 41,

Mr. BOWELL. The old Act simply provides for the entry of goods by the bill which the parties might have in their possession. Great difficulty has arisen from the fact of having bills of goods without any description whatever. This clause provides what the bills of entry inwards shall show.

On section 50,

Mr. BOWELL. This clause gives greater facilities for warehousing goods by vessels. These words are new in the third line:

If the vessel-owner or master desires to warehouse the same for re-shipment for the future use of the vessel, the collector may permit him to do so.

That is, in case he has taken out more stores than he requires, and returns to port, it is proposed to allow the owner or master of a fishing or any vessel—if he has ex-warehoused goods for ship's stores, and some remain over when he returns to port—to re-warehouse them and take them out again, when he goes to sea, without paying duty; this is a little further concession to ship-owners.

On section 53,

Mr. BOWELL. Here is a somewhat important change. The House will remember that last Session, or the Session before, provision was made for reducing the value for duty of goods, which had been injured—particularly grain, upon which a specific duty was paid. Under the old law, damaged goods were revalued for duty, when this was *ad valorem*; but there was no such provision for goods paying specific duty. This clause provides that any goods coming into this country, whether they pay specific or *ad valorem* duty, shall be reduced in value in proportion to the damage done to the goods before they enter, and in cases of mixed duty, then the value of the goods, when appraised, shall be reduced to an *ad valorem* equal to whatever amount the specific will be, and charged accordingly.

Mr. VAIL. By the appraiser?

Mr. BOWELL. Yes.

On section 57,

Mr. BOWELL. This is a new clause:

Upon the collector, or appraiser, ascertaining the percentage of damage—

This clause provides for the manner, or mode, in which they shall arrive at a proper value—

Such percentage shall be deducted from the original value thereof, and duty shall then be levied and collected on such reduced value at an *ad valorem* rate which shall be equivalent to the rate of specific or specific and *ad valorem* duty which should have been collected upon such goods if they had not been so damaged.

On section 66,

Mr. BOWELL. This is new, but is only carrying out what we have been doing since we adopted the present Tariff. It provides that:

The Governor in Council may appoint one or more appraisers, to be called Dominion Customs Appraisers, with jurisdiction at all ports and places in Canada; and may also appoint Customs Appraisers with jurisdiction at such ports and places in Canada as may be designated in the Order in Council in that behalf; and each such appraiser shall, before acting as such, take and subscribe the oath.

Which is provided in the old law. It simply extends the power of the Governor in Council to the appointment of Dominion appraisers, and designates that they shall have authority in all our ports.

Mr. BURPEE (St. John). That is an improvement on the old Act, which says that the Government shall appoint.

Mr. BOWELL. Yes, I think that it is a decided improvement.

On section 68,

Mr. BOWELL. This is different from the old Customs Act, but the principle was adopted by the House, in the Tariff Resolutions a few years ago, when it was provided, that the value for duty should be the value of the goods in the country in which they are purchased when sold for home consumption.

Mr. BLAKE. I understood the system, on which this clause in the law was administered, when he explained it some time ago, to be—the evidence was taken, in case of a dispute between the importer and the Customs authorities; and they received such evidence as was available on both sides with the view of arriving at what the price was, at which the goods were ordinarily sold by the manufacturer or jobber—it is not the retail price, I understand.

Mr. BOWELL. No, no.

Mr. BLAKE. It is the first price.

Mr. BOWELL. It is the wholesale price.

Mr. BLAKE. I shall ask the hon. gentleman to make a statement on that subject, because I have seen within the last few days, a few persons from the North-West, who say—as they understand it—that the rule has been applied in cases in which they are concerned—and they are not ordinary traders, but occasionally import in this way: the value is fixed from the list price, which is not the price which the goods are sold to the individual at all, but prices subject to discount for all persons. Certain goods were specified to me, such as safe doors, and also safes, as having been charged, and charged systematically at Winnipeg, at prices that were far in excess of the prices at which they were sold in the United States to the purchaser in that country. I think they thought they were charging about double the price.

Mr. BOWELL. The principle of the Customs laws is this: that the value for duty on any article purchased, say in the United States, shall be the price at which it is sold for home consumption in that country. In the case to which the hon. gentleman refers, that of doors for safes which are somewhat expensive, they were raised in value when they were entered at Halifax, but that was done on the very best evidence procurable in the United States that the prices at which they were sold for importation to Canada were lower than the prices at which they were sold for home consumption. Difficulties often arise in this way: say that my hon. friend should go to the manufacturer wanting some of these articles, he would get them at a certain price. The agent who is selling for this same house would be allowed a discount upon all the safe doors he could sell in any part of the country, whether in the United States or Canada. It has been ruled, and I think it is strictly in accordance with the law, that the value for duty is the price for which the article can be purchased by any merchant going to the manufacturer and purchasing it, and not the value for duty with the discount which he pays the agent deducted from it. Another difficulty has also arisen, and it will present itself to any merchant, and, no doubt, to my hon. friend also, and it is this: a wholesale merchant goes to the manufacturer in the United States and purchases very largely. He may buy a hundred dozen of a particular article, say shovels. That man gets a larger discount than a smaller merchant who goes to the same manufacturer and buys say twenty dozens. The ruling of the Department has been this: that if the discount which is given to the Canadian merchant who purchases largely be no greater than that which is given to the merchant who purchases them for sale in the United States, he is allowed the full amount of the discount; and from this reasoning that it is true the wholesale market value in the United States for that quantity or number of articles sold.

Mr. BLAKE. That is to say, if any United States manufacturer makes a distinction between the large purchaser and the small purchaser, then the Canadian merchant who happens to be a large purchaser, gets the benefit of the same line of discount. In the other case, one difficulty which occurs to me—perhaps the hon. gentleman will remove it—is of this kind. The hon. gentleman suggests the case of agents. Now, there may be some firms—and I believe there are some—that conduct their business of sale through agents who act as commission houses, and whose sales are, therefore, in effect, retail sales. If, instead of selling to wholesale merchants for their own account, who then sells to the ultimate consumer of the article—the last purchaser—the sale is made to an agent or person who buys on commission, the discount would seem to be analagous to the price to the wholesale merchant in the other case; but I can

hardly think that the proportion given to me could possibly have been correct without there being some error in the application of the law. I am not at all objecting to the general principle which the hon. gentleman lays down as to the administration of the law. It is, I believe, the fair way in which the law should be administered, but I think in whatever form the producer of the article—the manufacturer—conducts his business, it should be that which is equivalent to the wholesale price in the country of consumption, which should be the measure of the price at which the article should be entered for duty.

Mr. BOWELL. The hon. gentleman is quite correct, and that is the principle on which decisions have been given by the Department. The particular case to which he refers I will illustrate in this way. The agent employed in the selling of these safe doors visited Ottawa, and I put this question to him: "Supposing I were living in Utica, and went to Boston to the manufacturer, and asked him to sell me a set of these doors, would he charge me the same price that you received from the Halifax merchant?" He said: "Yes." "Then," I said, "you stand in the position of an agent dealing directly with the manufacturer, who is responsible to the party to whom he sells?" He replied: "Yes." "And he gives you the commission which he would take out of the merchant if he sold directly to him?" He said: "Yes." "Then," I said, "the value of the article for duty is the value put on that article in case I was a merchant purchasing for home consumption in the United States. Any arrangements you may have with the manufacturer we have nothing to do with." In other words, if the merchant went to Boston to purchase a set of doors, they were sold at the same price the agent paid for them. The only difference in that case would be that he would take the responsibility in case there was credit, or any loss which might accrue to him, while in the other case he would hold the agent responsible.

Mr. BLAKE. The only point on which we differ is that it seems to me that this is practically insisting upon the retail price of the goods being the price for which they are entered for duty, because the hon. gentleman puts the case of simply a pair of doors being purchased. Now, it may be—though I do not know much about the business—that this particular business is carried on in the way to which I referred, and in that case—

Mr. BOWELL. The hon. gentleman will excuse me, but that is where he is in error. This is a special case in which the whole business is conducted precisely in the manner I have stated. They do not sell a merchant, say, half a dozen or so, but the articles are manufactured specially for some particular places or buildings, and consequently the rule which pertains to the sale of a large quantity of any particular article does not apply in this case.

Mr. BLAKE. But the practical result in this particular article is that it is the retail price at which it is entered?

Mr. BOWELL. There is no wholesale price, consequently you cannot apply a wholesale principle.

Mr. BLAKE. There is no wholesale price because the system is one of a commission intervening between the ultimate purchaser and the manufacturer, instead of the wholesale merchant.

Mr. BOWELL. But if the contractor purchased directly himself instead of through an agent he would pay to the manufacturer the same sum that he pays the agent. But if he buys through an agent, by adopting the principle laid down by my hon. friend, then he would save the duty upon whatever amount of commission there might be paid to him by the manufacturer. The only possible principle we can adopt is to take the price charged for the article by the

Mr. BLAKE.

manufacturer to any person who would go to his establishment and purchase it.

Mr. BLAKE. The hon. gentleman knows, of course, that some manufacturers have a set of prices for retail and a set of prices for wholesale, and, of course, he would adopt the wholesale prices for the party who was entering goods and who obtained them at the lower price. He would not charge them up at the retail price but at the wholesale price.

Mr. BOWELL. Yes.

Mr. BLAKE. Does the same rule apply to the collection of duties on safes as is applied to vault doors?

Mr. BOWELL. No; I do not consider the business of selling safes is conducted on the same principle. The difficulty with safes, we find from all the information we could obtain, is that the American manufacturers sell to Canadian consumers cheaper than they can sell to their own people, because they are recouped by a drawback, and this leads to a great deal of difficulty of valuing imported goods. That there may be errors, I am not prepared to deny.

Mr. BLAKE. But the principle applied to safes, so far as the Department knows, is to charge the duty of the wholesale price in the United States.

Mr. BOWELL. Yes.

Mr. MITCHELL. While we are on this question I wish to put a case which has occurred. Suppose a person wishes to buy half a dozen locomotives, and goes to a United States manufacturer and makes a contract for their manufacture and delivery; it takes three months to construct them; suppose they cost \$8,000, but by the time they are ready for delivery the price rises 5 or 10 per cent. Will the duty be charged on the invoice price, or on the price that prevails at the time of delivery?

Mr. BOWELL. The law is very clear and distinct on that point. The Customs Act on the Statute-book, when the present Government came into power, provided that the value should be the invoice price, no matter what that was. If the hon. gentleman made a bargain to-day for the delivery of an engine six months hence, and paid \$10,000 for it, and if the value of engines decreased so that at the end of the six months it was worth only \$7,500, the value for duty would be the actual amount paid for the engine; but if, on the contrary, the engine had increased in value and became worth \$15,000, then, under the old law, he would have had to pay duty on the \$15,000 value. The present law provides for the payment of the duty upon the value of the article, whatever it may be at the time of exportation from the country whence it comes. If the hon. gentleman contracts to-day for engines, for which he has to pay \$10,000, on delivery three months hence, and if they rise in value to \$12,500 at the time of paying the duty, he would have to pay the duty on \$12,500. If, on the other hand, they decrease in value to \$7,500, he would have to pay the duty upon the decreased value. That is the principle upon which we act, and that is the law.

Mr. MITCHELL. When the hon. gentleman says he will charge the duty on the value on the article at the time it is entered, I want to know how that value is ascertained. He sends an expert to the different manufacturers in the United States, perhaps when business is slack, and he finds that because business is slack, the manufacturers will manufacture for less than they did three months ago; but he gets their prices to-day for locomotives to be delivered three months hence, because they cannot give the price of locomotives off-hand, as though they were kept in stock. I want to know from the hon. Minister of Customs whether, under the circumstances, he would take the price locomotives were contracted for, or the price his expert gets for locomotives delivered three months hence.

Mr. BOWELL. I thought I was sufficiently explicit. I said that no matter what you may have purchased the engine for, the duty would be charged upon the value of the article at the time it was entered. If you go to England and order a hundred tons of iron at £10 per ton, to be delivered next spring, and the price falls to £7 10s. at the time the iron is put on shipboard at Liverpool, the duty would be charged upon £7 10s. On the contrary, if you had paid £7 10s. for the iron and it had increased in value at the time of exportation to £10 per ton, you would pay the duty on £10.

Mr. MITCHELL. I am not speaking of an article like iron or cotton or goods of that kind, deliverable at once, but of an article like locomotives, which it requires him to manufacture and deliver.

Mr. PATTERSON (Essex). The hon. Minister says the rule works both ways. If the price goes up you are at a disadvantage; if it goes down you get the benefit. Have the officers the power to deduct as well as to add to invoices at their option?

Mr. BOWELL. Yes; under the law as amended two Sessions ago. I have a case in my mind's eye of a hardware merchant in St. John, N.B., the market price of whose iron when he entered it was lower than when he purchased it, and having proved that fact beyond doubt by documents from Liverpool, we made the rebate.

Mr. VAIL. The hon. Minister of Customs is quite right. It will be impossible to regulate the matter in any other way. A merchant in Halifax buys molasses and sugar, which he leaves in the hands of the West India merchant until some months later. In the meantime the prices advance, and an individual who purchases at the end of that time pays a higher rate. Both come into port at the same time, and it would be unfair that the first merchant should pay less duty because he bought at a cheaper rate. The meaning of the Customs Act is: that an *ad valorem* duty shall be paid on the value of the goods in the port at the time the goods were exported.

Mr. HESSON. The hon. member for Northumberland is correct in asking explanations of this important clause, but it is very evident that the hon. member would be glad to take a rebate on the price of his locomotives if the price had declined, and, admitting this, the course taken by the hon. member was perfectly correct. My hon. friend must expect to take the risk of the market the same as any other importer.

On section 72,

Mr. BLAKE. The operation of this clause seems to be very onerous with respect to the duty on packers of crockery. I understand from this clause there is no deduction from the invoice price, unless there is a special charge for the amount of the package. In the case of crockery the packages form a large portion of the cost, although not separately invoiced, and that is not so in the case of dry goods.

Mr. BOWELL. This has been the law for the last ten or fifteen years. The packages on goods, particularly in the line referred to, were placed in the Statute for this reason: that crockery is sold in the Old Country in crates or packages in the same manner as for exportation. Take the case of hardware, which is sold in a barrel or box. That forms part of the value of the article for duty, but the barrel in which they are contained does not under these circumstances. If you purchase coal oil, for instance, so much a gallon for fifty gallons, then the barrel is extra for duty at a certain price, but if you purchase an article the package containing which forms part of the value of the whole, then it is not chargeable for duty.

Mr. MITCHELL. I am glad this matter has come up, because I have been written to on the subject by more than

one person engaged in the trade. I think a great injustice is being done to particular trades. Under the law in relation to dry goods and hardware, the packages in which these goods are imported come in duty free, but if you take it in relation to crockeryware you find that the crates which cost 15s. in England, but which are worth practically nothing here, or at most 80 cents or \$1, are charged a duty. Now, I will give my hon. friend an illustration which was given to me by a crockeryware merchant in Montreal, who is an importer of goods which are considered hardware. He imports a dozen bundles of oil lamp burners; he imports at the same time and from the same source a dozen barrels of lamp chimneys for the very same lamps for which the burners are purchased. The barrel in which the chimneys are enclosed is charged for duty, the barrel in which the burners are enclosed comes in free; in other words, the hardware branch of the business is charged nothing for packages, but the crockery branch of the business is charged for packages. Take a case of crockery costing \$10. It is charged 15s. sterling, or £2 10s. to £3. The crate in which it is enclosed costs 15s. sterling, and then the carriage in England, shipping charges, freight, and everything else is added to the value of the package as well as the crate.

Mr. POWELL. In England the inland transportation is not added.

Mr. MITCHELL. I am instructed that it is. But we will suppose the inland charges are not added, but the crate itself is added. He has not only got to pay duty on the \$10 or \$12 of property enclosed in that crate, but 20 or 25 per cent. duty on the crate itself, which is not worth more than 80 cts. A gentleman, who is particularly well informed on this subject, and who showed me the hardships of his trade, said to me: "I do not desire to interfere with the National Policy; if they wish more duty, let them put the duty on the goods, but don't let them set up the dry goods and hardware trades as having their packages free of duty, and charge for the packages of the trade in which I am engaged, unless they can show some good reason." Now, if there is any reason why the crockery trade should be charged for the packages, and other trades not charged, I would like to know it. I am sure that this incongruity has crept in accidentally and should be set right.

Mr. VAIL. There seems to be something about coal oil which is excessive. When you come to take the amount of duty and add to it the duty on the barrel, and the inspection besides, it amounts to a large sum. For instance, a barrel of coal oil containing 50 gallons wine measure, costing 11 cts., we will say, in the States, would amount to \$5.50, and the barrel costs \$1.25, making in all \$6.75. The price of the barrel is fixed at \$2 for duty, although costing \$1.25; add inspection, - 0 cts., and you have a very considerable total cost. I cannot think that is the intention of the Act. It seems to me straining a point to make the duty so excessive.

Mr. BOWELL. This is a fair question to discuss when the hon. Finance Minister has the Tariff before the House. We are only discussing now the mode of collecting that excessive tax to which he refers.

Mr. VAIL. I was only following my hon. friend from Northumberland in the matter.

Mr. MITCHELL. The hon. Minister has not replied to my observations.

Mr. BOWELL. I have simply to repeat what I said before, that it is a mode of charging duty which has existed since I have been in the House. I remember well a discussion that occurred on this very question when Sir Francis Hincks was Finance Minister, and I think my hon. friend was Minister of Marine and Fisheries in the same Cabinet. It was then that this particular duty upon packages was put on the Statute-book. The question as to the propriety

of continuing it is one which may fairly be discussed. If my recollection serves me aright the reason given for putting a tax on the crate as well as upon its contents, or rather making the crate part of the value, was that crockery of that kind is sold in the home market in the same condition in which it is sent here. Unless you buy in small quantities it is put in crates. Another difficulty has arisen as to the value of these crates. My hon. friend from Northumberland says the value of a crate is 15s. in England; my impression is that it averages from 17s. 6d. to 21s.—I suppose varying in price. I have been told by those who have been administering the law that the difficulty is this: that particularly in this branch of business the merchant at home, or in the country where the purchase is made, would put a very large and excessive value upon the crate and a consequent reduction upon the contents of the crate. When the purchaser entered his goods in Canada, while he would make a truthful declaration that that was the cost of the goods to him, the revenue would lose just in proportion to the difference between the actual value of the crockery and the additional value placed upon the crate. Probably my predecessor may have some recollection of the difficulty that presented itself in that respect. But this is a particular kind of intricate mode of defrauding the revenue which may occur in the case of any goods that are imported. But if the package clause be repealed in the line laid down by the hon. leader of the Opposition, and the hon. member for Northumberland (Mr. Mitchell), then it will be equal to a reduction of the *ad valorem* duty on the price of the articles to that extent, and as the hon. gentleman says, if there is an *ad valorem* duty on the goods that is also payable on the crate. If the value of the crate be deducted and that is one-third of one-half value of the whole, it will be equivalent to a reduction of the *ad valorem* duty of that amount. These are the only reasons I know that induced the former Parliament and Government to adopt this clause. The old law relating to packages, and the present one identical with it, was as follows:—

“No deduction from the value of goods contained in any invoice shall be allowed on account of the assumed value of a package or packages, where no charge for such package or packages has been made in such invoice; and where such charge is made it shall be the duty of the Customs officer to see that the charge is fair and reasonable, and represents no more than the original cost thereof.”

There is a special provision made in regard to molasses and sugar; so the law does not apply exclusively to crockeryware. The 31st clause of the old law provides specially for the addition of the value of packages to the articles for duty; but there has been a special provision made in the late Tariff Act, to relieve from duty packages containing sugar and molasses when the importation is direct from the country of growth to this country, and that was done for the purpose of encouraging direct trade as much as possible, and the bringing of those articles in our own ships to our own ports.

Mr. MITCHELL. The hon. gentleman has dealt with only one point. I refer to the importation of hardware in barrels from the United States, which barrels are not charged for duty, while crockery crates are so charged. In regard to the importation of molasses, it must be remembered that barrels form part of the article, as molasses cannot be sold, except at retail, without the casks. With respect to the value of crates, I think it is a hardship that one of the value of £2 or £3 sterling, containing goods which will be consumed by poor people, should be asked to pay duty, while another costing £12 or £15 sterling, and containing goods for the rich, is admitted free. The hon. Minister has stated that this discrepancy in the Customs Law prevailed while I was in the Ministry. No doubt, but I attended to my own Department, and paid little attention to the Customs Department.

Mr. BOWELL.

No doubt this distinction crept into the Act by mistake, and now that the attention of the hon. Minister has been called to the incongruity, he will be prepared to have it amended.

Mr. BLAKE. This is a question of considerable importance. I do not very well understand the principle on which those particular clauses to which the hon. gentleman referred as having been taken from the Tariff Act of 1874, are introduced here, unless it is intended to bring in all clauses which bear on duty on packages.

Mr. BOWELL. The clause coming from the Tariff Act has nothing to do with this clause. If the hon. Minister will look at clauses 70 and 71 he will observe they are from the Tariff Act of 1879, and they refer exclusively to the manner in which you shall judge of the value of an article, declaring that drawback shall not be deducted in the one case.

Mr. BLAKE. What about clause 77?

Mr. BOWELL. That is under the old Customs Act; but I pointed out that under the Tariff Act, there is a special provision made which applies to packages containing sugar and molasses, when imported direct from the country of growth. That is not included in this Bill because it is liable to be changed at any time.

Mr. BLAKE. My information is that hardly a fractionable percentage of the cheap crockery imported in crates is sold in the original packages, and therefore the theory to which the hon. Minister has referred as justifying the counting of the value of the packages as part of the value of the goods does not apply. Take a barrel containing hardware packed in paper and tied up. The wholesale importer who pays duty upon the barrel, takes the articles out and sells them in the other packages, and therefore the barrel is no part of the value of the goods. So with respect to crockery ware. It is not sold in crates, but the crates are broken up. The actual cost of a crockery crate after the duty has been paid is about \$5.65, and as only 65 cts. is obtained there is here an enormous increment in the cost of the goods. These goods upon which this impressive tax is imposed, are those upon which the cost for charges, packages and freight bears an enormous proportion of the whole cost. They are bulky and fragile, they require careful packing and involve a heavy freight charge, and the practical result is that when laid down with the duty imposed at that rate, the advance is equal to 70, 80, or 90 per cent. And that is irrespective of the importer's profit. Under these circumstances, I do not see how it can be reasonably defended that there should be a duty to this extent on packages which constitute so large a proportion of the cost of the goods. The hon. Minister has said, that the reason is that when duties are charged otherwise, only on the goods without the packages, the importers frequently charge the packages too high and the goods too low, and that is not confined, as this clause 72 proves, to this class of goods, because the hon. gentleman guards against other trades—there are tricks in all trades, they say. I find:

“No deduction from the value of goods contained in any invoice shall be allowed on account of the assumed value of a package or packages, where no charge for such package or packages has been made in such invoice; and where such charge is made it shall be the duty of the Customs officer to see that the charge is fair and reasonable, and represents no more than the original cost thereof.”

So it is obvious that the legislation observed that where there was a charge made in the invoice there was a temptation sometimes too great for the virtue of the parties concerned to put too large a charge in, and the Customs officer had to adjust the charge. The hon. gentleman has had an opportunity pretty well to ascertain the cost of packages as they really and legitimately ought to be. For a long time there has been no temptation whatever to exaggerate the cost of the package, to the prejudice of

the cost of the goods, inasmuch as both were dutiable; and, therefore, it is very easy to tell, unless there has been some very serious change in the cost of material, now, and for a good while to come, what the cost of the package would be, and I, therefore, hope that what the hon. gentleman said is worthy of consideration and will be considered.

Mr. BOWELL. The hon. gentleman misunderstood me. What I intended to say was, that crockery was sold in the European market in crates for home consumption in the same manner as they are sold to those who purchase for export to Canada, and consequently the crate forms part of the value of the goods purchased; and that is one of the reasons why this rule is followed. The same principle prevails through the whole of the Customs Act; but where an article is purchased in which the package forms part of the value of the whole contents, then it is not dutiable.

Mr. BLAKE. I may say I have seen a considerable number of invoices of crockery of this description; and, of course, it was no object to the manufacturer to invoice the goods in a different way than ordinarily was his custom in trade, because the packages are dutiable; and invariably the invoices contained the cost of the goods and package separately, from which I assumed that the goods are not sold at one price, including the package, and that the ordinary course of the trade is to charge for the goods and package separately.

Mr. BOWELL. Of course, my hon. friend only speaks for those he has seen.

Mr. BLAKE. Certainly.

Mr. BOWELL. This point I will bring under the notice of my colleagues, and I will see whether they are prepared to accept that proposition; but the House will bear this in mind that, if the crate is deducted from the value for duty, it is just a reduction of that much duty on the article itself, and thus it does not carry with it the same protection to the manufacturer, with which my hon. friend says he has no desire to interfere, because in proportion to the amount you deduct from the invoice, so in proportion you lessen the duty on the contents.

Mr. MITCHELL. One of the chief importers in Canada of crockery said to me: "I have no desire to reduce the protection of the crockery trade in Canada at all."

Mr. BOWELL. He told me the same thing.

Mr. MITCHELL. I am quite willing, if the duty is not sufficient, to see imposed an additional duty on the goods equivalent to the value of the packages; but the point complained of is the duty put on unfairly, because the same cost is incurred in a crate of goods that is charged £2 10s. and £2 as for a crate which costs £14 or £15; and the extra cost comes on the poor man. There is another point: The gentlemen in the crockery trade feel that they are unfairly legislated against, because their packages are charged when others come in free.

Mr. HESSON. I was in the business some years ago, and imported in the original packages; then I had no duty to pay on the packages; the invoice charged the value of the goods, which, no doubt, covered the cost of the package. I have also bought packages of goods in this country, from importers, and then got a discount of 12½ or 15 per cent., according to the quality of crockery, if I took the risk of breakage; but if the packages were broken, the importers charged for the packages, although they had paid no duty on them. I would be very glad if the hon. Minister of Customs withdrew charges on all packages of any kind or character. Molasses, for instance, is usually imported in puncheons, and then barrelled. Barrels can be made in this country; and the original packages are absolutely valueless; and if a duty is charged on them, it is unfair. I have also imported dry goods from Glasgow and other places, and the

duty I had to pay was a very high charge—£1 5s. for an ordinary case, which, when emptied in my shop, could not be sold for 50 cts.; and I think that this is not fair. I think that the reference of the hon. member for Northumberland as to the duty on packages, is worthy of consideration; and I fancy it would be a step in the right direction to withdraw all charges for original packages. The trade would be the better of it, and besides the revenue could afford it.

Mr. PATERSON (Brant). If the hon. Minister did not desire to go the whole way, but to retain the protection which the Tariff designs to give to the manufacturer, could he not settle on a fixed value for crates, to be equivalent to the value paid by the manufacturer here; and this would leave the latter with the precise amount of protection which the Tariff designs to give him, while it would afford relief in the direction desired.

Mr. BOWELL. The law does not give the Government or Minister power to fix an arbitrary value; and if it be thought advisable by the House that the Government should have this power, I have no objection.

On section 73,

Mr. BOWELL. This is only making law that which has been the practice. Take, for instance, a package of hardware which is put up with cord or wire and paper. The value of the package which surrounds the article and is sold with it is made part of the value for duty.

Progress reported; Committee to sit again.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and (at 11:45 o'clock p.m.) the House adjourned.

## HOUSE OF COMMONS,

Friday, 13th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### OFFICIAL REPORT OF THE DEBATES.

Mr. WHITE (Cardwell), presented the Third Report of the Select Committee appointed to supervise the reporting and printing of the Debates, and moved the adoption thereof. He said: The Committee recommend that hereafter, when the Debates reach 1,200 pages or upwards, they shall be bound in two volumes. Last year they reached 1,700 pages, and being bound in one volume it was bound altogether too bulky.

Motion agreed to:

### ELECTORAL FRANCHISE.

Sir JOHN A. MACDONALD introduced Bill (No. 107) respecting the Electoral Franchise. He said: I do not propose to invite discussion on the measure until it is in the hands of hon. members, but I may state shortly what the principle of the Bill is. The principle is that the franchise shall be uniform throughout the Dominion, so that the same classes shall have the franchise in the various Provinces. As far as Ontario and Quebec are concerned the Bill will operate on the whole as an enlargement of the franchise. It will affect other Provinces variously according to the principles on which their various present franchises are framed. It is proposed after a given date that votes in cities and towns and incorporated villages shall have the same

qualifications. Every person who has been a resident for a year, and is not disqualified in any way, and is a British subject either by birth or naturalization, shall have a vote if the owner of real property within any such city or town, or part of a city or town, of the actual value of \$300—in Ontario it is \$400 at present—or is the tenant of real property within any city or town, or part of a city or town, under a lease for not less than one year, at an annual rental of at least \$20—it is \$30 at present—who has been in possession thereof as such tenant for at least one year next before the 1st day of November, 1883. The date will be fixed by the House after mature consideration. The *bona fide* occupant of real property within any such city or town, or part of a city or town, of the actual value of \$300, whether such occupation be under a license of occupation or agreement, to purchase from the Crown or from any other person or corporation, or whether the same exists in any other manner except as owner or tenant, provided in any case that such person has been in possession of said real property as such occupant for one year next before the 1st day of November, 1883, or in any subsequent year, and is and has been for said time in the enjoyment for the use of such occupant, of the revenues and profits thereof, or, in the case of a married man, for his own use or for the use of his wife; or is a resident within such city or town or part of a city or town, and derives an income from some trade, calling, office, or profession of not less than \$400 annually, and who has been such resident for one year next before the said 1st day of November, 1883, or any subsequent year. Those are the provisions in respect to cities and towns. In the counties the voter shall be every person who is of the age of twenty-one years, and is not disqualified by this Act, or otherwise by any law of the Dominion of Canada, or prevented from voting; is a British subject by birth or naturalization; is the owner of real property within any such electoral district, of the actual value of \$200; or is the tenant of real property within any such electoral district, under a lease for not less than a year, at an annual rental of at least \$20 in money or in kind, who has been in possession thereof as such tenant for at least one year next before the 1st day of November, 1883, or in any subsequent year, and has really and *bona fide* paid one year's rent for such real property at not less than the rate aforesaid: Provided that the year's rent so required to be paid to entitle such tenant to vote shall be the year's rent up to the last yearly, half-yearly, quarterly or monthly day of payment, as the case may be, which shall have occurred next before the said 1st day of November in each of the said year's respectively; and provided also, that a change of tenancy during the year next before the said 1st day of November in each of said years respectively, shall not deprive the tenant of the right to vote, if such change be without any intermission of time, and the several tenancies be such as would entitle the tenant to vote had such tenant been in possession under either of them as such tenant for the year next before the said 1st day of November in each of said years respectively; or is the *bona fide* occupant of real property within such electoral district of the actual value of \$200 whether such occupation be under a license of occupation or agreement to purchase from the Crown, or from any other person or corporation, or whether the same exists in any other manner except as owner or tenant; provided in any case, that such person has been in possession of said real property as such occupant for one year next before the 1st day of November in the year of Our Lord 1883, or in any subsequent year, and is and has been for said time in the enjoyment for the use of such occupant, of the revenues and profits thereof, or in the case of a married man, for his own use or for the use of his wife; or is a resident within such electoral district, and derives an income from some trade, office calling, or profession of not less than \$400 annually, and who has been such

Sir JOHN A. MACDONALD.

resident for one year next before the said 1st day of November in the year of Our Lord 1883, or in any subsequent year. That is a late alteration I have made in the Bill, to provide for cases where men who have conveyed their property to their sons or children on condition of support, and reserve as security a mortgage on the property.

Mr. BLAKE. What is to be the amount of the income?

Sir JOHN A. MACDONALD. \$400. Then as regards counties, farmer's sons, such can qualify if he is a farmer's son not otherwise qualified as a voter, and who is resident and has been resident continuously on the farm of his father or mother (after the death of his father) in such electoral district for one year next prior to the 1st day of November in the year of Our Lord 1883, or in any subsequent year, if the said farm be of sufficient value if equally divided amongst them as co-owners, to qualify as voters under this Act. It is, in fact, the farmer's sons' qualification given by the Ontario Act, and which has hitherto not been extended to any other Province. This principle I propose to apply to both city and county constituencies. I propose to extend it to other classes than the class of farmer's sons, namely, to a son of any owner of real property, and not otherwise qualified to vote, and who is and has been resident continuously with his father (or with his mother after the death of his father) being such owner, in such city or town or part of a city or town for one year next prior to the 1st day of November, in the year of Our Lord 1883, or in any subsequent year.

Mr. BLAKE. And is the qualification the same as for farmer's sons? Must the value of the property be sufficient to enable them to vote as co-owners?

Sir JOHN A. MACDONALD. Yes. The same son and the father must not only be the occupant but the owner. Of course, in towns, if the father was not the owner, and the son was to have a vote also, it would be simply universal suffrage. In the farmer's sons franchise in Ontario the father must be the occupant and the owner in order that the son may vote. I may say that under this qualification unmarried women will have a vote, that is to say, they will have the right to vote, if they have the qualification, the same as if they were men. That is an extension to the franchise. The question arises as to the mode of settling the qualification. It is proposed that there shall be a revising officer or barrister for one or more counties or constituencies, that the County Court Judges and three or four Judges in the Province of Quebec in several districts shall be invited to accept the appointment. The Government do not think it can be forced upon them; but they will be invited, and if they should refuse, a barrister, an advocate of five years' standing, may be appointed to act as revising officer for one constituency or a group of constituencies, and that the tenure of office shall be during good behavior. But such officer—this being a Bill affecting the privileges of the House, the electoral franchise, and the other branches of the Legislature—not being supposed to have any right of control over the matter—is to hold office during good behavior, but the Bill makes him subject to be removed by a vote of this House, instead of a Superior Court Judge by a vote of both Houses. In England revising barristers are appointed for two years by the Lord Chancellor. The Bill provides for an appeal as to matters of law to the Superior Court, but the revising barrister and Judge to be the sole and final judge as to matters of fact. These shortly are the terms of the Bill. I will not trouble the House with the machinery. The Bill is in type, and it will be distributed in a few days.

Mr. MACKENZIE. The hon. gentleman has failed to state who shall make the list of voters primarily.

Sir JOHN A. MACDONALD. The revising barrister. He has to take the assessment roll and the voters' lists in

the different constituencies as being *prima facie* evidence, and hold a court as in England; any person who has to make a claim, puts it in before him, and there can be the same system of objections that now exist in the two Provinces with which I am most familiar, Ontario and Quebec.

Mr. MACKENZIE. He has to correct the list. He has to make out the list from his documents.

Sir JOHN A. MACDONALD. He makes out the original list—yes. I move the first reading of the Bill.

Mr. BLAKE. Mr. Speaker: I do not propose to enter on any discussion, which the hon. gentleman suggests would be inopportune to-day, as to the details of the measure which the hon. gentleman has introduced, at this moment. Some of them are details which it is very important to consider, not merely in reference to that Province—the franchise of the Province of Ontario, from which the hon. gentleman's inspiration seems to be tolerably largely drawn, but also with reference to the operation of the franchise for the several other Provinces of the Dominion, with which I, as well as himself, may be less familiar than with the operation of that Province. I recollect, Sir, unless the franchise has been very seriously altered in some of the Lower Provinces, that there is here a mixed qualification, of real and personal property, very small in proportion, which is required of each class. How far the franchise which the hon. gentleman proposes as a uniform one, may effect that class of the population, I do not know; but speaking at this moment, it seems to me that the objection which he took a number of years ago in this Chamber, when the hon. gentleman proposed a uniform franchise for the last time up to the present, namely, that there would be a very considerable disfranchisement from the operation of the voters, the fishing voters particularly, in some of the Maritime Provinces, would apply also to this measure. The view that has been taken on the other side on this subject, is the general evidence, and the question of expense as well. All point to the retention, so long as no practical evil is established to exist from that retention, of the local and Provincial franchise; and I observe on this occasion that the hon. gentleman has addressed himself not to reply to those arguments, which were formerly so potent, that they prevailed to cause him, although then at the head of the Government, with a very large majority in the House, to abandon his measure not to be renewed until this time. I regret very much, Sir, that this measure has been brought before this House at this stage of the Session. I have often wished the hon. gentleman a long life, because I know no one who requires a greater period for repentance than he does; and if he employs the prolonged years, with which I hope he may yet be blessed—

Sir JOHN A. MACDONALD. With which the country may be blessed.

Mr. BLAKE. In the same manner in which he has employed those which have lapsed since he last brought in a Franchise Bill, I am afraid that the last stage of that man will be worse than the first; because on that last occasion—now thirteen years ago—when the hon. gentleman introduced a Franchise Bill for the consideration of the House, he proposed to establish the general principle of a uniform franchise; he proposed the establishment of courts or officers by whom the rolls should be made up, and subsequently revised for all the Provinces; he proposed various property qualifications, some of them not very dissimilar to those, although in some respects this Bill is more liberal than that one. On that occasion the hon. gentleman sufficiently regarded what was the true principle on which the Government should act in proposing such important legislation, by introducing that measure, and almost on the next day after the opening of the Session. The Ses-

sion opened about the 15th of February; the Franchise Bill in that year—it was 1870, if I remember aright—was brought forward on the 24th of that month; it was read on the 23rd, or rather the second reading was moved on the twenty-third day of the Session, a fortnight later; the debate was continued at intervals until the thirty-seventh day; and it was till the forty-second day, when on a motion attacking the very principle of the Bill, and proposing Provincial franchises in preference, the debate of that motion was adjourned never to be resumed; the hon. gentleman on a subsequent day proposed to discharge the Order. Now, I maintain, that a measure of this description, which of itself necessarily involves the consideration of numerous details, and which goes very largely into the consideration of questions, which, so far as a people are a political people, they are called upon to consider for themselves—is a measure which should be earlier introduced; the suggestions of which should be taken leisurely. We should have a full opportunity not merely to consider them here, but also to consult constituencies throughout the various parts of this extensive country; and we should deal with them, so that, in all the stages, there should not be merely a large period between the stages, but also time for full, earnest and—as the hon. gentleman formerly suggested—microscopic discussion. We all know what the state of the paper is now. We have been here in Session more than two months, and have done hardly any of the business that was proposed at the opening of the Session. We know what we knew a long time ago, that we will have to pay for that; the period of payment has now arrived, and we shall have to consider the essential business of the Session, within the very short time during which we may expect to remain here. I say, Sir, that it is a very grievous wrong on the part of the hon. gentleman that he should propose for our consideration at this day of the Session, without a speech on his part, the measure which he now proposes for introduction to this House. The measure is not, although the hon. gentleman has called it so in the Speech from the Throne, one which it is very important to force on us now. The hon. gentleman is very apt, when he thinks that something ought to be done, to declare that it is of great consequence; and when he thinks that a thing ought not to be done, to declare that unheard of calamities will follow if that thing is done; and he told us, as long ago as I have said—thirteen years ago—that the laws in force on the subject of the franchise in the several Provinces of the Dominion vary very much in their operation. The Bill which he then proposed, was discharged, and he has never since invited the House to resume consideration of the subject, during the many years during which he has sat on one side or on the other of this Chamber; on the contrary, when a hostile and opposing principle was proposed for introduction into the Act passed, I think in 1874, under the Administration of my hon. friend from East York, the hon. gentleman did not, or any of his followers either, oppose the amendment; on the contrary, he again sitting in Opposition for these four or five years, he never promulgated any different principle as a plank on which to go before the people; on the contrary again, sitting in power on that side of the House for the last four years he never suggested anything of the kind, as a thing fit to be done, or fit to be proposed, as an Election plank, on which to go before the people; on the contrary, the Election was run, without any suggestion from the hon. gentleman, though this would be a plank in his platform—to make uniform Election Laws; but the first Session after the Election is over, the hon. gentleman comes down, and recurs to those early remarks of his, addressed through his advice to the House thirteen years ago, reiterates them almost verbatim from his speech, and proposes, during the first Session of this new Parliament, to declare that the constituency which has returned him to power,

is not a proper constituency by which members should be returned for the Parliament of the country. It seems to me that the hon. gentleman is either too soon or too late. And if the conclusion he has reached is the true conclusion, he should have used some period of the past four years to provide a fit constituency in which to hold the last Election; but if it was not the true conclusion for 1882, then it is a little too soon to propose a new constituency, immediately after the people have spoken by the defective constituency of which he now complains. Unless it follow as the result and consequence of the passing of this Bill, which declares the existing constituency to be defective, that as soon as he has prepared the new constituency, he shall appeal to that altered and amended constituency for a renewal of that confidence placed in him by the constituency he is now condemning, I trust, Sir, that late as this measure is coming down, if it is to be pressed upon the consideration of the House this Session, he will adopt the views he expressed thirteen years ago, as to the mode by which the Government should regulate discussions on measures of this kind, and that we shall have time not merely for a full and ample discussion ourselves, but also to obtain the sense of those who are interested in these matters abroad, before we reach a final conclusion.

**Sir JOHN A. MACDONALD.** I shall not be drawn into the discussion of this matter at this stage of the Bill. As I have said already, it would be profitless to do so until the Bill has been printed and put in the hands of hon. gentlemen. It is, at all events, the fact that the franchise, which is to be proposed, is a large extension of that enjoyed by the people of Ontario, and whether the hon. gentleman, as a Liberal, desires to keep up the same restricted franchise, or is opposed to the extension of the principle, I do not know, but certainly I, as a Liberal-Conservative, am not opposed to such an extension.

**Mr. BLAKE.** I distinctly stated that I would offer no opinion as to the details of the hon. gentleman's Bill just now.

Bill read the first time.

#### GOVERNMENT BUSINESS.

**Sir JOHN A. MACDONALD** moved that on every Wednesday hereafter Government business shall have precedence over other business.

Motion agreed to.

#### WAYS AND MEANS.

**Sir LEONARD TILLEY** moved that the House again resolve itself into Committee of Ways and Means.

**Mr. MACKENZIE.** I propose to address the House very briefly on the subject of the Tariff, and matters connected with it. I quite recognise the fact that the Session is far advanced, that there has been a great deal of discussion on this subject, and that there is not much more to be said except engaging in repetitions, which I never like to do. But the hon. gentleman's speech was of such a character that I cannot avoid paying some attention to it before the debate shall finally close. Responsible as I was as a Minister for the policy of 1878, which I failed to carry into effect at the General Elections, I am not willing that the hon. gentleman should imagine that the policy which he thinks has triumphed is really the policy which the country has fully accepted, and will long continue to endure. The hon. gentleman was very defiant in his attitude, and very aggressive in his manner. The Budget Speech is usually a business statement of the affairs of the nation, and as such ought to be unaccompanied by the attacks on political opponents, and the almost virulent justification of his own course on previous occasions, which characterized the hon. gentleman's

**Mr. BLAKE.**

financial statement. The hon. gentleman assumed, as a matter of course, and other hon. gentlemen behind him also assumed, that because they had succeeded in carrying a Protective policy into practical operation, hon. gentlemen on this side were necessarily debarred from exercising their right of criticising that policy. We were enjoined to bow to the decision of the country, and we were required by the hon. Minister, and some of his supporters, to do this on pain of being considered unpatriotic. It was laid down gravely by those hon. gentlemen that we are bound to acknowledge a principle which we battled against, because we were defeated in the struggle for the maintenance of another principle. I do not so recognize my duty as a member of Parliament. On the other hand, I believe that no matter how much my policy may have been defeated, how few may have been the number of electors who approved of that policy, we should maintain the struggle for the vindication of right, no matter how long it may take to succeed in that struggle; and I am not to be debarred from justifying my own policy and the policy of the party with whom I am associated, in order to afford a more lasting apparent triumph to hon. gentlemen who have secured a victory on other grounds. The hon. gentleman opposite, in delivering his Budget Speech, was not content with exhibiting what I have called a defiant attitude, and an aggressive manner in presenting his views of the fiscal policy of the Government, but he was content with nothing less than the invocation of a malediction upon the heads of his opponents, when the hon. gentleman stood out from his desk, held out his right hand, and with defiant manner called on some authority or other to perish the hand that should touch the fabric—that fabric of fraud which the hon. gentleman stood to guard as Cerberus stands to guard a somewhat worse place. The hon. gentleman gave us to understand that his Tariff was infallible, and that it was to endure as long as Canada was Canada. The air of self-righteous conceit which characterized the hon. gentleman's deliverance was the most amusing part of his speech. It seems he has no faith in the perpetuity of the bond which connects us with Great Britain; it seems he has little faith in the perpetuity which we enjoy. He is evidently an ardent advocate for annexation, when he declares that that wretched system of Protection which he has introduced and called the National Policy is to endure as long as this country has a being. The hon. gentleman has his dues nailed up to the door of the Treasury office, and he has written over them these words:

"He who doth those dues displace,  
Must meet Bombastes face to face."

We are warned by the hon. gentleman that we have to fight for our liberty. We are warned by him that it is unpatriotic to attempt a justification of our own policy. Now, I believe that the policy we adopted in 1874, and conserved during the term of my Administration, was one much more eminently calculated to subserve the interests of the country. I believe, Sir, that accidental circumstances have given a fictitious appearance of prosperity to the country, and of success to the hon. gentleman's policy, to which it was not entitled. The hon. gentleman knows as well as any of us know, that the prosperity enjoyed by the country during the last three years has been owing simply to the return of a period of general prosperity from causes altogether unconnected with Tariff legislation. He may be prepared to lay down the political thesis, and defend it, and amplify it, and justify it, that taxation produces wealth, but I have never yet heard it done by any other hon. gentleman on that side of the House. He coolly ascribes the prosperity to the policy of the hon. gentleman, which is one of necessary taxation. We, on the other hand, have shown, my hon. friends from West Middlesex, and from North Norfolk in particular—have shown, as was shown last year and the year before, that the enormous and excellent crops

produced in the country, and the poor crops produced in England, had much to do with the prosperity that prevailed. It was quite impossible that \$30,000,000 or \$40,000,000 of additional money, above what was obtained for our products the previous three years, could have been spent in the country without producing prosperity. But the hon. gentleman was not content with ascribing the prosperity to his own system. He had an inkling that some calamity might occur, that another year might be less productive of good crops, of a good market for our timber, less productive, in short, of a market for our exports, with high prices; and the Government therefore determined to forestall the General Elections, and hold them about a year and a-half before the time when the Parliament would naturally expire. This was undoubtedly done in order to secure the Elections while a period of prosperity prevailed, and while they might have an opportunity of asserting that that prosperity was owing altogether to their zealous efforts in legislating upon Tariff and Customs matters. Now, Sir, I would not allude to the last General Election to day at all but for the hon. gentleman's remarks, for I believe in such discussion we should confine our remarks to the business immediately before the House; but it is impossible to avoid dealing with it to some extent in consequence of the course the hon. gentleman and his friends have taken. Not only did they anticipate the General Election by over a year, but they also prepared themselves in another way. Not less than eight or ten gentlemen from my own Province are sitting in this House because of the legislation of the previous Session as to the territorial division of constituencies. The Gerrymandering Bill gave that number of seats to the Ministry, which, by no consideration, could possibly have been obtained without that effort of legislation. We were, therefore, placed in the position after the General Election, apparently, of having sustained a severe defeat upon the principles involved in the National Policy. I do not believe, Sir, that we were defeated. I do not believe that the majority of votes in the Province of Ontario were recorded in favor of that policy. The division of constituencies, as I have said, gave a certain number of members to the Ministerial side, altogether apart from the principles involved in the Tariff legislation of the Government. In addition to that the power that was taken by the Government to appoint returning officers after their own heart produced effects of a similar character, as some gentlemen are sitting in the House at present who represent simply the returning officer of the respective divisions which they are seeming to represent. These matters, Sir, are so patent to everyone that I was surprised that the hon. gentleman should claim as a triumph of his policy, that the General Elections were carried by the Government to such an extent as they were. I believe that public opinion is rapidly veering round towards the views that I myself hold.

Mr. McCARTHY. Hear, hear.

Mr. MACKENZIE. My hon. friend from Simcoe says "hear, hear." I am sure he knows as well as I do—I am sure that were he candid enough, and out of political life—and out of this House I have no doubt he would be candid enough—he would admit that the policy, which is called a Protective policy, is not one that can be conducive to the prosperity of a country. There may be under it a redistribution of wealth; there is a redistribution of wealth under it; there is an arbitrary redistribution of wealth; there is a system of putting hands into the pockets of A and B, and filling the pockets of C and D, from the pockets of their neighbors; but there can be no prosperity from increased taxation. Circumstances which I have endeavored to set forth have given the appearance of prosperity—and I do not blame hon. gentlemen opposite for taking advantages of these appearances—appearances of prosperity as the result

of Protective legislation. I recollect very well pointing out, when the system was introduced, as I did before the Election of 1878, that while there would be an appearance of prosperity for a time, there would be sowed the seeds of decay, even for the manufacturers, that would bear fruit in future years. I was able to point out the result of a similar policy to many manufacturing industries in the United States. Those results are rapidly being developed in our own country, and already some of the industries most excessively protected are showing signs of decadence by coming to this House for additional privileges at the expense of the people; and from indications which we have privately, we can see that over-production has already commenced to show its effects. As soon as over-production comes, we shall have application made to the Government for additional taxation, to enable certain manufacturers to carry on their operations. The hon. gentleman, in his present Tariff, has, for instance, proposed to give an additional bounty of \$1.50 per ton for the production of pig iron. There is before us, upon all our desks, a memorial from the rolling mills where scrap iron is manufactured into bar iron, pointing out how unjustly this has militated against them; and the hon. gentlemen is called upon to increase the duty on bar iron to meet the bounty he has given to another manufacture. This is the natural and inevitable result of a Protective policy; there must be a constant tinkering with the duties while it lasts, a constant combination of manufacturers; while there is the hope of obtaining additional advantages, our doors will be constantly besieged by manufacturers demanding increased favors; nay, more, Sir, there is another effect which is beginning to show its face. I recollect pointing out many years ago that one of the inevitable results of Protection of an excessive character was the deterioration of manufactured articles supported by such excessive Protection. I recollect also pointing out that it was inevitable, and I illustrated the fact by reference to the history of other nations, that a high Protective policy extended to all branches of manufacture at home would simply make it impossible to carry on trade with foreign countries; and we have thus early in our Protective period, been able to prove that this has been the result on our own commercial transactions; we are every year exporting less and less of our manufactured commodities; and this is quite natural and inevitable, because if manufacturers obtain additional prices for their goods, they have to pay additional wages, they have to pay higher prices for some of the raw material they use, thus they bring the prices up to a point above that at which other nations can export such articles to the countries we usually trade with. We have now the remarkable fact given us by an hon. member from Manitoba the other night that in the North-West, Canadian agricultural implements and machinery have become relatively so deteriorated within the last few years, that it is next to impossible to sell any in that country. This is given as a reason why the Government should make a reduction instead of adding an additional impost in favor of agricultural implement makers. There was no demand previous to 1878 from the agricultural implement makers for additional Protection, because the incidental Protection they then had in the 17½ per cent. Tariff was not only ample to secure our market to them, but actually enabled them to export a good many of the costlier machines to the United States. I speak of what I know when I say that a considerable quantity of our agricultural machines were exported to the United States previous to the Protective period. But since that period—when they had to pay additional duties on the iron they used, on the paints and varnishes, and everything else that went into the manufacture of those implements, except, perhaps, the timber—they have had either to make the articles cheaper and slighter, to put them together more hurriedly, or else encounter the difficulty of selling at prices which could not compete with

those of the foreign article. Being forced to meet the changed conditions, they make their machines light. We are told by the hon. member for Selkirk, and have also ascertained the same fact from other parties who have written me, that these articles are unfit for use, and that it is next to impossible to obtain a sale for them in our North-West. Now, one of the articles that was said to be insufficiently protected was these agricultural implements. I have said, and I have abundant testimony to prove it, from the manufacturers themselves, that the manufacturer did not demand Protection, that it was of no use to them, that they had control of the whole home market, and that only special articles, such as new improvements, were introduced from the United States. But in Manitoba the case was entirely different, as our machines had to be exported a long way to get there, and had to enter into active competition with those produced near the frontier by the Americans. The result of this Protective policy of the hon. gentleman is, that we must leave our North-West Territory uncultivated or force our people to buy machines with which they cannot compete with their neighbors owing to the inferiority of the article. This is an undoubted effect of Protection as a policy; yet we are asked to consider this policy as the perfection of human wisdom; we are told that it is unpatriotic to discuss it in a hostile spirit; we are told that it is that which has brought wealth and prosperity to the country, and that, therefore, we must not venture, on any account, to touch this political ark of the hon. gentleman with our profane hand. I object to a Protective policy *in limine*. I object to it altogether as a principle. The principle is an evil one. My hon. friend beside me with his usual generosity, admitted that it would be possible to have a worse Tariff. Perhaps it would, but it would not be possible to have a worse principle, and it is the principle which characterizes the measure. The hon. gentleman may have failed to make some portions of it as bad as the rest, is measuring his efforts day by day, and in the but he end will succeed in procuring a monster which will be like nothing in the heavens above or the earth beneath. He glories in a policy which has for its very bases injustice from man to man. He is endeavoring to vindicate and glorify as a principle that it is right to take by legislative authority one man's wealth and distribute it among others. He is advocating and declaring to be beyond repeal a policy which taxes the mass for the benefit of the few. That policy cannot be righteous which has this operation; that policy cannot be just which does an injustice to the humblest individual of the commonwealth. This is my objection to the whole policy of the hon. gentleman. I have said, months before the last General Elections, that a distinction must be drawn between the course which a man may be forced to pursue in a particular state of the nation and the principles upon which he controls his action. I say this because hon. gentlemen opposite have endeavored to represent myself and others, who hold the same opinion, as being not only willing, but determined, if legislative authority or power should be placed in our hands, to return immediately to the state which we believe to be the right state—that of a Revenue Tariff. I have said, and I admit it frankly, it would be impossible for the present Opposition, were they to assume the reins of power, to return at once to the state which existed some years ago; for however unjust may be the principle on which the Legislature has acted, it has created interests which we are not at liberty to destroy wantonly, and it has established certain things by its natural operations, which it may take many years to remove and to restore to their normal condition; but in the meantime I conceive it to be my duty to vindicate right principles by fair argument. I do not find any fault with hon. gentlemen who conscientiously believe in a Protective policy, and I have no doubt there are many such; but I have no doubt, on the

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other hand, that the great mass of Protectionists are those who want Protection because they have selfish objects to gratify. I am not at all surprised that those who have huge manufactories of some kind desire to obtain an undue Protection, and I say that it is perfectly monstrous that huge cotton factories should be permitted to make a dividend of from 50 to 60 per cent. on their capital invested. All this comes out of the pockets of the people, and the people have shown an amount of long suffering, under the injuries inflicted upon them by the legislation of this House, which would astonish anyone who did not know the law-abiding disposition of our people generally. But for the crops the country has produced, but for the new markets which have opened out for our lumber, and but for the adverse circumstances in other countries, there would have been, long before now, an outcry against the present system of legislation which the hon. gentlemen and his friends would have found it hard to contend with. And if they have escaped for a time, in consequence of the wants I have referred to, they may depend upon it that the principles which they have put in operation will produce here, as they have produced elsewhere, their natural effect in the ultimate ruin of many of our manufacturers, in the production of a state—not of prosperity, but of adversity, and in bringing about a state of things which would render it impossible for the hon. gentleman to content himself, without an entire reversal of the policy which he now glories in. I do not think, Sir, that there is any pleasure in referring to matters which indicate a cessation of that prosperity to which I have referred to; but in discussing the policy of the Government, which the hon. gentleman who leads the House on financial matters and subjects of taxation makes it appear, from his point of view, and invites his supporters to follow his example, that the country is in a state of prosperity not enjoyed for many years. I am bound to say, that there are indications in the commercial atmosphere which presage a storm near at hand. The hon. gentleman knows, and I need not refer him to the fact, that the state of commercial affairs in our large cities, at this moment, is one that is anything but a condition of prosperity. The hon. gentleman knows, as well as I know, that the banks and monied institutions have been for months back exercising the greatest caution in respect to their circulation, credit, and lines of discount, in order to meet the storm that they apprehend to be not far distant in the future. We find in the official publications this extraordinary fact, that while, in the first quarter of 1881, there were, in the Canadian Provinces, altogether 174 failures, with actual liabilities of \$2,750,000 in round numbers; we have, in the first quarter of this year, no less than 409 failures, with liabilities aggregating within a fraction of \$6,000,000. Now, Sir, it is shown that the hon. gentleman is flattering himself with the promise of a state of prosperity to our manufacturing towns and cities, that really does not exist, and that we have to meet a different state of circumstances, it may be at any time. If there should be as good a crop this year as during the last three years, if the markets for the products of our forests continue as good as they have been, the hon. gentleman and his Government will be able to tide over the effect of their Protective policy for a season; but if there should be a collapse in these great industries of the country, the hon. gentleman may depend upon it that he will have to meet a state of circumstances that he does not appear to anticipate at the present moment. What are the industries of the country? We are accused of being adverse to the interests of the country in that respect, on this side of the House, because we are opposed to giving a Protective policy in its integrity to our manufacturers. Under the circumstances, there would be, and there must be, a very large Protection as long as we raise our resources mainly from Customs duties; but anything that goes beyond the legitimate taxation required for the discharge of the obli-

gations of the Government, in respect to public works and otherwise, is, in my opinion, an undue Protection, and one which will work ruin to the manufacturers themselves in the course of a few years. But the great industry of this country is the farming industry, and the industry which brings out the products of our forest; and I would like to know one single article that these great industries produce, which has had a particle of benefit from the policy of the hon. gentleman opposite. They have existed and flourished, not because of the policy of the Government, but in spite of the policy of the Government. They have flourished simply because it has pleased Providence to smile upon us, and because a state of things existed on the other side of the Atlantic, melancholy enough in many of its aspects, which gave us immense advantages as a country producing grain, mineral products, and timber and lumber. These advantages may not continue; but whether they continue or not to the same extent as at present, the result will inevitably be the same in the long run. Any policy which is adverse to human rights cannot be justified. It may serve a temporary purpose, as it has served the temporary purpose of the hon. gentleman opposite, but that purpose will soon fail. We cannot buoy ourselves up by looking to the effects of a Protective policy in the United States. It is a common argument of hon. gentlemen opposite to say: "Look at the United States, you will admit that they are more highly protected in their commercial protection than we are. Have they not prosperity?" Well, Sir, they have prosperity, not a continuous, invariable prosperity, however. They have suffered great commercial reverses, but they possess a country immensely richer in its variety of products—not richer than ours in the products that we have to an extent corresponding to our population and area, perhaps. But where there is a country like the United States, producing every variety of product, from that of an almost frigid zone to the southern side of a temperate climate—almost to the torrid zone—a country like that, extending from sea to sea, and from the lakes to the Gulf of Mexico, is in a position to stand more of a Protective policy than a country situated as the British Provinces are. They have an immense inter-State trade, and that trade is largely engaged in conveying the products of the North to the South and of the South to the North. We have neither a North nor a South; we have an East and a West, and our products are all those of the temperate zone. We are not, therefore, in a position to point to them as likely to be a fair example of what could be produced in the British Provinces by a system of Protection. I believe, in short, that we should shape our commercial policy, if it is possible at all, in accordance with that which has produced so much prosperity in the Mother Country. I will not say one word to-day about the balance of trade, nor do I intend to discuss the commercial features of the Tariff any further than calling attention to its principles. The balance of trade matter has been sufficiently dealt with, and the hon. Minister of Finance has practically been obliged to acknowledge that his former fears, respecting the balance of trade, have not been borne out by the recent development of the commercial interests of the country. He knows, too, I am sure he cannot forget it, that England has had an adverse balance of trade during the whole of this century, averaging, I presume, no less than £50,000,000 sterling a year. I speak from memory, but I have no doubt my memory is sufficiently correct in that respect. I have felt that it would be, for us Canadians, an extremely wise course if we could adopt and follow the commercial policy of the Mother Country; whether we should or should not have a Confederation of British dependencies, with Britain itself, possessing a legislative union, and possessing a common interest in our legislation upon commercial affairs—I do hope we shall always have a desire to co-operate with the Mother Country and our sister colonies in promoting a commercial revenue

system, which will produce, amongst ourselves, that prosperity which a Protective policy so miserably failed to produce in the Mother Country, during its existence. It is useless for me to continue to address the House upon the different subjects which the Tariff presents—I have no intention of doing that—but I feel that I could not occupy the position I do in this House as an ex-Minister, responsible for a different policy than that which hon. gentlemen opposite have brought into operation, I could not avoid availing myself of the indulgence of the House for a few moments in placing myself, at all events, right in the eyes of the country, and in vindicating the course which the Opposition generally have taken in resisting the policy of hon. gentlemen opposite in commercial matters, and standing up for that system which I believe to be the only righteous and true one, that of inflicting taxation only as a means of revenue and not as a means of placing money in the pockets of a certain number of people in the country. I admit the principle of taxation for national objects to the fullest extent, and when the hon. gentleman asks money for any legitimate purpose, I will be sorry indeed to vote against him, or in any way by my vote say I was not willing to sustain the actual Government of the country for the time being for every useful purpose; but when the hon. gentleman asks me to agree to a system of taxation which is simply to give the State a very small revenue, if any, but to give a large revenue to several parties in the State who are living at the expense of the State, upon the product of other people's labor, then I say it is time to call a halt.

Mr. WHITE (Hastings). Who is the party who is living at the expense of the State?

Mr. MACKENZIE. I refer to all who are profiting by the Protective policy. The hon. gentleman, I think, is not one of those? I think he will claim to be one of the sufferers, if he will tell us frankly what his opinion is. At all events, he is one of the class now asking additional Protection at the hands of the Government, and we will have such a demand made on us continually. Why should not every interest seek to obtain its full share of the plunder? If it is to be an universal liquidation, why should not every one have his share? If there is to be a general Protective policy, let every interest be protected. But the hon. Finance Minister discriminates. Why, the hon. gentleman discriminates even against twins. He is adverse to the production of human life in the country, for when he taxes an ordinary baby carriage \$1, he taxes a carriage for twins \$3; and I am glad to hear the hon. gentleman has not touched triplets, because as everything is regulated by supply and demand there is no saying what injurious effect the hon. gentleman's policy may have in preventing the production of twins. It would be easy to occupy an almost endless amount of time in dissecting the erudities of the hon. gentleman's Tariff, passed, present, and I might say to come; but it is one of the unfortunate circumstances connected with the Protective policy, that after the policy has been fairly inaugurated, the hon. Minister has to endeavor to meet the demands of the different interests which come before him. Does any one believe, or will any one assert, that the imposition of taxation produces wealth of itself, that any one is made rich by Protection except those who are benefited by the State becoming collectors for them? No one can believe that, and, therefore, I am always at a loss to understand how it is possible—I presume it is possible—that a thoroughly earnest discriminating man can to-day justify between man and man, and hug the Protectionist principle, because we must know that it does injustice to a certain section or the other section would derive no benefit. If they proved that Protection produces wealth I could understand their position, but that cannot possibly be, for it dim-

inishes the resources of the nation, it destroys our foreign market, it inflicts absolute injury on the majority of the people; and I, for one, will never agree to consent to endorse it while I have a voice to lift in the Legislature or out of it.

Sir LEONARD TILLEY. Mr. Speaker: I do not propose to speak at any length in reply to the remarks of the hon. gentleman who has just spoken. In common with other members on this side of the House, I was glad to hear the hon. gentleman address the House on this important question. I thought, when the debate was adjourned, that we would not hear him perhaps from physical or other causes, and I am glad we have had the pleasure to-day. I must, however, repudiate the attack made by the hon. gentleman on me personally and the charge that, when delivering the Budget Speech, I made a fierce and violent attack upon our political opponents. I have been a great many years in public life, and I have been known to some hon. members of this House during the last ten or fifteen years, and I can appeal to those hon. gentlemen whether, from the day I entered the House at the time of Confederation down to the present, I have laid myself open to the charge of attacking political opponents. Sir, I recollect the first Budget Speech I delivered in 1879 when I came back here. I recollect perfectly well calling the attention of the House to attacks made on me in my absence by my successor; but I then said it was not the duty of the Finance Minister to deal with personal questions when making his financial statement. I think in that statement, and in every financial statement I have made since, I have paid due regard to the feelings of our political opponents. I stated on those occasions, as I state now, that the principle which has actuated me in public life is, that there is nothing to be gained by abuse of political opponents. If the case of the Government will not stand on the facts presented, then the case is a weak one, especially if we have to resort to the abuse of our political opponents. I did take the liberty, if you can call it a liberty, of referring to the verdict given in June last with respect to this policy—was that an attack on our political opponents? It was simply a declaration that so great was public sentiment on the question of Protection that ex-members of the Free Trade Government had been rejected. Was that speaking disrespectfully of our opponents? It was the strongest declaration that could be made, that the principle of the National Policy was fairly rooted in the hearts of the people, because many voters left their party because their political friends were opposed to a Protective policy. I thought I was justified in referring to that fact, and I thought I might also refer to the fact that, between 1878 and 1882, we were supported by only four members from New Brunswick, whereas the result of the appeal has been to give us a majority of the representatives from that Province. I think I may safely call on the hon. gentleman (Mr. Mackenzie) to point out a single observation made by me, that may be considered out of place in the Budget Speech, or a fierce and violent attack on our political opponents. I think I may do so with perfect safety. Now, Sir, the hon. member has reaffirmed the statements, the repeated statements, which he has made here on former occasions, with reference to his views on Free Trade. He has placed them again on record. It was stated during the last Election, and previously to it, that leading members of the Opposition had assured their supporters, when questioned as to the policy of the new Government, should they come into power, on the Tariff question, that, in that event, they would not change this policy. I am satisfied, however, that my hon. friend could not have been one of them, because it would have been inconsistent with his principles. He declares that he has nailed his colors to the mast, and by them he would stand, whatever might be the opinions of others. If there were no such statements made, it was

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currently reported, and generally understood, by a great many electors who believed in the National Policy, but whose sympathies were with the opposite side, that if their party came into power there would be no change made in the National Policy.

Some hon. MEMBERS. No, no.

Sir LEONARD TILLEY. Now, Sir, there might be reasons for all that, because some hon. gentlemen on the other side had previously, as was stated here the other night, entertained pronounced opinions on this subject. I do not wish to enlarge on that question, but rather to refer to one or two points on which the hon. gentleman touched, and respecting which, I think, it would not be treating him with the proper courtesy—although I would like to get at the resolutions—not to say a few words in reply. Now, Sir, the hon. gentleman has stated that we have had great prosperity; but several leading members of the Opposition have undertaken to show that this prosperity was not the result of the National Policy, but, on the contrary, our prosperity was due to the large exports of the last four years from the Dominion of Canada. Now, then, let me say this: It cannot be the result of the increased exports which made the difference between 1874-78 and 1879-82, because if you take the exports for the years to which I have referred you will find that the value of the exports of 1874-78 averaged \$80,000,000, while during the past four years they averaged \$89,000,000, and that increase in the exports is one in proportion to the increase in our population. If that be the measure by which this question is to be judged, then I say they have no proof whatever to show that the increased exports of the last three or four years, have brought about the state of prosperity which exists in this country. The hon. gentleman from Brant said, the other night, I was the first—and I take credit for it—to acknowledge that the country is more prosperous than it was before. Here are we now, on the floor of this House, declaring this with reference to the prosperous condition of the country—and the admission was made last Session—and what follows? The ruin is near at hand! Take the declaration of the hon. member who followed me, the hon. member for Brant, and read the words he used on that occasion. He declared that they had been waiting for this day of desolation to come—that it was near at hand; and he said let the day of depression come, and where will this National Policy be? Mr. Speaker, let me say that if there is to be a period in the history of the country that will require the National Policy, it will be the day of depression. Hon. members on the other side speak of it, as if, when that day comes, the people will rise up in their might and defeat the Government now in power, because that day has come. That there may be such a thing is possible; but I hold, that if, at any period in the history of the country the National Policy is to prove itself a success, it will be when our exports decrease, when our people will be out of employment, when this National Policy will give them employment, and reduce necessarily the imports, and save them—if anything can save them—in the day of depression. Then, above all other times, the National Policy will shine out more brilliantly than at present, because the people will feel that they, at that time, have some institution, some employment, and something to fall back upon, when, perhaps, our lumber industries, and the products of the farm, may not be as valuable as they are at present; and then will come in the employment of the people, under this National Policy, which has been fostered and sustained during the last four years. That is my judgment respecting this matter. These hon. gentlemen say that hard times are coming. Well, hard times may come; but it is distressing, it is to be regretted, I think, that we should have these declarations made here on the floor of the House day after day, and night after night, that hard times are at hand, for

if anything will produce them speedily, it is just such speeches as these. If anything will induce the directors and managers of banking institutions and business men to hold their bonds and bring about that state of things, it is that declaration made on the floor of Parliament. I would rather err—if I erred at all—in expressing words of hope with reference to the future, even if they might be considered a little extravagant, rather than say a word that will dishearten our people and give to our opponents and competitors in the United States, words which they may quote abroad to prevent us obtaining the abundant blessings that this policy may produce. Sir, it is to be regretted that that should be the case; but so it is. We cannot help it, and we must take the consequence; but let us, who are on this side of the House, and who think differently, meet it promptly, and at once, in order that the antidote may go with the bane, and the man who reads the one may read the other. Therefore, I re-affirm here, Sir, notwithstanding what has been said on the other side, that with ordinary prudence, with reference to importers and the transaction of their business, there is no reason why—with the enormous expenditure which we are to have in the construction and extension of our railway system in the North-West and elsewhere in the Dominion of Canada—we should not continue to enjoy the benefits to be derived from the National Policy. This in itself will not prevent, as I said before, in connection with the National Policy, the speedy return of that pendulum to which I refer, and which, I hope, we will not see for many days yet to come. The hon. member has also referred to the destructive character of this policy on our export of manufactures, as going on decreasing year after year. I think that the hon. member is not quite right in this. If my memory serves me correctly, they are not decreasing year after year, although they have not increased during the last year or so. What is the fact? I stated this fact, I think, last Session, or the year before, in illustration of the causes of this. I recollect perfectly well—and I repeat the circumstances here now—meeting a gentleman some two years since, and when we were discussing the object of his mission to England, he said to me: "I am on my way to England for the purpose of entering into contracts, if I can, for supplying boots and shoes in the English market." I said to him: "What! do you expect to make contracts to supply boots and shoes in the English market?" "Yes," he replied, "I do. My hands are employed only for a certain portion of the year, to supply what we want in Canada. I cannot allow them to leave me—my whole establishment would then be broken up; and if I can get in England simply what it costs to manufacture these goods, I am determined to enter on contracts for that purpose." He did so; and when he was here some time since he told me that he had made contracts there for three years. It is about four years since he crossed the Atlantic for that purpose. "Now," he says, "I am about completing my arrangements made in England. I was able to employ my men in Canada, but I had no profit. Now I have ample and sufficient market at home, and I am making a profit, and I do not intend to renew that contract." Therefore, I say that large quantities of boots and shoes were exported by that manufacturer alone because he had not employment for his men at home. That is one illustration of the argument. Manufacturers were driven to other parts of the world for markets in those days, because they had not the home market. The hon. member (Mr. Mckenzie) says there are certain branches of manufacture which are paying from 50 to 60 per cent. to the men who invested their money in them; and, on the other hand, he says that these manufacturers will be in such a position in a few years, owing to the increased competition, that their property will depreciate, and ruin will come upon them because of the cheap goods which they will have to sell to the consumers. He says that they will then be making

no profit whatever, and that they will then require the 50 or 60 per cent. they are making now to balance the deficits which will occur at the time when the great mass of the people will be getting their goods so cheap that there will be no profit for the maker. The hon. gentleman refers to the Policy in the United States. He says that they have great natural advantages—that they have a widely extended country though not more so than our own; but they have a greater variety of climate and can produce some articles which we cannot. Will the hon. gentleman say—I suppose he will—that if that country had for the last twenty-five years, pursued a Free Trade Policy, or had a revenue of say 17½ per cent., would it have been in the condition in which it is to-day? Now, Sir, I hold that the people themselves are the best judges of what is good for them. The people of the United States will perhaps compare in business ability with those of any other people on the face of the world, and can it be expected that after the experience they have had for so many years, if this policy of Protection is what the hon. gentleman has represented it to be, that they would have stood it as they have for the last twenty years? Not only so, but I say they will stand it, though from the large amount they receive from Customs and Excise they may find it necessary to reduce the amount of their taxation. But what do we find even in the last American Tariff? We find that the reduction is largely in Excise, and that though there is a reduction in many articles, still there is at the same time an increased Protection given to many of the industries of the country in that Tariff. Now, it appears to me that if this great country lying alongside of us with its eminent statesmen, its leading and able merchants, and its practical men of all classes, had found this policy so oppressive and injurious as has been stated by hon. gentlemen opposite, such a fact would have been made manifest at some of the Elections. Everybody knows that the last President who was elected in that country was elected because the party to which he belonged declared in favor of Protection. His position was doubtful for a time until they began to realize that his defeat would perhaps endanger the Protective policy of the country, and then they came to the rescue and voted the party ticket, and even Democrats voted for him because his policy was to protect the labor of the country.

Mr. CHARLTON. What was the result of the last Congressional Election?

Sir LEONARD TILLEY. I will tell you what was the cause at work in that Election. They have a large surplus—over \$100,000,000—and the question was shall that surplus be reduced? That was the point more than the question of Protection.

Mr. ROSS (Middlesex). Why did they reduce the duty on steel rails?

Sir LEONARD TILLEY. Because, under a Protective policy, they have made them so that they compete at the present time with the outside world.

Mr. CHARLTON. Was not Tariff reform a distinct issue in that contest?

Sir LEONARD TILLEY. It seems that it takes no less than three coming Finance Ministers to rise and correct me. I think, however, that until they can manage to get a majority in favor of Free Trade, Protection will be the policy of that country; and if the Free Trade party were in power to-morrow in the United States, even they would not have a Tariff as low as ours; in fact, our Tariff would be considered a Free Trade Tariff in that country. The hon. gentleman called attention to the duty on agricultural implements. I think I understood him to say that agricultural implements were made in Canada of first class quality, and that the makers supplied the demands of the country; and in the same breath he told us that they were manufacturing a miserable article that was not fit for use.

Mr. MACKENZIE. I do not think the hon. gentleman desires to misrepresent me. What I said was, that, under the former system, implements were made of good quality, and that a good many of them were exported to the United States. I then referred to the speech of the hon. member for Selkirk (Mr. Sutherland), the other night, to show that we had lost the market for implements in the west in consequence of their inferior quality—a fact of which I was not aware until that speech was delivered, though I have received letters since that time confirmatory of that statement. The hon. gentleman has had deputations before him. Will he tell us candidly what they said?

Sir LEONARD TILLEY. They said that arrangements had been made with American manufacturers this year to send in a large quantity. We have not had that market to any extent in the past. The fact is, that it is becoming an important matter for the American manufacturers as well as our own, and they are making a desperate effort to get it. There may be some cases of inferior implements going to that country; but I venture to say that every manufacturer will consider it an insult to be told that the implements they are manufacturing are not fit for use, or that they are inferior to those of the United States.

Mr. MACKENZIE. Will the hon. gentleman tell us frankly what the deputation told him?

Sir LEONARD TILLEY. They came for the purpose of showing that this year a large engagement had been made for agricultural implements in the United States by parties who had been dealing to a very considerable extent in Canadian implements. They said that \$400,000 worth of these implements had been arranged for; and they gave us the assurance that if Parliament would say to these Americans, that they should not flood this market and prevent them getting in by making it a slaughter market, the Canadian manufacturers would pledge themselves to give to the farmers of that country implements as cheap as the Americans have been selling, and of as good a quality; and moreover, that they would furnish them in sufficient numbers to supply the people of that country.

Mr. MACKENZIE. Will the hon. gentleman say why they made this arrangement with the United States manufacturers for importing so many of these articles?

Sir LEONARD TILLEY. I suppose the Americans, anxious to get that market, secured the services of a gentleman who has been selling Canadian implements, and did so for a consideration. No man works without a consideration. It has been quite open for American manufacturers, if they have more goods than they can sell in their own market, to sell at lower prices, as we know they have done in our market for the purpose of destroying our industries and thus doing the business themselves. That is a common business operation. I do not blame them, because if we were in the same position we would do the same thing; but shall we as Canadians give them the opportunity of shutting up our industries and taking the trade to a foreign country? The remark was made the other night that the North-West was the wet nurse for the rest of the Dominion. The wet nurse—I was struck with that remark—a wet nurse for the rest of the Dominion! The old Provinces have spent thirty or forty millions in opening up that country, by which some of the people there have made their millions. We have been giving them all facilities for becoming rich; we have been giving them the lands for nothing; and we simply ask that our people may have the opportunity of selling to them manufactured articles as cheaply as another country with which they might trade. Reference was made to the fact that \$1,250,000 of revenues were collected there during the past year, and we were told that we should give it all back. Have we not exercised the most paternal care over that

Sir LEONARD TILLEY.

country? Have we not spent that \$1,250,000 in keeping the Indians quiet and preventing them from scattering these people, so that they might live contented and satisfied lives? Have we not spent nearly \$500,000 a year for the police in that country? Have we not spent all we could in order to promote the prosperity of that Province? And while we have had, and have the most liberal intentions and desires with regard to the North-West, I do not hesitate to say that if the Government felt to-day that the imposition of a single cent of this taxation would prevent its settlement, we would not ask Parliament to grant it. While speaking of the money we have spent in that country, I should mention that the Canadian Pacific Railway Company also spent a great deal of money, that the contractors on that road took in thousands of men, and by their expenditures made business brisk and lively. All these things helped to make that country what it is; and I am surprised to hear the hon. gentleman speak of it as the wet nurse for the rest of the Dominion. I want the hon. gentleman who made that remark to think it over, and to ask himself whether the Government deserved it—whether we have not made most extensive sacrifices in order to make it the great country that it is. It is a pride to the older Provinces to make these sacrifices, but they ask in return that they shall have the privilege of selling their manufactured goods on the same terms as foreigners, and that the people there shall give them favorable support. I need not enter largely into the question of agricultural implements, because we shall probably have some discussion upon them hereafter. The hon. gentleman who was so anxious about the twin carriages will find, when we submit our propositions, that they are to be taxed only in proportion to their size, so that the twin carriages will not have to pay the extra dollar. With reference to the question of the balance of trade, the hon. gentleman says that I have begun to find out that my theory is not a correct one. No; I have not begun to find that out at all. Although our exports have not covered our imports, still there has been a very marked improvement during the past four years as compared with any other four years since Confederation. When the hon. gentleman refers to England as a country with the balance of trade against it, does he know how that balance of trade is met? What would be the condition of that country if its imports did not materially exceed its exports, with all their profits on their shipping? In addition to that, it has incomes from various industries and various investments. I have not changed my views at all, and the nearer we can approximate our imports to our exports the more prosperous shall we be. I do not want to delay the House any longer, but I cannot allow the House to go into Committee without answering the hon. gentleman's remarks; and I cannot see from any remark of mine that he was warranted in saying that I made a violent attack on the Opposition. I think I stated in a courteous and Parliamentary manner what the course of the Government was to be, and in a manner which, I think, could not fairly be objected to by hon. gentlemen opposite.

Mr. DAVIES. I am not desirous, Mr. Speaker, of preventing the House from going into Committee on the motion of the hon. Finance Minister, and therefore I will not make any very extended remarks; but it was my intention the other evening to have said a few words, which I had to omit, owing to the lateness of the hour. However, as the debate is reopened now, I will ask the indulgence of the House for a short time. The hon. Finance Minister has stated that in the last General Elections members of the party to which I belong went to the country, differing among themselves on the question of the Tariff; but he did not give the names of any who had done so. As far as my knowledge goes, the party went to the country upon the principles laid down in the card of their leader. Those

principles were clearly and distinctly enunciated, and were circulated from one end of this Dominion to the other, and I do not believe one member of this party went to the country flying false colors, but every one proclaimed himself in favor of a Revenue Tariff; not because it was more beneficial than Free Trade, but because in the present circumstances of this country a Revenue Tariff is a necessity. Now, before I refer to the matters I rise, in the first instance, to speak about, I would call attention to the remarks of the hon. Finance Minister, that this high Protective policy is not only beneficial in good times, such as those we are passing through, but is a policy which would commend itself to the people in hard times. It is news to me to learn that when times are hard money scarce, and people out of employment, increasing the taxes will benefit them. I always thought that it was labor and not taxes which produced wealth. This is a most astonishing proposition, that when hard times come around and people find it difficult to meet their engagements, and employment is scarce, with reduced wages, when merchants cannot sell their goods at paying prices, it is certainly startling to find that the way to improve this condition of things is to increase the taxes of the people. I do not subscribe to any such proposition; and although I will not enter into the school of the prophets, I would venture on this occasion to prophesy that if the hon. gentleman should still be Finance Minister when that period of depression, which he admits will come around, will have arrived, he will find himself compelled, in the interest of the country at large, to reverse this policy which, while it may be approved of during the period of good times, will be felt most injuriously during hard times. The hon. gentleman says that the old Provinces of the Dominion—and the remark is a very curious one—have expended millions in opening up the North-West, and that it seems hard we should object to a prohibitive Tariff, and in particular to a prohibitive duty on foreign agricultural implements, by which Canadian manufacturers in the older Provinces are enabled to control the North-West markets. Might I ask how the imposition of a prohibitive duty on agricultural implements is going to recoup the people of the older Provinces for the millions they have contributed to develop that country? It may keep out the manufactures of the United States, and put money into the pockets of the few who have capital invested in the manufacture of agricultural implements; but how is it going to refund the taxpayers the millions they have paid out? I would like to obtain an answer to that question. I desire to call the attention of the House for a few moments to a matter with which I am more particularly interested as it relates to Prince Edward Island. In the general chorus of rejoicing sung by hon. gentlemen opposite, I listened attentively in the hope of hearing at least one small, shrill pipe from the Island supporters of the Government. I wanted to hear from them what benefit this policy has conferred on the people they represent; and I thought they would have risen to say whether or not this prosperity which seems to exist in many parts of the country, according to general admission, has been experienced in Prince Edward Island, whether the faintest glimmer of it has reached that Province. These hon. gentlemen know it has not. The hon. member for North Perth, who closed the debate, at a very late hour the other evening, made a statement which is not correct, and which I am sure he must have made through some error of reference, or under some misapprehension, for I do not believe he would wilfully mislead the House with reference to our Province as this statement is certainly calculated to do. The hon. gentleman, having glanced superficially, I presume, over the Trade and Navigation Returns, noticed that according to them Prince Edward Island paid, in Customs duties only \$1.80 per head and stated that this was

the only instance of a Province showing a decrease of taxation in regard to Customs. The hon. gentleman cannot be acquainted with the facts, and has taken a very superficial view of the application of the Customs to Prince Edward Island which is entirely misleading, as it appears in the Trade and Navigation Returns.

Mr. HESSON. Does the hon. gentleman deny that the returns were quoted correctly?

Mr. DAVIES. I do not. But what I say is that the return itself, though honestly quoted, is calculated to mislead, and I will show how. These Trade and Navigation Returns only show the Customs duties as collected in each particular Province, from the goods entered at the Custom Houses there; and it is well known to every man who lives in Prince Edward Island, and it is well known in fact throughout all the Maritime Provinces, that a large proportion of dutiable goods consumed there, are bought from Montreal merchants and the duties are paid in Montreal. Although we purchased the goods in Montreal, the returns do not show that the duties are paid by us, though it is evident that when we buy from the Montreal merchants we must recoup him the Customs duties and pay him an increased profit on that account besides. If any hon. gentleman wishes to know the real amount of duties extracted from the people of Prince Edward Island by means of this high Protective policy he can ascertain it in this way. It will not be argued that the people of this Island consume less goods now than before Confederation, and the imports before Confederation gives a fair basis on which to ascertain the amount of duty paid by the Prince Edward Islanders now. If the hon. gentleman will turn to the returns, he will find that we then imported about \$2,000,000 worth per year. Apply our high Protective Tariff to this amount, and the hon. gentleman will find that we pay nigh upon \$600,000 per year in Customs duties, or nearly \$6 per head of the population instead of \$1.80 as stated by the hon. member for North Perth. The same remark applies some, although not to the same extent, with reference to New Brunswick and Nova Scotia, and also to some extent to Ontario, as the hon. member for East York has shown (Mr. Mackenzie). Montreal is the *entrepôt* from which goods are distributed over the country, and the Customs duties are paid there. But no one can imagine on that account that the people of Quebec pay the Customs duties on all the goods brought into Montreal.

Mr. HESSON. I would ask the hon. gentleman whether his Province buys more in Montreal now than before Confederation in 1872?

Mr. DAVIES. We had a very low Tariff in the Island before we joined Confederation. I wish I could say the same to-day. We are one fortieth of the population of the Dominion, and I assert that the contribution which the people of that Province actually pay is a corresponding portion of the entire Customs duties. In 1874, the duties collected in the Dominion, were \$14,000,000 on which the portion paid by us, on this basis, was \$390,000. Last year the duties collected were \$21,000,000,  $\frac{1}{4}$ th of which is \$550,000, showing an increased taxation of \$150,000 for the privilege of living under this high Protective policy of the hon. gentleman. In 1873, we paid \$3 per head, and in 1882, \$6 per head. Now the hon. member for King's, N.B. (Mr. Foster) in his remarks, referred to Prince Edward Island as being in a state of prosperity. Nothing was disturbing the people there he said, but the contested election in the King's County case. The hon. gentleman undertook to pass in review all the Provinces of the Dominion, and to assert that they were all in a state of prosperity. Well, Sir, all I have got to tell him is this: That if his views and statements are as far away from the truth with reference to the other Provinces as they are with reference to the Province of which I have personal knowledge, his speech is not

worth much. I can tell him—and I deeply regret to be obliged to stand up here and state this fact—that the people of Prince Edward Island are disturbed over matters much more serious than the King's County election. They are disturbed at the lamentable decay of their general trade. I can remember when the wharves of that little Island were thronged with shipping, when her harbors were whitened with the sails of ships coming to and fro from day to day, and year to year, carrying to the Island the chief products we purchased in other countries, and carrying away from the Island the products we were enabled to sell to them at a profit. I am bound to say that things are sadly changed now, and if the hon. member for King's (Mr. Foster) will do the Island the honor of paying us a visit next year, he will find that the large and numerous wharves which surround one or two cities in that Island are deserted, that the shipping is gone, that the trade that once existed has vanished, and the people are anxiously enquiring where it has gone, and how it is to be brought back. That is disturbing the people of the Island at present. The collapse of the shipping interest is disturbing it; and before I am done I will give a few figures concerning the shipping interest, which, if they are correct, show a very different state of things from that presented by the hon. member for King's. The people of the Island are disturbed at present by the unparalleled depreciation in the value of real estate there. I made a statement in this House a short time ago on that point, and if I mistake not my remarks were objected to by an hon. gentleman who comes from the same Province as myself, and I suppose the House would hardly know whose statement to accept. The very next mail that brought the papers from Prince Edward Island brought reports of the annual bank meetings in that Province. I take up these reports, and I find that the statement I made in this House is borne out by the declaration made, not by politicians to advance their political interests, but by business men engaged in banking in the Island. I find by their report that the directors of the Union Bank, said:

"Your directors regret that the satisfactory results of the business of the past year are greatly impaired by the large amount it has been found necessary, after careful revision of the assets of the bank, to write off, owing to several accounts which, from the unparalleled depreciation in value of properties and other causes, have turned out more unfavorably than could have been anticipated."

Sir, the depreciation in property is not only unparalleled, but it is causing—I won't use the word ruin, because I would be accused of exaggeration at once—it is causing very serious trouble, not only in financial circles but among all those who own property in that Island.

Sir LEONARD TILLEY. Are there not special reasons for that?

Mr. DAVIES. There may be, but I am not charging the depreciation in the value as entirely due to the high rate of taxation. But I can remember, Sir, when the hon. Finance Minister and his colleagues came to Prince Edward Island, and they told the people there that if they would vote in favor of this system, property would go up in value, things would become prosperous, that labor would find capital to employ it, that prosperous times would come upon us, and everybody would rejoice. It has not been so. Their predictions have been falsified by the stern logic of facts. Not only is that the opinion of the bank directors, but I take up one of the leading newspapers of the Island, and what do I find it saying—and, mark you, at the very time we were discussing this question in the House:

"At the present gloomy hour the wail of poverty and distress is heard at many a door. A tidal wave of depression lashes our shores. Fortunes, suddenly heaped up, disappear like the morning dew, and the bravest hearts quail at the sad ruin."

Sir LEONARD TILLEY. What paper is that?

Mr. DAVIES,

Mr. DAVIES. That is the organ of the leader of the Conservative Government of Prince Edward Island, that is the *Herald* newspaper of February 21st. The people of the Island are disturbed at another fact, and a very sad fact, and it is something which disturbs the people of Nova Scotia, too, in the beautiful Annapolis valley. They are concerned at the vacant farms which are found in every village and in every settlement; they are disturbed at the exodus of the young men of that country, who are leaving it and going abroad. I am not charging that the exodus is entirely due to that policy; I am charging that the National Policy or this high policy of taxation, has not succeeded as we were promised it would do in keeping the young men at home. It has not succeeded in giving them employment, and they are leaving our country in large numbers. That is a sad statement to make, but I ask you, Sir, are we supposed to discharge our duty to our constituents by coming here and making statements that are not true? or are we not supposed to be discharging our duties better when we come to this House, and tell the hon. Finance Minister, each one from his own Province, that his policy is ruining his respective Province? I tell him how it is working there, and if he had listened attentively to the able speech of the hon. member for Digby (Mr. Vail) the other night, although the House was so thin, and I wish more hon. members had been present, he would have learned that the same results are working themselves out in Nova Scotia. Time was when these Maritime Provinces, with a low tariff and low taxation were prosperous and happy. That time is rapidly passing away, and the young men see it and know that they cannot make homes there, and so they are going abroad some to the United States and I am happy also to say that a great many of them are going to our own North-West Territories.

Some hon. MEMBERS. Hear, hear.

Mr. DAVIES. Hon. members cheer that sentiment. I wish they would all go to the North-West instead of going to a foreign country, but would it alter the fact if I were to come here and put a false color upon it? I tell you that the people of the Maritime Provinces are leaving in thousands and going to the States. Are you going to ignore that fact? Did you hear the hon. member for Digby make a statement to the same effect the other night that was not challenged by one member from Nova Scotia?

Mr. HESSON. Do they go to the United States to seek higher protection?

Mr. DAVIES. No; they go to make a living. They are driven away from the land that refuses them a living. These exiles are not the people of Prince Edward Island alone, but people from all the Provinces. Sir, the people of Prince Edward Island are disturbed over the waning prospects of ever obtaining a Reciprocity Treaty with the United States. Those prospects were bright enough at one time—or reasonable enough, rather—but they are being rapidly dispelled, and nobody who listened to the closing remarks of the Finance Minister in his speech the other night could have left this House except with the conviction upon his mind that, so far, at any rate, as the policy of the present Government can lead up to it, there shall be no Reciprocity Treaty between this country and the United States. Their policy is the very opposite. Their Protective policy, he says, is Canada for the Canadians; exclude all the outside world; we do not want trade with them, we can make money by trading with ourselves. Sir, that is not the belief of the people of the Province from which I come, and it is not, I venture the assertion, the hope or the belief of the people of the Province which the Finance Minister represents in this House. I verily believe, that, if the people of any of the Maritime Provinces had suspected it was the intention of the Finance Minister to put

away Reciprocity as far as ever he could and prevent it ever coming into operation, a very different result would have been shown at the last election, and I believe, when it is known and is understood by them, a very different result will be shown at the next elections. I desire now to call the attention of the hon. the Finance Minister to the increased deposits in the savings banks, which he has adduced as one of the evidences of prosperity in the Maritime Provinces. It is a proper argument for him to use, speaking from his stand-point, that the increase in these deposits is strong evidence of increased prosperity. But when they come to be examined I think it will be found that they do not present any such evidence. The very large increase which has taken place in the deposits in Nova Scotia was fully explained the other night by the hon. member for Digby (Mr. Vail), and I will not weary the House by repeating his statement. But if his statement was true, then he showed that the deposits in the savings banks in Nova Scotia did not represent the accumulation and savings of the working classes, but rather the deposits of capitalists who were afraid to invest their money in other channels or could not find profitable investments, and so deposited their money in the savings bank until better times came. In Prince Edward Island there has been a rapid increase in the deposits. I should like to ask my colleague whether he is prepared to tell the House that the increased deposits in the savings banks represent the savings of the working people to any appreciable extent? It is a very easy matter to explain why there has been a large increase in the deposits there. In 1873, when the Island entered the Dominion, there were only \$249,941.40 deposits in the savings bank. The deposits have been increased very largely since, and I will show where the money to a very large extent came from. At that time many of the capitalists had money invested in Provincial debentures. Provincial debentures had been issued to the amount of \$607,000, nearly all of which was held in the Island. I am not including the debentures for the Island Railway, most of which were held in England. These Provincial debentures have been all called in since then, and the money which was paid to the holders had to find investment elsewhere. I made enquiry from a gentleman who is more conversant with our savings banks than any other man, who was the means of establishing it, and for many years was in charge, and I learnt from him, and it corroborated the fact of which I was satisfied myself, that a large proportion of that money received from the payment of those debentures was deposited in the savings bank.

Sir LEONARD TILLEY. When were those debentures paid off?

Mr. DAVIES. Since 1873. I can give the hon. gentleman dates and amounts, as I have a statement here containing those particulars. The hon. Minister stated in his speech that a very large increase was perceptible. It is true there was a very large increase last year, which was due to a local cause. The Bank of Prince Edward Island, which enjoyed the confidence of nearly the whole population suspended and became bankrupt in the autumn of 1881. The people who had deposits in other banks lost confidence and withdrew their deposits and placed them in the savings bank, and that accounts for the increase last year.

Mr. ORTON. All that accounts for the depression.

Mr. DAVIES. It may to some extent, but if the hon. gentleman will make enquiries he will find that the unparalleled depreciation in the value of property took place before the bank suspended; it has existed ever since the National Policy came into force, and though it cannot be charged altogether to the National Policy, no doubt that policy contributed largely to that depreciation. As the hon. Finance Minister has declared that his policy is

to be a final one, and not subject to revision hereafter, and should be accepted by the Opposition, I think it may not be out of place, in view of the discussion which took place this afternoon between the hon. Finance Minister and the hon. member for East York (Mr. Mackenzie), if I call the attention of the House to some figures in connection with the working of a similar policy in the United States as contrasted with the working of the policy almost diametrically opposed to it in Great Britain. I was surprised to hear the hon. member for North Bruce (Mr. McNeill) state that of all the countries in the world Great Britain was the only one not sharing in the great prosperity which exists over the globe. That statement took me very much by surprise, and led me to make an examination into the statistics, and I will satisfy the hon. gentleman and other hon. members that the hon. gentleman's statement was as far from being correct as it was possible to be. The hon. gentleman must have been referring to a previous period of British history. There was a period in British history, as the House well knows, when trade and commerce were not thriving and prosperous, and it was before the introduction of Free Trade principles. There was a time when wages were low, when food was scarce, when ignorance was rife, when a great gulf separated one class from another, when workingmen could hardly live, when riots frequently occurred; and anyone who takes up Greville's Memoirs, published a few years ago, will obtain some idea of the state of things which prevailed in Great Britain between 1830 and 1840. That has been changed, and so far from Great Britain not sharing in the general prosperity she is at the present time almost monopolizing the trade and commerce of the world. In the course of my examination of the authorities, I came across a curious statement made by Sydney Smith about the time to which I have referred; and the state of things set forth by that writer will be equalled in Canada, if the hon. Finance Minister continues to increase the duties year by year as he is doing now. Sydney Smith wrote:

"Taxes upon every article which enters into the mouth or covers the back, or is placed under the foot—taxes upon everything which it is pleasant to see, hear, feel, smell, or taste—taxes upon warmth, light, and locomotion—taxes on everything on earth and in the waters under the earth—on everything that comes from abroad or is grown at home—taxes on the raw material—taxes on every fresh value that is added to it by the industry of man—taxes on the sauce which pampers man's appetite and the drug that restores him to health, on the ermine which decorates the judge and the rope which hangs the criminal, on the poor man's salt and the rich man's spice, on the brass nails of the coffin and the ribbons of the bride—at bed or board, couchant or levant, we must pay. The schoolboy whips his taxed top, the beardless youth manages his taxed horse with a taxed bridle on a taxed road, and the dying Englishman, pouring his medicine which has paid 7 per cent. into a spoon that has paid 15 per cent., flings himself back upon his chintz bed which has paid 22 per cent., and expires in the arms of an apothecary, who has paid a license of \$100 for the privilege of putting him to death."

Mr. WOODWORTH. Why does not the hon. member recite it as he did thirty years ago at school?

Mr. DAVIES. If I could hope to rival the hon. member in elocution; but that I cannot hope to do.

Mr. WOODWORTH. There is not a schoolboy in Canada, who has not recited that in school.

Mr. DAVIES. Allow me to conclude my quotation:

"His whole property is then immediately taxed from 2 to 10 per cent. Besides the probate, large fees are demanded for burying him in the chancel, his virtues are handed down to posterity on taxed marble, and he is then gathered to his fathers—to be taxed no more."

That is the quotation; and that represents the state of matters in England, while this policy, which is lauded so much on the other side of the House, was in full force; but let hon. members look at the change which took place in the commerce of that country, as soon as a different policy was introduced, and he will find—I will not weary the House with many figures—that while the combined exports and imports of that country were only £172,000,000 sterling in 1840, they

have risen, Sir, until they have now reached the extraordinary figure of £611,000,000 sterling. That, I say, is a statement of facts which cannot be paralleled by any country in the wide world, and you can only obtain it in a Free Trade country. Well, Sir, the trade and commerce of that country has not only increased so enormously but—as was shown by my hon. friend who sits alongside of me—the purchasing power of money has largely augmented during the same time, and the poor man there is now buying better food, better clothing, than he could in those old times. Let me draw—as I said I intended to do—a comparison between the present trade and commerce of Great Britain and the commerce and trade in manufactured goods of our neighbors across the line. I think, Sir, that the figures are very instructive, and I think that if some of these hon. gentlemen opposite would sit down with a sincere desire to come to an honest conclusion as to whether or not a protective system is beneficial to the people, after a perusal of these figures, they might rise up with a different opinion than the one they now entertain—possibly. Why, Sir, I find, by reference to the statistics of Great Britain, that it produced in 1881, and exported something like £190,000,000 sterling worth of manufactured goods. Why, those figures a man's mind cannot grasp! Very well, Sir; what did the United States export that year? £10,000,000 sterling only in value. So there is a country with a population of fifty millions, as compared with the thirty-five millions of Great Britain; they have illimitable resources which during the past twenty years have been developed with marvellous rapidity, and a country, as my hon. friend from East York explained, covering almost all the productive zones of the earth, extending from the Atlantic to the Pacific, and traversed by magnificent rivers. Nature has provided them with everything that goes to make them a great nation: and yet this great nation with all the vigor, and all the energy, and all the shrewdness, characteristic of that people, only export, under a protective policy in force for some twenty years, £18,000,000 sterling worth of manufactured goods, while Free Trade England exports £190,000,000 sterling a year. Sir, those figures are eloquent in themselves, and point to the conclusion which I wish hon. members on the other side—or some of them at least—would bring their minds to. Now, in 1880, I find, that Great Britain exported to the United States of America—and mark, too, that the United States has a Tariff almost prohibitory—in spite of that prohibitory Tariff, £24,000,000 sterling worth of manufactured goods; but what did the United States export to England? £3,000,000 sterling worth. There was Free Trade England opening her ports and inviting the goods of the world to come in free; and yet all the United States could send her was £3,000,000 sterling worth; whereas Free Trade England, in spite of the Protective Tariff of the United States, almost prohibitive in its terms, sends them £24,000,000 sterling worth of manufactured goods. Sir, do those figures not tell the tale? In 1840, I find that the whole exports of Great Britain per head were £1 18s. 9d., while in 1881 they had risen to £6 9s. 5d. What were those of the United States during that period? In 1840, they were £1 11s. 1d., and in 1881, £3 8s. 1d.; and thus while the United States had only increased their exports—and, mark you, these are the whole exports of the country, not manufactured goods alone—£1 17s. per head of the population, Great Britain with her limited area and producing very little raw material which they could export, or none to speak of, being engaged almost entirely in manufacturing, advanced her exports £4 10s., the exports being £6 9s. 5d. per head. Well, Sir, if we look at the imports of Great Britain, which are very large, we find that they brought into that country for manufacture and export, goods to an enormous amount in value—and how are they able to do that? Can hon. gentlemen opposite tell me how Great Britain is able to go to the United States and buy raw cotton,

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raw material and carry it across the Atlantic manufacture it into goods, and send them back, compelling the Americans to take them and sell them to the Americans cheaper than their own people can make them for? What are the facts? Out of a total importation of £411,000,000 sterling only £35,000,000 sterling worth were retained for their own use; and the balance, over £376,000,000 sterling worth of manufactured goods, was sent abroad and purchased by foreign nations, sending back a stream of wealth to Great Britain, and levying tribute on almost the entire habitable globe for the support of her working population. Then, Sir, look at the special industries of Great Britain—and I would call the attention of the hon. members opposite to these special industries more than to general figures, because general figures may or may not be explained away by ingenious people, while with regard to the special industries, this cannot be done. Take the difference between the exports from the two countries of cotton goods, made from raw cotton, a bulky material, and costly of transit. In the United States, manufactured cotton is subject to a duty of from 30 to 60 per cent.; and you will find that, notwithstanding the fact that it produces such an enormous quantity of raw cotton, and has a duty which almost prohibits the importation into it of foreign manufactured cotton, notwithstanding these facts, the United States was only able to export £2,000,000 sterling worth in 1880. But how much do you suppose Great Britain exported? Why, £70,000,000 sterling worth, of which a very respectable proportion went to the United States of America; and how much cotton goods, do you suppose the United States of America sent to England, £751,000 sterling worth only. The figures show conclusively that the Protective Tariff of the United States has not enabled that country to compete successfully, even in their own markets, let alone in the other markets of the world, with England. The Free Trade policy of England has made that country the emporium almost of the manufactures of the whole world. Take the article of wool, and the same story is there told. The woollen industries are specially protected in the United States with duties of from 40 to 100 per cent.; but what is the result—that the total export, in the year 1880, of woollen manufactures from the United States was only \$45,000 worth. It is almost incredible until hon. members examine the figures, that in that great country they are only able to export \$45,000 worth of woollen goods in one year. What are the facts with regard to Great Britain? These exports of Great Britain were, in 1880, £20,000,000 sterling worth; and mark you, the United States imported from Great Britain, the same year, £11,000,000 sterling worth of woollen goods. In the face of their prohibitory tariff, ranging from 60 to 100 per cent., they had to go home to that country and buy woollen goods to the extent of £11,000,000 sterling. Take next iron and steel, of which we heard so much a few years ago. We were told that the American manufacturers were competing successfully in Great Britain with the English manufacturers. What are the facts? Statistics show that although the duties in the United States are from 40 to 60 per cent., the American exports are less than £3,000,000, while Great Britain exports £30,000,000; and of those £30,000,000 no less than £10,000,000 are purchased by the people of the United States in the face of a prohibitory Tariff amounting in some cases to 100 per cent.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

### THIRD READINGS.

The following Bills were severally considered in Committee, reported, and read the third time and passed:—

Bill (No. 54) to incorporate the Quebec and James' Bay Railway Company.—(Mr. Bossé.)

Bill (No. 70) to amend the Acts relating to the Great Western and Lake Ontario Shore Junction Railway Company.—(Mr. Robertson, Hamilton.)

Bill (No. 71) to incorporate the Cumberland Coal and Railway Company.—(Mr. Colby.)

Bill (No. 72) to incorporate the Qu'Appelle, Long Lake and Saskatchewan Railroad and Steamboat Company.—(Mr. Cameron, Victoria.)

#### WAYS AND MEANS.

Mr. DAVIES. When the House took recess I was endeavoring, by a comparison of the Trade Returns of Great Britain with those of the United States, to show the lamentable effect of the system of Protection upon the trade of the latter country, and the marvellous development of the manufactures of England under the system of Free Trade which has been in vogue there for the last thirty years. I gave some extracts from the Trade Returns to show the effects of these two policies upon certain specific manufactures, and I propose to close my argument in that branch of the case by referring to the article of boots and shoes, which was alluded to by the hon. Finance Minister, this afternoon. The duties in the United States on the leather used in the manufacture of boots and shoes amount to between 15 and 25 per cent. Now, what effect has that duty had in promoting the manufacture and the exports of these articles? I find that in 1863 the United States exported nearly \$1,500,000 worth of boots and shoes, whereas in 1869 the exports of the same articles fell in value to the pitiful figure of \$175,000, and from that day to this they have not increased a dollar. What has been the effect of Free Trade in Great Britain upon the same articles? In the same year, 1863, the exports of boots and shoes from Great Britain amounted to \$7,000,000, but instead of decreasing, they have risen to the sum of \$8,280,000, in 1881. I give these figures to confirm the argument I had the honor to present to the House before recess. Now, I will leave that branch of my argument, and ask the indulgence of the House while I call attention to the shipping interest of these two great countries. I am prepared to show from the Trade Returns of both those countries, that notwithstanding the great advantages which the United States possess, notwithstanding the large sea-board on her eastern and western coasts, notwithstanding their inland seas, of which they have almost sole control, as far as the carrying trade is concerned; notwithstanding their noble rivers, capable of affording accommodation almost to the largest ships; notwithstanding their unlimited resources only now being developed—I am prepared to show that their shipping interest has lamentably declined and that the natural productions, even of their own country, have not been carried by their own shipping, but have fallen into the hands of foreign carriers, so that at present 80 per cent. of American foreign trade is carried in British bottoms. This is a very important factor which hon. gentlemen lose sight of very often. Let us examine briefly in detail. I have gone over the Trade and Navigation Returns of the United States, and I find that in 1860 the entire exports and imports carried in American bottoms amounted to \$507,000,000, and only \$255,000,000 worth was carried in foreign bottoms; or, in 1860, 66 per cent. of the American foreign trade was carried in their own bottoms, furnishing employment to a large number of people, and bringing in an immense amount of money to their shipping owners especially. On comparing the year 1860 with 1870, we find that the total export and imports of the United States carried in their own vessels had fallen from \$507,000,000 to \$352,000,000, while foreign ships carried \$638,000,000. In 1880 we find the same decrease continuing, only \$280,000,000 of United States trade was carried in American vessels, while \$1,300,000,000

was carried in foreign bottoms. These facts, to my mind, speak very strongly and show conclusively that so far as the carrying trade of the United States is concerned, while the Americans in 1860 carried the largest portion of it in their own vessels—almost 70 per cent.—in 1880 they only carried 17 per cent., while the foreign ships carried 83 per cent. If you examine also the returns of the tonnage of the United States engaged in the foreign trade, you will find that in 1860 it amounted to 2,379,000 tons, and in 1880 to 1,319,000 tons. Compare those statistics with those of Great Britain during the same period. In 1860, while Great Britain had only 3,000,000 tons engaged in the foreign trade, in 1880 she had 5,212,000 tons. On the one hand we find the British shipping increasing in strength by marvellous strides from year to year and decade to decade, not only monopolizing the carrying trade of its own country, but that of the United States as well, there is also a most lamentable and corresponding decrease on the part of American ship building. In 1860 they built to the extent of 270,000 tons; in 1880 this amount had dwindled down to 157,000 tons. In England, on the contrary, the annual tonnage of ships built increased from 226,000 tons in 1860, to 473,000 tons in 1880, so that their tonnage of ships built has more than doubled during the same period that the American tonnage has decreased one-half. I say that these figures are very convincing to anyone who chooses to look at them dispassionately. Passing from the comparison between the English and American shipping trade we come down to our own trade, and what do we find? We find that in 1874 some of the leading gentlemen on the other side of the House who were then in Opposition, prophesied that if an attempt was made to hamper the ship-building interest of the Dominion by imposing higher duties on articles which entered into the construction of ships, and by making living dearer, the result would be the destruction of this important interest. We found them repeating in eloquent language that we ought to be proud as a Canadian people that we were the fourth maritime power in the world, and they warned the then Government not to apply the axe to the root of this industry. In 1874 the hon. Minister of Railways, who was then in Opposition, opposing a small increase in the Tariff which the Government considered necessary for revenue purposes, spoke as follows:—

“He inveighed strongly against the imposition of an increased duty on material used in manufacturing machinery and in ship-building. There was not a sea in the world which was not whitened with the sails of the shipping of Canada, and he held that to increase the tax on this most important industry would be to inflict irreparable injury upon it, for even though the Tariff were to be removed next year, the same vitality could not be restored to the industry which now characterizes it, for men could not invest their money in the business with the same confidence which they had hitherto done.”

I also found the same hon. member reported further as saying:

“I fear the hon. Minister (Mr. Cartwright) is seeking to enter the thin edge of Protection, which will eventually work ruin and desolation to the Maritime Provinces. Let the hon. Minister look at the neighboring Republic and he will find that the policy of that country has swept their flag off the seas and given to others the carrying trade of the world.”

That statement made in eloquent language, by the hon. Minister of Railways was true, as far as the United States is concerned, as I have proved to you by the figures taken from the Trade and Navigation Returns. Their shipping has been swept off the sea, and the trade which was formerly in their hands has now passed to Free Trade England, whose shippers are making an enormous amount of money out of it. We find also the hon. member for Kings, N.B. (Mr. Foster) rising in his place in this House and posing in the character of an impartial speaker and severely censuring the Opposition for persisting in looking on the one side only, while he gave the House to understand he had figures and arguments on both sides, thus intimating that hon. gentlemen opposed to him were unduly

biased in their opinions. Well, how does he maintain the impartial character he had for the nonce assumed? In the first place, he goes on to show that an enormous increase of \$30,000,000 took place in our expenditure while the hon. member for East York (Mr. Mackenzie) was First Minister. But in his character of impartial advocate he forgot to tell the House that that large increase was due—and I do not think I am exaggerating in any way—to the fact that when the late Government came into power they found enormous contracts let out by their predecessors which they had to carry out; and this money was spent in carrying out contracts to which the faith of the country was pledged. So I say that the hon. member did not present that phase of his case in a fair or impartial manner. He presented one side of the shield alone, and that, Sir, the side which was the pleasant one for the argument he wished to present to the House. But he went on and spoke of the large increase of the debt under the present Government. Oh! he says, there is no harm in that; it was a deadly crime on the part of the hon. member for East York and his associates to increase the debt of this country in carrying out the contracts entered into by their predecessors; but it is not a crime, and it is not wrong, for the present Government, because, he says, they have plenty of assets to show in the shape of public works. He talks of the assets of the country and credits them to the present Government, forgetting that many of them were made by their predecessors, though he gives them no credit at all. He goes on to take credit for the carrying trade of the intercolonial, and how it has developed inter-provincial trade. He forgot to tell this House that the larger part of that road was built under the late Mackenzie Government. That important fact he withheld, and when he withheld it to my mind he lost his character as an impartial man, and degenerated simply into that of a politician who was desirous, not of presenting the whole case, but simply one side, and I say by the presentation of that one side it is calculated to give a false impression. But he went on to talk about the shipping of this country. The hon. member talked very eloquently, and I think, he has a right to receive the congratulation of his friends for the eloquent speech he delivered in this House. But the question we have here to discuss is, not whether his speech was an eloquent one, not whether it was delivered in choice language and adorned with literary references, but whether the facts he gave are true in themselves, or true in their application to the trade of this country. Now, just let us look at them for a moment. The hon. gentleman says—and he makes use of very strong language in saying it—that everything is lovely in all the Provinces. There is an immense inter-provincial trade growing up, but he fails to give any figures in proof of that assertion. I can tell him that there are very many men who are thoroughly acquainted with the trade of this country, and who believe that there never can be a very large inter-provincial trade between the Maritime Provinces and the Upper Provinces, for the reason that our agricultural products are of that character that they are not required by the people up here who produce plenty of them themselves. We have to buy their manufactures, but we send them very little in return. The trade is all on one side. Now, I want to call the attention of this House to his remarks on the shipping interest. In order to prove that the commerce of this country had increased very largely—and no one doubted that fact, for the hon. member for Brant (Mr. Paterson) showed that from year to year since 1879, our exports of the forest, and of the field, and of the farm had enormously increased, and, of course, that greatly increased our commerce, which merely consists in bartering our own products for those that we require from abroad—the hon. member went on and tried to prove this fact, which, I say, he did not prove; and

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the reverse of which is the fact, as I will show by reference to figures directly. He went on to show that the carrying trade of this country and our shipping had not decreased. And how did he do it? He took the Trade and Navigation Returns, and he quotes the tonnage engaged in the carrying of the products of this country abroad, and the bringing in of the goods that we require, and he gave us to understand that he was merely quoting the figures of Canadian shipping only. Why, Sir, when I tell the House that the figures the hon. member has quoted are not the figures of all of the Canadian tonnage employed, but the figures of foreign vessels, Canadian and British vessels combined, the House will understand that his argument was not worth a snap, so far as showing that the Canadian shipping had increased at all. But he went on, and wound up his sentence by saying as follows:—

“I am aware that these figures do not show the number of vessels engaged in the trade, but as they show in both cases the arrivals, and departures of vessels at particular ports, the comparative statement cannot be impugned.”

And then feeling sure of his position he winds up with the following very strong language, which only a very thorough examination of the statistics of the case will justify any man in employing, which I say his examination of the statistics do not justify him in employing. He says:

“I think I have effectually disposed of the statement that the commerce of this country has decreased, and you will not make it any more clear to the House or the country if you give from now to doomsday all the figures to be found in the books of all the Departments.”

Very well. Now, we will turn to the books of the Departments and see whether the hon. gentleman's statement that the shipping had not decreased is true or not. In the first place, I will call your attention to the figures contained in the Trade and Navigation Returns as the registered shipping of this country. I find by these returns that in the year 1873 the registered tonnage—

Mr. FOSTER. Will you allow me, Mr. Speaker, to ask the hon. gentleman a question. Will he please state now what he is going to disprove, and what he says I attempted to prove? If he says I attempted to prove that the shipping of this country had not decreased he states what I did not state.

Mr. DAVIES. I am bound to accept the explanation of the hon. gentleman that he did not intend to make the statement. Now I will read to the House the exact language used, as found in the official report, to show what he did say:

“In 1878 there were sea-going vessels inward and outward, 48,027; in 1882, 55,620. In 1878 the number of tons registered was 12,054,890; in 1882 the number of tons registered was 13,379,882.”

What is the hon. gentleman attempting to prove there? Is it not an attempt to lead the House to believe that the registered tonnage had increased 1,000,000?

Mr. FOSTER. I do not intend to allow any hon. member on the other side of the House to misrepresent my argument. I was not speaking at all of Canadian shipping in its decline, or in its increase. I was on the point of commerce, and I was stating the arrivals and departures of vessels at ports in this Dominion.

Mr. DAVIES. I shall not adopt the course which the hon. gentleman opposite pursued in reference to an hon. member on this side of the House, of refusing to read all his speech. I shall go further, not stopping at what I have read, but I will read a little more and if the hon. gentleman did not intend to say what he has said, then I shall have achieved my object if I can draw from him a repudiation of the only conclusion that can be drawn from the speech as printed in *Hansard*. He goes on to say:

“In 1878 the freights were 3,296,391 tons; in 1882 they were 3,999,459.”

Would any man in the country, reading that speech, doubt that the hon. gentleman had reference to Canadian shipping? Of course not.

Sir LEONARD TILLEY. Hear, hear.

Mr. DAVIES. The hon. Finance Minister had better not laugh until he is out of the woods. I will continue to read:

"The crews employed in 1878 were 465,776; in 1882 they were 512,738."

What boots it to the people of this country that foreign shipping had increased or decreased? What does the hon. member mean to prove? What if the shipping engaged in the carrying trade of this country had increased, if, as a matter of fact, it was foreign shipping that had increased? And so he goes on. I will show by the next sentence what the hon. member intended to prove by the use of that language:

"Does not the extra employment of men show the extra trade which is taking place in the matter of sea-going vessels? And if we take the coasting trade we find it equally favorable."

Sir LEONARD TILLEY. He is boasting.

Mr. DAVIES. The hon. Finance Minister laughs. I do not wonder at his laughing at a boast of one of his followers that the men employed in foreign shipping had increased in number, and that that indicates the prosperity of this country. Now, after having read that statement, I proceed to call the attention of the hon. Minister to the registered shipping of this Dominion as I extract it from the Report of the Minister of Marine and Fisheries. In 1873 there were 1,073,718 tons in this Dominion, and in 1878 the tonnage had increased to 1,333,015. During that period of depression when the hon. member for East York was in power, and we had a Revenue Tariff, the shipping had increased by 259,257 tons. If I turn to the Report of the Minister of Marine and Fisheries, I find it stated that the value of every ton of shipping to the country is \$30, and applying those figures to the increased registered tonnage of 1878 the result shows the value of the increased registered tonnage to be \$7,778,910. Is that nothing? We will take the next period from 1878 to 1882, and what do we find? In 1879 it was 1,333,000 tons, in 1882 it had decreased to 1,260,777 tons; so that during the period when the hon. Finance Minister had charge of the country, and when his fiscal policy was in full operation, shipping instead of having increased, as it had done during the former period, actually decreased 72,238 tons, or a value of \$2,167,000. These are facts which cannot be controverted, and which have been taken from the hon. gentleman's own returns. Let the hon. member take his own Province of New Brunswick, and what will he find? The same ratio of increase between 1873 and 1878, and the same lamentable decrease from 1878 to 1882. I will give the figures to the House. In 1873 there were 277,850 tons of registered shipping in New Brunswick; in 1878 the tonnage had risen to 335,965 tons, or an increase of 58,115 tons, equal to a value of nearly \$2,000,000, during that dreadful period when hon. gentlemen opposite declared the country went to the dogs. Since then there has been a decrease of 26,895 tons, equal to a value of nearly \$1,000,000 in New Brunswick alone. The shipping of Prince Edward Island increased from 1873 to 1878, 15,000 tons of the value of nearly \$500,000, while it decreased from the latter year down to 1882, 12,000 tons, or a value of \$376,000. These figures show that the same result has followed the application of a high Protective Tariff to our shipping which has occurred in the United States, and which was predicted by the hon. Minister of Railways if it should ever be introduced here. His prediction has been verified and the shipping interest has been largely injured, as the hon. gentlemen who come from the Maritime Provinces know. If we take the shipping built in the Dominion we find that in 1871 there were built 106,000

tons, and in 1878 the same number of tons, the average annually for the period being 152,000 tons the yearly tonnage having largely increased in the intervening years. Between 1878 and 1882 the tonnage dropped to 68,000 tons, or an average annually of 79,000, and that during the remarkable period when everything was lovely as compared with an average annually of 152,000 tons in the previous years from 1873 to 1878, I find the same ratio of increase and decrease applies to the Provinces of New Brunswick and Prince Edward Island, and I need not trouble the House by reading the figures. It thus appears that the shipping industry, of which we are all so proud, instead of being promoted or increased by this high protective policy, has been very seriously damaged, and to day instead of retaining the high position we have occupied as the fourth maritime power we are rapidly falling behind and will soon occupy an inferior position to some of the smaller countries of Europe.

Mr. BOWELL. Hear, hear.

Mr. DAVIES. In answer to the cheer, I tell him that if the decrease goes on in the same ratio as it has done during the past four years, he will not be able to make the proud statement another year, that Canada is the fourth maritime power in the world. Let us look at the results of this enormous high Tariff upon the manufacturing industries of the country, and I will only detain the House a few moments on this point. In the articles of cottons, woollens, and manufactures of iron and steel—while, in 1874, we imported \$34,000,000 worth, in 1879 we imported only \$21,000,000 worth. We were going to have Canada for the Canadians, after the introduction of this new policy; we were not going to import cheap goods from foreign countries, but we were going to manufacture them ourselves. What has been the result? Instead of importing \$21,000,000 worth as in 1879, in 1882 we imported \$33,000,000 worth. Has the policy had the effect of giving Canada to the Canadians? We have imported many more million dollars worth of these very goods, than we did under the Revenue Tariff that formerly existed. As regards goods susceptible of being manufactured here, the same thing would apply. From 1874 to 1879 there was a decrease of \$29,000,000 in the imports of these goods, and from 1879 to 1882 they rose to \$59,000,000, or an increase of \$30,000,000. So that this policy had not the effect which hon. gentlemen predicted for it when it was introduced, and which some hon. members are fond of saying, without looking at the figures, has resulted. Just one word with respect to the hon. member for King's (Mr. Foster), and the manner in which he treated the debt and expenditure of this country. He tossed about millions as a juggler tossed his balls in the air; he talked as glibly of millions as if they were thousands, and although he gave some particulars of the debt of the country between several periods, he did not put the case fairly. I am only repeating the figures by the hon. member for South Brant (Mr. Paterson), when he made his able and exhaustive speech, which has never been answered from the other side of the House. The only attempt to answer that speech was made in the address delivered this afternoon by the hon. Finance Minister, and I may have a word to say directly in reply to it. In 1867-68 the expenditure of the country was \$13,486,000; 1873-74, \$23,000,000; and in 1873-79, the last year of the Mackenzie Administration, \$24,455,381, while the estimated expenditure of the present Government for 1883-84 is \$30,000,000. The hon. member for King's (Mr. Foster) treats this increase as if it was nothing at all. What will his constituents say when called upon to pay the shot? Will they be satisfied of the action of the hon. member in supporting that increase? But it is in the controllable expenditure that the increase is most observable. In 1873-74 it was \$8,324,000; in 1878, under the economical Administration of the hon. member for East York (Mr. Mackenzie) it had decreased to \$6,999,000.

Mr. McCALLUM. Will you tell what the controllable expenditure was in 1876?

Mr. DAVIES. I will repeat the figures for the hon. gentleman. In 1873 when the hon. member for East York (Mr. Mackenzie) took charge of public affairs the controllable expenditure was \$8,324,000, and when he left office in 1878 he had decreased that controllable expenditure by \$1,332,000.

Mr. McCALLUM. I would like to ask the hon. gentleman a question. Will he give us the controllable expenditure for the year 1876? If so, he will find it larger than it was for the Macdonald Government in 1873-74.

Mr. DAVIES. It is impossible to present a continuous argument to the House, if I am interrupted every few minutes. I was going to draw the attention of the House to the lamentable increase in the controllable expenditure by the Conservative Government—and the hon. gentleman is not going, by drawing a herring over the trails to draw me from it. Now let me present the other side of the shield, and ask what has been the fact. Has that decrease under the Mackenzie Government been continued by their successors, and the taxes of the people saved, as was the case under the former Administration? No; I find that while the controllable expenditure had gone on decreasing during the Administration of the hon. member for East York, they have gone on increasing ever since these hon. gentlemen came into power. For 1833 the Estimates of controllable expenditure are \$10,000,000 odd, being an increase of over \$3,000,000 during the period since they last came into power, and to-day to give these figures for a period of years, is the only fair and honest way of presenting this case to the country. I remarked a moment ago, that no answer had ever been given or attempted to be given to the argument presented by the hon. member for South Brant? What did he say? One point in his case—and I only wish to touch upon it because the hon. Finance Minister attempted to reply to it—was this: that the cause of the prosperity of this country to-day is not the increase in the taxes placed upon us, and put upon nearly every branch of industry, and on everything that we eat, drink, and wear, but is owing to the fact that a bountiful Providence has smiled upon us and enabled us to export, as he put it, \$60,000,000 of increase in the products of the forest, field and mine, in the year 1882, over and above what we exported in 1879—\$10,000,000 in 1880, \$20,000,000 in 1881, and \$30,000,000 in 1882. What is the answer of the hon. Finance Minister? This cannot be the cause, says he, because if you take the average of these exports for the whole four years, 1878 to 1882, you will find that the exports are not greater than during a certain other number of years; but the hon. Finance Minister forgets that he has never claimed, that 1879 or 1880 were prosperous years. Prosperity only began, when our exports commenced to increase over the amount which they reached in the years when the depression existed; and until they reached in 1882, which is alleged to have been the most prosperous year in the history of Canada, \$102,000,000, we were not prosperous, and the hon. member for South Brant showed that they were \$30,000,000 more in 1882 than they were in 1879. I say, that this answer, or rather attempted answer by the hon. Finance Minister, was a complete failure; and that the argument of the hon. member for South Brant, will go forth to the country as one that cannot be answered, and has not been attempted to be answered by any hon. gentleman on that side of the House. I will now say a word with reference to the mild and able speech, as I may term it, delivered by the hon. member for Westmoreland. That hon. gentleman was aware of the real facts, because he is largely engaged in the shipping interest; and he did not fall into the mistake of the hon. member for King's (N.B.) he admitted at once that the shipping interest of the country was declining, and went on to urge

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that the lumbering trade of the country was also a waning industry. But what is the remedy which the hon. gentleman prescribes? Why, one would imagine that these two great industries, which in years gone by have contributed so much to build up this Dominion of ours, had a right to receive some consideration at the hands of the Government, and had a right, if they are waning and cannot bear up against the taxation placed upon them, to some attention. One would suppose that the remedy which the hon. gentleman would propose would be to take off some of the taxes, and give them fair play; but no, he says they are waning industries, and therefore proposes to support them by imposing still further taxes which will have the effect of depreciating these industries still more. Certainly this is adopting the motto laid down of old: "To him that hath shall be given, and from him that hath not shall be taken, even what he seemeth to have." The ship-building and lumber industries are waning, and so he takes from them what they have, and gives it to some sugar industry at Moncton—or some other of the few industries which profit and benefit a few capitalists, but do not benefit the great mass of the taxpayers of this country. One of the remarks of the hon. Finance Minister I was most sorry to hear—was wherein he announced to this country that the policy of imposing high protective duties and taxes on the necessities of life in this country was to be the policy of the Government for all time, and that there was no hope for the taxpayers of this country that in the distant future any of these taxes were to be withdrawn. He told us that the hand was to be blasted that ever removed a stone, Sir, from this wonderful superstructure which he and his friends have built up. That was a sad statement for me to hear, very sad, and it will be a sad statement for the people of the Maritime Provinces, to hear,—because we were told, when these high protective duties were put on, that we should bear them for a few years, and a few years only, that the only justification for putting them on, was this: that certain industries in Canada, were struggling against competitors in the United States, and that for a few years they required to be supported at the public expense; but once on their feet, they would be able to compete successfully with the manufacturers of any part of the world, and that then the duties would be taken off, and this taxation removed from the shoulders of the people. But we are now told that they will never be able to compete successfully, that these taxes will remain on for all time, and there is no hope at all of their being taken off the people of this country in the future. Apart from that there is another reason. Sir, the hon. gentleman boasts—and perhaps he has a right to boast—that the Election of 1882 showed that the party, which he leads in financial matters, enjoyed the confidence of the country. Perhaps they do; I am not denying that they polled the majority of the votes at the last Election, but I do contend this: that when they first promulgated their policy in the Maritime Provinces, at any rate, the main reasons which induced the people of those Provinces to give even the support they did to them was this: that coupled with the introduction of that policy, was the solemn promise made, that if the people would vote for it, it would bring about Reciprocity with the United States in two or three years. I tell you, there is no boon you could confer on the people of the Maritime Provinces, which they will appreciate so much as reciprocal Free Trade with the United States of America, as we had it from 1854 to 1864. The people of those Provinces remember well that in 1854, their trade was very small and very dull, and that a great impetus was given to that trade by the introduction of reciprocal Free Trade relations with the United States. Sir, the statistics show that the trade of the Maritime Provinces alone increased from \$6,671,000 in 1853 to \$20,277,000 in 1864; while for the whole Dominion it increased from

\$17,000,000 to \$32,000,000, or an increase of \$65,000,000. Why, it is within my own recollection, that during the existence of that Treaty, trade thrived in almost every part of the Maritime Provinces, there was not a navigable creek or a harbor upon which you would not find small schooners bringing in the wares which the United States can produce so much more cheaply than we can, and taking away our eggs, our butter, pelts, oats, potatoes, barley, &c., in exchange, and thereby carrying on a trade which was mutually profitable. We have been longing for the time when that state of matters shall be resumed again. I remember very well that in 1878 when the hon. Minister of Railways came down to the Maritime Provinces and endeavoured to seduce them from their allegiance to the principles of Free Trade and to get them to join the Protectionist Army, he said to the people: "If you will fight for this policy it will bring about Reciprocity with the United States, and I want you to support our policy for that reason." I remember quite well the words he addressed to an enormous gathering at Charlottetown, in which he depicted the prosperity which flowed through the Maritime Provinces when reciprocal trade relations existed there with the United States in the ten years from 1853 to 1863, and when he said, "If you want to bring back these good times vote in favor of this National Policy of ours and we will use it as a lever to bring about Reciprocity." But what does the Finance Minister say now? He rises in his place and says: "We will not use the National Policy for any such purpose; we do not want Reciprocity; we intend to continue the existing state of things forever and aye." I will quote the language made use of by the Minister of Railways at that meeting:

"All that you have to do to-day is to support the Protective National Policy of Sir John A. Macdonald in order to obtain a Reciprocity Treaty with the United States within two years."

People were seduced into supporting that policy, and with what result? Have these promises been fulfilled? No, they have not. They were told at the last General Election that negotiations were in progress, but we find to-day that a denial is given to all these predictions and promises. The hon. Finance Minister tells us that his present policy is a finality, and that the hand is to be palsied that dares to lift \$1,000 from the taxation laid upon the people. Sir, I do not believe in that policy, and I was pleased and proud to hear the hon. member for West Middlesex, the other day, deliver an able and exhaustive speech in favor of reciprocal trade.

Some hon. MEMBERS. Hear, hear.

Mr. DAVIES. Hon. gentlemen cheer derisively, but they had better wait until they hear what I was going to say. I say I was pleased to hear the hon. gentleman deliver a speech in favor of honorable steps being taken at an early day to bring about Reciprocity. It was one of the ablest speeches I have listened to for a long time, and I hope it will be generally read throughout the country, for it is pregnant with facts and figures, and the deductions which he drew from those facts and figures are believed in, I believe, by every trader in the Maritime Provinces. Whenever a statement is made on this side of the House, taken from the statistics of the country, or from the experience which each individual man gains in his own Province, showing that the great prosperity alleged to exist by hon. gentlemen on the other side is not universal, or showing that it may not be perpetual—showing that we should be careful in husbanding our resources and not rush into an era of extravagance, the cry of "blue ruin" is raised by hon. gentlemen opposite, and they say you are not a patriot; you must not tell the truth. The hon. gentleman himself said that by hon. members on both sides only shouting prosperity loud enough and long enough, we will keep on the good times we are now enjoying. What a farce! Does the hon. gentleman think that the trade and commerce of the country are

improved by shouting "prosperity" where none exists. Sir, it is the duty, as well as the privilege, of hon. members, when they find that a particular branch of trade is not prospering, or that a particular Province is not prospering, to say so openly. I say, they are only discharging their duty to the people and to the House by telling the facts, and it is no answer to these facts to shout "blue ruin." I say that a man who warns the country and warns the Finance Minister that he is rushing on a career of extravagance, is discharging a duty for which the people will thank him. I find that these warnings are not entirely confined to the politicians in the House. I find that monetary men who have no political interest to serve have time and again warned the hon. gentleman that the seven years of prosperity which he predicted, and which we all hope may come, is not so very sure as he thinks. I find that the *Monetary Times*, an authority which I suppose will be received with some degree of credit on both sides of the House, as far back as October, 1882, raised a note of warning in this regard. It called attention to the liabilities of the banks of the country in the following language:—

"In August, 1880, their liabilities were \$98,000,000; in August, 1882, they were \$131,000,000. Thus, then, with a heavy increase of liability, amounting to no less than \$33,000,000, the banks find themselves, in two years, with \$14,000,000 less cash resources to meet them."

The writer goes on to say:

"Now, when we add that out of a total available cash of \$31,000,000 they show the utterly inadequate sum of \$3,300,000, it is surely evident that it is time for somebody to consider the position. We give the facts. They speak loudly enough. We have hoisted a little preparatory storm signal. It is for those who are concerned to give heed to it."

Does the hon. Finance Minister or his followers think they can brush aside these warnings by a mere cavalier remark that there is no fear? The next week the same journal hoists another storm signal in the following language:—

"But for more than half a century back it has been noticeable that about once in every ten years there comes a sort of financial earthquake. Some edifices then tumble down altogether; they were too heavy, or so many rotten materials had been built in that they could stand no longer; and the solidest and strongest of them get a good number of stones shaken out so that a year or two of patient labor is required to put them in as strong a position as they were in before. It is evident to the most cursory observer that Canada is piling up her edifice of credit operations at a very rapid rate. Our bank discounts are nothing but an expansion of credit. Discounts are credits past. Their increase is an increase of indebtedness. The people of Canada, it is evident, are getting deeper into debt as every month rolls round and time will show whether they are able to pay these debts or not. The edifice of credit is mounting higher and higher."

He goes on to show that there has been a year's increase in the amount of money which the people of Canada owed the banks, of \$50,000,000, and he says that this fact is suggestive rather of eagerness to do business than wise discrimination. At the end of the year the same journal winds up a review of the year's business in a very able article, by showing that the amount which the banks of the country have loaned the people of the Dominion, had risen to the sum of \$180,000,000, and that after this country had exported all its surplus products, and got in the returns from those products, they were only able to reduce that indebtedness by \$2,000,000. The *Monetary Times* says that this is a very serious aspect of affairs, and calls for very serious consideration. It goes on to say:

"The year 1882, financially speaking, was a weather-breeder. It was a period of very great prosperity. Business expanded rapidly. Our imports went on increasing in spite of heavy duties; and all our manufacturing industries were in a state of unexampled prosperity. The North-West received a large accession of population, and its great line of railway was pushed out to the westward, over the prairie, at a rate never heard of before, even on this continent. The city of Winnipeg nearly doubled its population; and if the assessment roll is a true indicator, it more than doubles the value of its property. It has expanded at a rate never before known, even in the early days of Chicago."

Then, after referring to the statistics of the banks and the trade of the country, the writer goes on to say:

"As confirming our forecast, we have to call attention to the record of 'insolvencies.' Nothing is better worth studying than this suggestive

record, furnished by Dun, Wiman & Co., from year to year. In 1880, the total fell from \$29,000,000 to \$8,000,000. This was significant of improved business. In 1881, it was better still. The total was then \$5,700,000, being the lowest for many years. It has now, however, begun to move up again. Insolvencies increased 50 per cent. in 1882; and over 1881, the total was \$8,500,000. The amount is not dangerous, but the movement is significant."

These are the opinions, not of politicians, not of men who wish to decry the credit of the country; but they are the carefully prepared written opinions of our best financial men in the review published in the *Monetary Times*. I say those statements deserve careful consideration at the hands of the hon. Finance Minister, and not the flippant reply that those who are saying the same thing in this House are shouting "blue ruin." I have to thank the House for the patient hearing they have given me during the time I have occupied in addressing them on this question.

Mr. CAMPBELL (Victoria, N.S.) In speaking upon this policy I do not pretend to follow the hon. member for Queen's (Mr. Davies) in his argument. It was, no doubt, an able speech, and if it had been in a good cause I have no doubt he would have had a good deal of satisfaction from it. When I had the honor of a seat in this House before, I spoke several times upon this National Policy of self-protection, but the Government of that day slighted the idea. I have the pleasure now of coming here, four or five years afterwards, and seeing them on the other side of the House I do not at all wonder that they abuse this policy in the way they are doing. It is a wonder they do not frighten the hon. Minister of Finance, and induce him to change the whole thing, by all the eloquence and action they have shown on the subject since it has been introduced. I could not let the discussion pass without saying a few feeble words in defence of this policy, because I claim some of the credit to myself for advocating it before it was initiated. The hon. member for Queen's says that England is a Free Trade country, and at the same time he tells us that England raised a revenue of \$390,000,000 in one year. Well, if England raises that much revenue, it must raise it by taxing something. I was in England some time ago, and I do not think I ever saw such a highly taxed people in my life. Everything seemed to be taxed. They taxed a man's window glass; they taxed his horses and carriage, his income, and many other things. His tobacco costs \$2.50 a pound, which we buy here for 70 cents. We prefer to tax American cottons and American coal. The hon. member says that people are leaving this country for the United States. They are leaving England also, and that is a Free Trade country. The hon. member for Queen's is arguing against the high Tariff of the United States, and at the same time he says our people are going there. Are they going there to be taxed more highly than we tax them ourselves? I cannot see the force of that argument. I know our own people are going, and they are going to a highly protected country. That is one reason why we should imitate the Tariff of the United States. I might say that I am not satisfied with the Tariff as it is now. I will never be contented with it until it is equal to that of our neighbors; let us tax them as they tax us—that is what I call reciprocity—and then our people will come back to us. I do not think our taxes are so very high; they only amount to an average of about 19 per cent., and I find that we import about \$112,000,000—on which we collect \$21,000,000, or an average of 19 per cent.—worth of goods for consumption. I have never heard any one complain about that taxation, except the hon. leader of the Opposition, when he went down and spoke to the people at St. John. He was the only one I ever heard complaining of the price of grey cotton advancing. I want the Tariff made higher still as soon as the country is educated up to the necessity of it; but I quite agree with the hon. Minister of Finance that it is no use going too strong on the thing at once, because the people of this country are not prepared for it. When I

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spoke of a duty being placed on coal hon. gentlemen opposite scouted the idea—who was going to pay duty on Nova Scotia coal? I am sorry to hear that the Government are burning American coal in the Buildings here; it is not very patriotic, I must say. Hon. gentlemen opposite also complain that there is too much money collected. Well, we must remember that bill stamps, which were a most obnoxious tax on the business of the country, have been abolished. The taxes had to be raised in some way, and the Opposition raised them by bill stamps, and which caused a great deal of annoyance in the country. Then there is the question of the ship-building industry, and I contend that in encouraging this industry the Government has given satisfaction to those engaged in it. The amount so expended comes out of the revenue. I am sure hon. gentlemen on the other side have spoken to the effect that it is too little; but it is only a commencement. Then what an outcry was raised about the bounty to fishing vessels, and the ground taken was that the bounty was practically no encouragement at all on account of the smallness of the amount—only \$2 per ton. But this, no doubt, will be increased to double the amount whenever the revenue will allow of such an increase. In passing thus far I feel that the arguments of hon. gentlemen opposite—and I have read their speeches carefully—do not touch any particular point. They are simply a tirade of abuse of the National Policy, without coming down to particulars. I have read the speeches of hon. gentlemen opposite, and I fail to see in any part what they have to complain of. If they would mention any particular industry or article that is overtaxed or crushed out of existence by this National Policy, we would be able to seize such an argument and discuss it; but they confine themselves to general terms. I do not blame them, because it was the means of causing their downfall. Bounty on pig iron, I am satisfied, is as judicious a policy as any ever introduced by any Government, and the hon. Minister of Finance explained it very well in his speech the other night, when he spoke of the necessity of preparing in time to build our own iron ships, as wooden vessels were getting out of date, and the time to begin properly was to begin at the very foundation, to find the iron and manufacture it into ribs and keels in the first place, and then into plates. This National Policy will commend itself to every impartial man—all these taxes put together, only 19 per cent. *ad valorem*, and that was the difference between importing now, and before iron ships came into vogue. This revenue of 19 per cent. has worked two ways. It has given us inducement to invest in new industries and to benefit those which have been commenced; while it benefits the manufacturers, the laborers are kept among ourselves. Many hon. gentlemen on both sides were invited the other day to join in the inauguration of a Canadian cotton factory; and I am sure if an hon. member of the Opposition had been invited to speak, I am sure he would not have made a speech of the kind the Opposition often make here. I say, if there was a factory in every village we would not see our population going away. It is enough to make them go away to hear hon. gentlemen opposite, and I wonder they have not all gone. These hon. gentlemen have been singing the same song for the last six years, creating discontent throughout the country, and it makes me disgusted to hear them preach such doctrines, and the papers write such articles from day to day, and I wish there was a law to punish them. Protective duties are charged with not benefiting the North-West. When that North-West was purchased some twelve or fifteen years ago, this House will recollect the hue-and-cry that was raised against the Macdonald Government for throwing away £300,000 sterling on a wilderness composed of nothing but snow and rock. The country was to be ruined. Is any man bold enough now to get up and condemn that transaction. Why, what

is the result? That country that was bought for £300,000, and which was granted by the British Government is to-day worth the whole debt of the Dominion, \$78,000,000 I think. No one would now advocate the selling of it for \$78,000,000, and if it has entailed some taxation, we have a country to open up which our children will be proud of, and where, instead of the British Government allowing their people to be exported to a foreign country to fight against our cause, they will obtain homes here, and this country, in course of time—in the course of another century—will be filled by an industrious and loyal population. It may take half a century, or perhaps three or four centuries, to achieve this result, because its limits are almost boundless; but, in the near future, when the railway will be built from Victoria (N.S.), to Victoria in Vancouver's Island, we shall see an immense inter-provincial trade established, and hon. gentlemen opposite will look back with disgust at the speeches they made, and their children will wonder what their fathers were made of when they made such speeches. Just compare the state of the country to-day with what it was six years ago. When I was here six years ago I protested against the policy the Government of the day was pursuing. I told them the handwriting was on the wall, and it has come to pass. The people have rendered two verdicts since then in favor of the National Policy, and I think hon. gentlemen opposite should have a little more consideration than to throw dirt in the face of the people of this country, saying that they did not know what they were doing. We went square to the country with this National Policy, and we came back justified and complimented by the people. I should think that would be enough for hon. gentlemen opposite, without their wearying us here, from day to day, with repetitions of their hustings speeches. Six years ago every man in the country was frightened; he was afraid to touch anything. Why? It was not because money had flown away; it was not because the soil had refused to yield its fruits, or the sea to yield its fish—it was because the people had lost confidence in the Government. I myself, as a business man, saw that it was not safe to touch anything, and you could not tell from one day to another what the Government was going to do. Capitalists locked up their gold and silver and were afraid to invest it. It took \$3 worth to make \$1, and possibly you lost the \$1 after all. One half the mines in Nova Scotia, where millions of money had been spent, were allowed to close up and were filled with water. What is the result to-day? Those that had kept above water are making money, and those that were closed up are being opened—the yield is doubling. People are not now leaving the country. They have plenty of work to do and plenty of wages. Contentment reigns everywhere. Mr. Speaker, it was the same two dozen years ago. It was the so-called Liberals that were in opposition to every step of progress. At that time all the coal mines in Nova Scotia were in the hands of a monopoly, the creditors of the Duke of York; and an arrangement was entered into by which the duty was reduced from 50 cts. to 10 cts., which should have been taken off at the time of Confederation, and the Conservative party attempted to break the monopoly up; but the Liberals fought it as far as they could, and there is not a man in the House to-day that would stand up and defend that monopoly. To-day six times the quantity of coal is produced that was produced then. In speaking of coal I would observe to the hon. Finance Minister, that there is a royalty on coal yet, that has been continued from the time the General Money Association had the monopoly. An arrangement was made then by which the royalty was reduced from 50 cts. to 10 cts. a ton, and that is paid on coal yet. I think that is not in accord with the views the hon. Minister of Finance has carried out in other things. There should be no duty on the production of minerals. If you want to encourage the development of the country

those things should be free. This matter should have been arranged at the time of Confederation, because it is the General Government that gets the benefit from the increase of labor and machinery, and duty and revenue; therefore, they should relieve it from this tax and negotiate with the Government of Nova Scotia to let us off. It has been brought to the notice of the hon. Finance Minister, and no doubt he will see the force of my remarks. Then, again, it was the Liberals that opposed Confederation in Nova Scotia, and they fought it for years. Now, however, I do not think any of them would be bold enough to get up in this House and make a speech against Confederation. I may be mistaken; as they are still opposing the National Policy they might oppose Confederation. But I do not think any hon. gentleman who has any standing in the House would do it. Then with regard to the North-West there was the same cry. Is there any hon. gentleman on that side of the House that would get up and argue in favor of going back to the position we occupied before? Six years ago there was much talk of dissatisfaction which prevailed in the country. British Columbia was in a state of rebellion and threatened to secede from the Confederation compact. Not a word is heard about that now; the Province is quiet and the people are peaceable and satisfied. The hon. member for Queen's (P.E.I.), found fault with the hon. Finance Minister as to the way he has managed the financial affairs of the country; but, in view of his economical expenditures and the large surplus, I think the hon. gentleman is deserving of credit.

Mr. McCALLUM. I do not wish to make a speech, as the remarks of the hon. member for Queen's have been well answered by the hon. gentleman who has just spoken. But I asked that hon. gentleman a question which he could very easily have answered, but instead of doing so he accused me of drawing a herring across the track. I suppose the hon. member for Queen's thought he was making so many points and delivering so great an oration that we would be carried away by it, but I have listened to this debate and I have come to the opinion that nothing new to me has been said. When, as I have said, I asked the amount of the controllable expenditure under the Government of the hon. member for East York in 1876, he did not answer me. The hon. gentleman, in placing his figures before the House, did not give that expenditure, only that for the last year of the Mackenzie Government; but I have the statistics here, and every member who has the Public Accounts can judge whether I quote them correctly or not. In 1875-76 the controllable expenditure was \$8,569,774; in 1882, \$8,293,161, or less by \$276,613. Let us consider these figures a little. The country was in a state of poverty, the people were groaning under burdens and had no employment. The only industry encouraged was the soup kitchen. Let us look at the other years and see the result, for the statements of hon. gentlemen opposite might be termed dishonest, if that were a Parliamentary term. In 1874-75 the controllable expenditure was \$7,868,690; in 1881, \$7,293,563, or less by \$575,125. It is astonishing that hon. gentlemen opposite should place wrong figures before the House when the Public Accounts are in the hands of every hon. member. They are also fond of referring to the question of balance of trade, because when we were in Opposition we always argued that the industries of the country should be encouraged, so that we should reach a position when we could have a balance of trade in our favor, and that then the country would be prosperous. I have given considerable attention to the subject, and I venture to say that if you deduct the amount of labor-saving machinery brought into the country and the amount of imports for the Canada Pacific Railway, the balance of trade against us would all disappear. The hon. member for Queen's pretends that he does not know why the ship-building has declined. Iron has taken the place of wood in ship-building. He must know that, and if he does

not he should know it. But the hon. gentleman will not tell the country this fact. Hon. gentlemen opposite are fond of accusing the Government of being extravagant. Reference has been made to the decrease in the public debt made by hon. gentlemen opposite. All I ask any impartial man to do is to look at the expenditure and government and they will find that those hon. gentlemen could not collect sufficient money to pay the current expenditure for the year; in fact, they were looking around to see how they could come to direct taxation. If those hon. gentlemen had retained possession of the Treasury benches, there is no doubt they would have tax-gatherers around collecting the revenue by direct taxation. The House should look at their expenditure and at the manner in which they have increased the debt, and consider what the country obtained in return. They increased the expenditure by \$40,000,000. At the time of Confederation the debt of Ontario and Quebec was \$10,500,000. The Dominion assumed that debt and the debts of other Provinces, and yet, from 1867 to 1873, the indebtedness of the country only increased \$6,000,000. Hon. gentlemen opposite, however, increased the debt between \$30,000,000 and \$40,000,000. What did the country receive for it? Hon. gentleman opposite built part of the Intercolonial Railway, and part of the Welland Canal. The moment they came into power by changing the system of contracts, the Government lost \$288,000 on the first movement they made in connection with the Welland Canal Works; and I know what I am speaking of. What did they give us for the rest? They gave us the water-stretches; and they built the Fort Frances Locks. They tell me now that—I do not know whether it is so or no—some enterprising lumberman is filling up the Fort Frances Locks, which cost us nearly half a million, with saw-dust. Let any man look at the Public Accounts before him, and he will see that what I say is correct as far as the increase in the debt under these hon. gentlemen, as far as the controllable expenditure of these hon. gentlemen and the revenue under these hon. gentlemen, are concerned; and everything that I said is true; and the Public Accounts bear me out in it.

Mr. FOSTER. I am not anxious to lengthen this debate, and I do not intend to do so to any appreciable extent. If we were merely concerned with the hon. members of this House, I should not have attempted to have explained with reference to the statement made by the hon. member for Queen's (P.E.I.). I am long suffering enough to have allowed the hon. gentleman, if it were necessary, in order that he should make a speech—to misstate my position in order to get material for his speech. I was quite willing to do that to a certain extent, but there is a point beyond which endurance ceases to be a virtue, and I do not care to have my position turned upside down and sent out to the country, even though it be to afford the hon. gentleman an excellent chance to make a speech before this House. I make these remarks to set myself right before the country, as I am already set right before the House—for I do not think that there is an hon. gentleman on this or on the other side of the House, but saw the ridiculous mistake into which the hon. member for Queen's fell. I want to have the matter fairly stated, and if I do not state it fairly will the hon. gentleman please put me right? He endeavored to prove to this House that I stated that the shipping interest of this country had not declined. Is that true, or is it not true?

Mr. DAVIES. I said the hon. member had made use of figures, from which a disinterested person could only draw one conclusion, namely, that he intended by these figures to show that the shipping interests of the Dominion had largely increased, and that in quoting these figures, he had given the shipping, not of Canada alone, but embraced with it the tonnage of Great Britain and foreign shipping; and he

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then went on to show that the number of men employed had increased, while the figures given had reference to foreign as well as to Canadian shipping.

Mr. FOSTER. I think that the hon. gentleman has made himself quite clear, and the statement I made has been quite substantiated. Later on, when he was speaking with reference to the hon. member for Westmoreland, he stated with reference to myself—I had declared that the shipping interests had not declined; that was evidently the gist of his remark. Now, he took up the Debates to prove it. If he will turn to the Debates on the 23rd page, just at the beginning of the paragraph, he will find the subject-matter about which I was speaking, where I say:

"Now, the next criticism of the hon. member for Middlesex, was with reference to the commerce of the country."

That is the subject with which I was dealing. The first point I made, as an argument, to prove that the commerce of the country had not decreased was this:—that the volume of our trade had grown. The hon. gentleman can mark that. A few lines further down, he will see the next point I endeavored to make, which was that the internal commerce of the country had grown. I said it had grown, because of the decrease of imports in the Maritime Provinces, which argued, that they had got what they formerly obtained from the outside, from these Upper Provinces. I then went on to say:

"Here is a second pointer which gives another idea of that. Take the Manitoba trade."

I showed that as the imports into Manitoba had increased the trade from these Provinces to Manitoba, the internal trade had also increased. I had still another argument, and that was this: with regard to our carrying trade, I said:

"There is another point in our favor."

And I then asked the House to look at the carrying trade, and here are exactly the words which I used:

"Hon. gentlemen opposite had stated that the shipping interest is declining fast; but let us look at the carrying trade as another pointer."

Another pointer to what? Another pointer referring to the preceding ones—all leading to the fact that the commerce of this country had not decreased, and was not decreasing. Now, let us go on. The hon. gentleman is not young; I am. He is not at all verdant in politics; I am supposed to be. He has been, I believe, a Solicitor-General of his Province; and I think he has been a leader of the Government in his Province. It think that probably from childhood up, and certainly through his political career, he has never lived outside of the sound of the deep seas. If any man then should know anything about the shipping of the Maritime Provinces, it should be the hon. member for Queen's, (Mr. Davies). Now, do you see the ridiculous manner in which he tries to prove me in the wrong? My statement was with reference to the vessels coming in and going out, exclusive of the coasting trade: First, I attempted to prove that the commerce of this country had not decreased, but had increased. I stated that in 1878, there were of these vessels, 48,027, that the number of tons registered was 12,054,690; and that the number of men employed was 465,776. The hon. member for Queen's, not a young member, not verdant in politics, living by the seaside, makes the ridiculous attempt to show us that as we had, as I said, 12,000,000 tons register at one time, and employed 465,776 men, I must perforce have been saying this with reference to the tonnage of the Canadian Dominion. Now, does the hon. gentleman know that 465,776 men will give one man to every twenty-six tons, which will man every one of our 300-ton brigs with one hundred men and every one of our 150-ton schooners with fifty men; and yet he tries to make it appear that I was talking with reference to the Canadian shipping on such figures as those. Now, then, the hon. gentleman

says I stated that our shipping interest was not declining. Will he look down the twenty-fourth page of *Hansard*, a little way—not into the gallery—and he will find this. After I had gone through with my arguments, I stated as the concluding sentence :

“ I think I have effectually disposed of the statement, that the commerce of the country has decreased.”

Then I go on to speak of the shipping interest, and say :

“ The hon. gentleman, unfortunately for himself, declared that our shipping interests had fallen off, and that he has showed the failure of the National Policy, which was to help our shipping interests.”

Did I state that our shipping interest had not declined? The hon. gentleman has his eye on the very page and the very line, and reads just now along with me this :

“ I find that from 1875 to 1879 under the policy, there was a decrease of 44 per cent. in the shipping built in Canada, while from 1879 to 1882, there was a decrease of but 34 per cent.”

If the hon. gentleman will look on the same page about fifteen lines further down he will see the direct statement :

“ Shipping has declined in Canada.”

Now, why should the hon. gentleman attempt to misrepresent my position in order to make a point for himself. It is an old saying that a man will never throw sand until he runs out of rocks, and the hon. gentleman must have run out of the rocks of argument when he attempts to blind the eyes of the House with the sand of subterfuge. I have already said two or three times that Prince Edward Island was quiet except with reference to the contested election. I take leave to revise that statement, and make it read something like this; that in Prince Edward Island it is all calm and quiet with the exception of the contested election in King's County, but that in a day or two when the synoptical report of the speech delivered to-night by the member for Queen's County goes down to the Island, and is read there, there will be the additional disquietude that they should have sent a gentleman from Queen's County to indulge in these lachrymose lamentations over the country, and thus destroy the fair fame and the good name of the beautiful Province down by the sea.

Mr. BRECKEN. I should not have made any remarks to-night, had it not been that my hon. colleague had thought proper to speak on this question. I may say further that I have not made the researches into the statistics of the country which he has given to the House to-night. But as he has alluded to Prince Edward Island, I feel that it is my duty to give my version of the position of that Province under the operation of the National Policy. I make this statement at the outset: that it is not that the National Policy works injuriously to Prince Edward Island, but I admit that Prince Edward Island is not exactly in the same position as the other Provinces, to reap the same advantages from that policy. We are an agricultural country, and we are surrounded by very valuable fisheries. We have not a surplus population, nor have we that great accumulation of capital that would qualify the people to go into manufactures to any extent. When I say that we have no great accumulation of capital, I am not prepared to join in the wail which fell from the lips of my hon. colleague, in describing the deplorable state of affairs which exists in the Island. I believe the people of the Island, from one end to the other, are as comfortable and as independent as any people in any part of the Dominion. There are, perhaps, no cases of the accumulation of very great wealth. We know that while agriculture is looked upon as the first source of wealth in a country, it is not an occupation by which men can accumulate fortunes with the rapidity that speculators, contractors, or merchants can accumulate them, though the farmers' prospects are more steady and certain. I repeat again, that the people of the Island are in independent circumstances, and are as com-

fortably off as the farmers in any part of the Dominion, considering the extent of their holdings. There is not one word which fell from the hon. gentleman's lips, that I have not heard him repeat time and again from the hustings on the Island. This House may not be informed of the fact that the hon. gentleman is the leading Liberal in the Province we come from, and that his utterances, among his own political party, have a good deal of weight. I have heard the same arguments advanced by the hon. gentleman on the hustings. I have heard him time and again point to the empty wharves of Prince Edward Island. It is true that our wharves are not as crowded with shipping as they were some years ago. It is true that you do not find the same number of square-rigged vessels in our harbors as we had in the years before Confederation; but I can give the explanation, and it is not in any way connected with the National Policy. I do not give it as my own information, because my vocation in life is similar to that of my hon. friend, but I have heard statements advanced time and again, by experienced merchants, in opposition to the statement of the hon. gentleman. They say, and all the Islanders know, that some years ago, when our Island was well wooded, ship-building was one of our large industries, and our chief export to the Mother Country; and the hon. gentleman will agree with me in saying that our ships were built for the English market, and were, as I have stated, the chief industry we had in the Island. That shipping had declined long before the hon. Finance Minister introduced the National Policy, and it declined for these reasons. In the first place, the Island became denuded of ship timber. I venture the assertion that it is impossible at this day to build on the Island a spar-rigged vessel of 400 tons from native wood. Ship-building has decreased with us because we have not the material. It has decreased with us as in other parts of the Dominion where the material still exists, because iron vessels have taken the place of wooden vessels; and as stated this Session on the floor of the House, there are few branches of trade indeed in which wooden vessels are preferred to those of iron. The improvements are such that in a few years wooden vessels will no longer be heard of. So much by way of the true explanation of the decline of ship owning in the Island. I will now give the true reason why we have not the same amount of shipping floating in our harbors. The reason is that the chief importations which we had for our vessels was rigging and ship materials—anchors and chains. In our little Island a steamer which we had, the *Prince Edward Island*, a vessel of 1,200 or 1,400 tons—which is now, I am sorry to say, disposed of—was almost capable of bringing sufficient goods from the English market to supply the Province; and it is idle to say that the general trade of the colony required the employment of all those ships. They came there, as I have said, for the purpose of bringing our rigging, canvas, anchors, chains and the usual outfit for ships. That decline would have taken place if the hon. Finance Minister had never introduced a protective policy into this country. The hon. gentleman also raised a great cry about the depreciation of land. I regret to say that there is some truth in that, but let the truth be known. That depreciation has occurred chiefly in our rising towns and villages, and one reason for it is this. Like the hon. gentleman I have had a good deal of experience dealing with lands and investing money, and I do not hesitate to say that for many years land in the cities and towns was at a fictitious value.

Sir LEONARD TILLEY. Yes, during the building of the railway.

Mr. BRECKEN. Particularly so then, but even previous to that time. We met with a great calamity in our Island. In the eyes of hon. gentlemen who live in large cities, and talk of millions and have large banking institutions, it would not appear to be much of a calamity, but the failure of the

Bank of Prince Edward Island was as great a catastrophe to that little community as the failure of that great commercial institution, the Bank of Montreal, would be to the centre of commerce, the Dominion of Canada. The consequence was a contraction and a drawing in which I can hardly describe. Land went down simply because there was no one to buy it; people were not in a position to purchase. That commercial depression, the failure of that bank, and as the hon. gentleman knows, a misfortune that overtook another bank which is now perhaps holding its own under careful management, and of which the hon. gentleman is one of the directors, were chiefly the causes, and they had nothing to do with the National Policy. They were not chiefly due to depression in trade; I know it, and I speak with regret, because I am a severe loser in one of these banks. I do not hesitate to say that the failure of these banks was due to the amount of reckless credit given to mushroom traders and merchants. This course had the effect of limiting accommodation to old and well-established mercantile houses which were doing legitimate trade; but the capital that ought to have been used in developing the legitimate trade of the country was given to speculators and schemers, so that in a short time the money was dissipated, and the men who carried on business on a solid basis were deprived of it, and thus prevented from diminishing the depression and distress which fell upon us. These are the facts of that matter. Now, as I said before, we were not in a position to avail ourselves of the National Policy as the inhabitants of the great and wealthy Provinces of Ontario and Quebec. This is simply owing to our position. My hon. friend says that we pay duties to the amount of \$600,000. He says that a great many dutiable goods that we consume are entered at Montreal, at Halifax, and perhaps some at Quebec, and that the duties are paid there, and we do not get any credit for them. I suppose to a certain extent that may be true. I have heard my hon. friend make the same statement on the hustings throughout the length and breadth of the Province, and I have met him in this way. I do not accuse the hon. gentleman of saying intentionally what is not correct, but I say that that is not a fair way of putting the matter, for this reason: that a large quantity of the goods we consume are manufactured in the Dominion of Canada, and pay no duty at all. In 1880 the imports of Prince Edward Island amounted to \$799,281. In 1881 to \$993,593; in 1882 to \$785,610. The exports from the Island in 1880 were \$1,736,533; in 1881; \$1,774,810; in 1882 they increased to \$1,887,146 in the figures. I cannot see any evidence of commercial decay, but rather of increased trade.

Mr. DAVIES. That is directly entered for Customs duty.

Mr. BRECKEN. Yes; I am coming to that. This is the amount of goods entered in the Customs Department in the Province, and there is also, no doubt, a certain quantity brought from Montreal and Halifax and other places where this duty is paid—none of us know to what extent, because there is no way to ascertain it—but I think the hon. gentleman exaggerates it, because I think some of these goods come to the Island in bond, and we pay the duty upon them. If all the manufactured goods we consume paid duties, and we did not import anything from the other parts of Canada, my hon. friend would be correct; but a large proportion of our goods come from Canada. I had the honor of being a member of a delegation that went to Detroit at the time of the abrogation of the Reciprocity Treaty in 1865, and I remember that at that time our trade with Canada amounted to about two thousand pounds a year, and I believe that trade would not have existed but that a gentleman, from a brewery in Quebec, visited our Island a few years before, and arranged to send us some beer. Now, our

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trade with Canada amounts to hundreds of thousands of dollars, and a great deal of this is duty free. Now, I throw down the challenge to my hon. friend: will he point his finger to one single manufactured article consumed by the people of Prince Edward Island, that costs one cent more to-day than it did before the introduction of the National Policy. I throw down this challenge to him in all seriousness. I know that his experience and mine would, perhaps, be limited to purchases for ourselves and our families. I am not speaking of my own limited experience, but I am speaking upon the authority of merchants who buy in foreign markets. If there has been a change, it has been in the right direction—in the direction of cheapness in necessary articles of common wear. Now, Sir, I remember once standing up in this House and advocating something on behalf of little Prince Edward Island; and I believe the members from Prince Edward Island have the reputation of not being able to define the significance of the word "enough," but they take it to always mean a little more. I remember an able and talented member of this House, the hon. Mr. Huntington, rebuking me in strong but courteous language, and saying that I should drop a sectional policy, and should remember that when a man comes to this House he is not only a representative of the constituency which sends him here and of the Province in which that constituency is situated, but that he holds the higher office of a representative of the Dominion at large. That was the doctrine announced to me by that honorable and experienced statesman. I knew it before I heard it from him, and I must tell my hon. friend that when he comes here as the representative of a large and intelligent and independent constituency, he stands here also as a representative of the interests of the Dominion as a whole; and I ask him, as a Canadian, if he is prepared to denounce a policy that has conferred such advantages on millions of people, and which the people at the last Dominion Election have proclaimed has been conferred? And would he find fault with it because, unfortunately, the Province we come from, containing 110,000 people, does not reap the same advantages? I thought, Mr. Speaker, that the greatest good to the greatest number was the policy that ought to actuate the minds of men who hold the reins of power and mould the destinies of the country. Now, Sir, as I said, the best test is the price of manufactured articles in the country; and there is no doubt that prices are lower to-day than they were before Confederation. It is true if a man is not satisfied to wear the textures made in this country, if a man is too proud, too fastidious, too much of a Beau Brummell to wear the tweeds made in Canada, and must have West of England broadcloth, he must pay a duty of 30 per cent. upon it, if he is not a smuggler; but a man holding that view and indulging in such tastes has no claims upon the consideration of my hon. friend the Finance Minister. My hon. friend from Queen's is not so candid as the hon. member for South Brant, who played the rôle of critic of the speech of the hon. Finance Minister, because that hon. gentleman did occasionally, whether unintentionally in his warmth or not I cannot say, admit that Canada was in a prosperous condition—and I do notice that some hon. gentlemen on the opposite side, forgetting their duty to their party, and only thinking of the truth, have occasionally let drop remarks showing that the National Policy is a blessing to the country. I have heard my hon. friend from East York, whose utterances I always listen to with especial attention. He has the courage of a politician, he has been an old leader, he has great moral courage. I listened to his speech to-night as I would listen to the speech of an able and eloquent statesman, from whose language I knew I would learn something. I heard him lay down some axioms, some abstract propositions, that no man dare deny. I heard him lay down the proposition that it was a cruel thing, as between man and man, to so shape the Tariff for the purpose, not of raising

the revenue, but of putting money in the hands of monopolists, in the hands of speculators, and compel the poor man who is obliged to buy the common necessities of life, to go into the dearest instead of the cheapest market. That proposition nobody can gainsay. I have heard him say that it was a cruel thing for a few men so to shape the fiscal policy of the country, as to drain the pockets of the poor man by excessive taxation, for the purpose of enabling monopolists to wallow in wealth and in luxury. No man can deny the truth of that proposition; but while you are listening to the reasoning, ingenious and able, of the hon. member, it is your duty to make use of the judgment God has given you, and to reflect how far those abstract principles truly apply to this country. I know it is difficult to answer the arguments of Free Trade, but the only way to answer them is to look at the practical working of Free Trade. It is not a cast-iron rule; I know it is the emanation of very able men, and great political economists, but it is not like Holloway's pills and ointments a panacea for all troubles, guaranteed to cure everything from a headache to a broken leg. I believe some of the most able and talented advocates of Free Trade have admitted that a country may be in a position when the application of the abstract principles of Free Trade would not be profitable; and I believe that is when a country is in its youth, struggling to establish manufactures so as to give employment to its people and build up the country. I would not set myself against the hon. member for East York (Mr. Mackenzie), but I know that the only country in the commercial world that advocates Free Trade—and that in a qualified sense—is Great Britain. I know that they have had great statesmen, and great men who thought over and conceived that idea and inaugurated it; I know that, in the days of Sir Robert Peel, Cobden, Villiers, John Bright, and Gladstone, England was in a very different position from ours. Before the repeal of the Corn Laws and the introduction of Free Trade, England had a monopoly of manufacturing skill and capital; she had a surplus population, and, in her midst, the material of coal and iron, which gives a country a vast advantage. Great Britain, before the repeal of the Corn Laws, was manufacturing everything; she had a great accumulation of wealth; she had a vast correspondence, and was head and shoulders over every other country. But there was one thing England could not do that Canada can—she could not feed her own people—and when a duty was placed on breadstuffs that came from Russia and America, a cry was raised for its repeal. I recollect, as a boy, the cartoons published when Sir Robert Peel and Lord Derby were fighting this question, in which the protectionists were represented holding a little scrap loaf, and the Free Traders with a large and bountiful loaf. After the duty was taken off, food became cheap, the poor man could be fed cheaper, wages became lower, and men like John Bright, who had large manufactories, and employed great numbers, were protected and benefited by the repeal. In Canada we are in a better position in this respect: that we feed ourselves, and can afford to export a portion to other countries. But we had to compete in trade with an older country—a country, as the hon. member for East York stated, far ahead of ours in variety of climate, soil and trade; a country which has a population of 50,000,000 against our 4,000,000; whose vast territory is covered with a network of railways, which has all the advantages of an older and more advanced country, while we are struggling in our infancy. I have yet to know it is a crime against Free Trade and sound political policy, to take this young country by the hand and help her to gain a position so that by-and-by the statesmen of the future—when my right hon. friend and his valiant opponent will have gone to their long home—will find this country so advanced in manufacturing skill and ability and in such a state of prosperity that the barriers may be thrown down and the Dominion enter the field of unrestrained competition with every part of the

world. I believe that is to be the outcome of the sound policy of the hon. Finance Minister, but where is the necessity for me to raise my feeble voice to establish that proposition? Let my hon. friend learn to listen for a moment. When I had the privilege of being in this House in 1879, when the hon. Finance Minister introduced a policy that will be to him an everlasting memorial—which, when he goes down to his grave, will stand bright, brilliant, untarnished, undimmed and unspotted by the aspersions of political malevolence and misrepresentation—what was the state of things then, when the hon. Finance Minister introduced his policy? What was he told by the hon. members who predicted ruin then? They told his right hon. leader that his party had stolen a march on the people, that in the early and celebrated Election of 1878 they gave the assurance that taxation was not to be raised, and that no sooner had they gained the peoples' confidence than they betrayed it, and placed grinding taxation on the shoulders of the people. I was resolved, when we saw the late hon. Finance Minister of the Liberal Government, Sir R. Cartwright, standing up in this House with his hands dangling powerless by his side—after having obtained permission and again from Parliament to impose this tax to meet the requirements of the country—it was time to adopt the policy of my hon. friend instead of that of the hon. Finance Minister, who announced that all his experiments had failed and that he and his colleagues were powerless to remove the depression as the fly can make the wheel revolve. The 30,000 or 40,000 of the electors in that independent Province of Ontario, who believed in and followed the hon. member for East York in general politics, were so disappointed and distressed at the miserable failure of his trade policy, that they turned their backs on him, left his ranks and contributed largely by their votes to place the right hon. the present leader of the Government and his Finance Minister in power at the Election of 1878, and accepted the policy of the present Government.

Mr. BLAKE. No.

Mr. BRECKEN. Yes, for they say it is true.

Mr. BLAKE. No.

Mr. BRECKEN. They say it is true that 30,000 or 40,000 did so. Well, this policy of deception, as it is called by the hon. gentleman opposite, was carried on for four years by the hon. Finance Minister. Taxes, they say, were piled on. Promises that were made on the hustings previous to the Elections of 1878, were broken. My right hon. friend, conscious that they were acting in the best interests of the country, appealed to the people one year before the Constitution compelled him to do so, and the people returned his Government with an overwhelming majority. Now, I agree with my hon. friend from Victoria (Mr. Campbell), that the Opposition should be satisfied. I thought that it was fundamental doctrine of a Liberal in politics, that his party was a reflex of the voice of the people, that their motto was, *Vox populi, vox Dei*. On the question of this policy, the hon. gentlemen opposite have had an overwhelming verdict against them from the very people that they say now are going to be ruined on the very policy that the hon. member for Charlotte (Mr. Gilmor), says is horrible to contemplate when transacted between two honest men. Yet this verdict was obtained from the people, in the first instance, at the very time that the hon. gentlemen opposite were industriously attacking the right hon. leader of the Government, when they were attacking him with all his sins and imperfections on his head; but notwithstanding the cry that was raised against him, notwithstanding all his alleged faults and misdoings, the people were satisfied of the ruinous effect of the fiscal policy of the hon. gentlemen opposite. In the exercise of a sound and wise discretion they sent back the most able statesman in the Dominion, and with him one of the most

able Finance Ministers this country has ever had. Some hon. gentlemen seem to be under the impression that they cannot make a speech on the Budget unless they indulge in a shower-bath of figures. My hon. friend from Queen's, (P.E.I.), has gone into a lot of statistics. He has shown that the exports of England are about £180,000,000, and the exports of the United States \$18,000,000. But we must remember, in the first place, that Great Britain has had a start. She has immense facilities for manufacturing, she is like an old commercial house over a young one. Moreover, America has got a home market. Besides her population of 50,000,000 she receives nearly 500,000 a year by immigration alone. Now, did it never occur to my hon. friend that his position borders somewhat on the ridiculous when he gets up here and raises the cry of misery and despair, not only for Prince Edward Island, but also for the United States? How long have they had this Protective Policy? What an enormous debt they have paid off, and out of this ruinous policy! Does not that hon. gentleman know that the commercial men of the United States are just as shrewd and have just as great a desire to make money as either the hon. member or myself. Surely he will admit that they are men of great experience, and after so many years of trial they ought to know what will best promote the interests of their country. Now, if there is one feature in the American character that stands out more prominently than another it is the love and pride that he takes in the advancement of his country—in very unfavorable contrast, I must say, to the hon. gentlemen opposite. I know the abilities of my hon. friend from Queen's, but I hope he will excuse me if I say that I accept with a very large reservation his comments and conclusions on the policy of American statesmen when I see that policy persisted in by men who, I believe, know what are the true interests of their country. My hon. friend has not only the privilege of being in a minority in this House, but in a minority in the Maritime Provinces. Nova Scotia held her own at the last Election—that is the test. What was the case in New Brunswick? My hon. friend was desirous of distinguishing himself by setting right that talented member for King's (N.B.) and he did it in a manner that it drew upon him such a castigation from the member for King's that it almost aroused my pity for my colleague. Now, what is the state of the returns from the Province of New Brunswick? That is a better list than the hon. member's figures. New Brunswick returned sixteen members, and in the Election of September, 1878, she returned eleven Liberals to five Conservatives; while in the last Election she returned only nine Liberals to seven Conservatives. Let it be borne in mind that this last result was obtained after this policy had had four years of trial, and four years of severe criticism from the hon. members opposite. So bent were they upon breaking down the policy, that they did not hesitate to libel the country, and my hon. friend from Victoria was not very far astray, when he said that there ought to be a Criminal Act passed to prevent the country from being libelled by the utterances of the hon. gentlemen opposite, which are of a character to deter the inhabitants of the over-crowded cities of Europe from coming into this country and helping to build it up. My hon. colleague talked with a sneer about the readiness with which we speak of millions here. I had the same impression when I first came into this House. But what does that prove? It proves how vastly the resources of this country are increasing. Down in the Maritime Provinces, we speak of thousands with as much caution as hon. members here speak of millions, but it simply proves that this great country is developing so fast, that in speaking of values we have to speak of large sums of money. I was struck by an expression that fell from the hon. member for Selkirk (Mr. Sutherland), when he said that the North-West was a wet nurse for the old Provinces of Canada. I said a few minutes ago that it was almost impossible for any

Mr. BRECKEN.

hon. member, though endeavoring to decry Canada, if he stuck to facts, involuntarily to avoid paying a compliment to his country. I thought what a compliment it was to the policy of the present Government, that the North-West should be looked upon as the nurse of the Dominion. I have only been in the House a few years, and yet I recollect that at the first Session of Parliament, when the best mode of developing the great North-West was being discussed, I heard the hon. member for East York (Mr. Mackenzie) state that the lands of that country were worthless, or at all events of so little value, that they would hardly pay the expense of surveying them and mapping them out.

Mr. MACKENZIE. You never heard me say that.

Mr. BRECKEN. Something very nearly approaching it.

Mr. MACKENZIE. No.

Mr. BRECKEN. And when the policy was discussed as to our laying aside millions of acres of land to pay the cost of a portion of that railway, we were told it was perfectly useless.

Mr. MACKENZIE. No.

Mr. BRECKEN. The hon. gentleman need not be so much ashamed of his actions at that time, because it is pretty well known that scant information was possessed by hon. members as to the capabilities of that great country. I give the hon. gentleman credit for having used, when leading the Government, his best exertions, and with great ability, to devise some scheme for the development of that country. The only thing I find fault is that when a grand scheme was propounded, his patriotism did not override his partisanship. When it was stated, the other night, that the North-West was the nursing mother of the Dominion, what a great compliment it was to the leader of the Government, who propounded the North-West policy to the hon. Minister of Railways, who brought in a magnificent policy, under which the Pacific Railway is being so rapidly carried out as to astonish and amaze hon. members on both sides of the House; and to the fiscal policy of the hon. Finance Minister, who braved opposition and the "blue ruin" prophecies of hon. gentlemen opposite, that this North-West country was not of sufficient value to defray the cost of the railway. It was not deemed possible then, than an hon. member for Winnipeg, speaking, no doubt, the truth from his daily observation of the progress of the country, would be able to state that the older Provinces are receiving their nourishment and sustenance from the overflowing breast of the North-West. If the water-stretches and the patchwork policy of the hon. member for East York (Mr. Mackenzie)—I do not wish to be disrespectful, but I desire to state what I mean—had been followed, would it have been in the power of the hon. gentleman for Winnipeg to have said, with a grin on his face, the North-West has come to be the nursing mother of the older Provinces. If it is the nursing mother it has made wonderful progress. I believe there is a great future in store for the North-West, but Manitobians and the inhabitants of the Territories should never forget the men who have made the country what it is, who have enabled us to see a child five years of age now so prosperous and independent that she can afford to maintain the support of a father and of a mother.

Mr. BENSON. In regard to the question of the prosperity of England, allow me to read an extract from a letter received by the last mail. It is dated March 23rd. The writer is a gentleman and a large landholder in England and a partner in a large manufacturing concern in Yorkshire. He says:

"Nothing can be more depressing than the prospects of trade and investment in the Old Country. Competition and so-called Free Trade have brought prices down until no one can live, and to sell either mills, machinery, houses, coal mines, iron works, or in fact almost anything, is simply disastrous. Depend upon it we are in a poor way, and much mental depression is caused by the gloomy outlook."

Having given this writer's extract in proof of the present position of England, I take the opportunity of complimenting the hon. Finance Minister on his Budget Speech. As one of the oldest manufacturers in this Dominion, it did me good to hear him boldly declare that he made such and such alterations in the Tariff for the sake of encouraging manufacturers, for often and often have I been discouraged and disgusted by statements of many of his predecessors that they impose duties for the sake of revenue and not to encourage manufactures. It was pretty hard when a manufacturer had spent a fortune in building his works, and another fortune in getting a connection, to be told that he must be snuffed out because the article that he manufactured had ceased to yield a revenue. I also am glad to see an increase in the number of specific duties. As a manufacturer I like a specific duty, but I believe the average Custom House officer is about the greatest enemy a manufacturer has, and a specific duty prevents him favoring the importer, though I have known officers so clever that they would get over the difficulty by calling the article something else, or entering it under another name. Nevertheless, were I beginning a new industry, I would prefer a specific duty of 20 per cent. to an *ad valorem* duty of double the amount. I must say that I differ altogether from the hon. member for East York (Mr. Mackenzie) in his idea about Free Trade. I believe the National Policy was the very thing this country required. No country ever became a manufacturing country without protection being afforded to its rising industries, and I maintain that England herself was made great by a protection amounting to almost prohibition, enforced by penal laws, such as cutting off the left, in case these restrictions were evaded. It would have been well for her after admitting breadstuffs free, which were a raw material, if she had exercised some common sense instead of drifting into a fetish-like worship of impracticable theories. Had she protected herself and her colonies against all other countries that refused to admit her manufactures free, I believe that long ago she would have had a reciprocity almost tantamount to Free Trade; and if she had failed in this she would, at all events, have developed her colonies and have afforded homes for her surplus population who would have been loyal subjects and friends instead of possible enemies. The manufacturers of England have often laughed at me because I was satisfied that sooner or later they would get tired of this one-sided Free Trade, but even now a reaction has set in, for, under the new name of Fair Trade they are harking back and are asking a return to good, wholesome protection which they discarded and cast away. I do not desire to speak further of the Old Country, but I want to allude to a point not touched upon by the eloquent speakers who have preceded me, and it has some reference to the assertion made by members of the Opposition: that manufacturers do no good to the country. The point I wish to allude to is this. Manufactures, when once established in a country, become to a very large extent self-supporting. As in a community, the baker buys from the butcher, and the butcher from the baker, and from the shoemaker, the tailor and store-keeper, and they all buy from each other, and from the farmers who always benefit. The farmer in his turn supports the blacksmith, and the carriage maker, and the harness maker; so manufacturers support each other when once established, and hundreds of manufacturers in the old country, can find a market for the whole of their products for the use of other manufacturers, and never sell to a merchant at all; and if we have a continuation of steady and efficient protection, it will be the same with us. When the sugar refineries were shut up by our friends on this side of the House, it not only did harm to Montreal, but the farmers at once felt the loss of the business. They did not sell their bolts, their head-bolts and stave-bolts, and their hoops. Now, since these refineries are going on again, there is a demand for all these

things, and for spruce staves the demand is greater than the supply. For hundreds of miles around, the farmers are all prosperous, even for six hundred miles around, for on the Canada Southern Railway, which is, I believe, some six hundred miles from Montreal, thousands and thousands of staves are sent down to the sugar refineries of Montreal. One point more and I am done; these hon. gentlemen seem to think that we have not improved through the National Policy. Manufacturing in Canada used to be something like living over a volcano—you never knew when you would be blown up, but you felt quite satisfied that your end would come some time. Twenty years ago, when, wearied out with the struggle, I tried to get up a joint stock company, I called upon the most influential men in Quebec, the richest in Montreal, and the most enterprising in Toronto, Hamilton and London, but I could not get one person amongst the whole of these cities and towns to subscribe and take a \$50 share. They instanced case after case in which manufactures had commenced and failed; and said that they would not waste their money in an enterprise that the stroke of a pen of some heaven-born financier could wipe out—though I believe that they did not say "heaven-born," which was a phrase invented afterwards. I think they thought that the inspiration came from another source; but, whether from above or below, it was always in those times detrimental to the interests of the manufacturers. Now, we see manufactories springing up one very side; but, I believe, they would spring up with double rapidity if hon. members of the Opposition had not done all they possibly could to make the National Policy a failure. In every possible way they have used their influence against the National Policy, and, I am sorry to say, with too great success; for though we have prospered very greatly, I know, for a fact, that their croaking speeches, as reported in the press and sent across the Atlantic, have done us a great deal more damage than we can ever estimate.

Mr. HESSON. I rise for the purpose of correcting the remarks of the hon. member for Queen's (Mr. Davies), wherein he sought to impress on the minds of those who heard him that I had in some way stated figures to this House that were not correctly represented—though I might have possibly unintentionally done so. I represented the facts and figures exactly as they are given in the Trade and Navigation Returns and the Public Reports; and these are the only evidences which we can take as to the rate at which taxation is distributed, as the tables are prepared from year to year on that basis. I will again just state here briefly, what I hold to be a most remarkable fact, with reference to Prince Edward Island, that of all the Provinces which compose this Dominion, Prince Edward Island alone stands in the position of having entered Confederation with a larger *per capita* tax upon the Customs imports than it is to-day. In 1874 it was \$2.33 per head; in 1875, \$3.57; in 1876, \$3.12; in 1877, \$2.83, and in 1878, \$2.46; divide this by five years and we have the average, \$2.84½ per annum of taxation for Customs. We will take the figures under the National Policy and see what the result has been; and it will remain for that hon. gentleman and his friends to say why trade that was diverted from its original channels, is now done in the Upper Provinces, or Montreal, and that the duties were paid in Montreal instead of at Summerside and Charlottetown. In 1879, the rate was \$2.19 per head; in 1880, \$2.11; in 1881, \$2.38; and, in 1882, it had declined to \$1.82, being an average for these four years of \$2.12½, as against \$2.84½, under the preceding five years of what we might call a Free Trade Policy, showing a saving of 72 cts. under the National Policy. If the hon. gentleman could say that this applied to all the Provinces, and that the same result would be found elsewhere, I would suppose that they had made out a case against the way in which the taxation was distributed; but I find in reference to the other Provinces similarly situ-

ated, Nova Scotia and New Brunswick—at all events, so far east that importations from Montreal would be as unlikely to their ports, as to the Province of Prince Edward Island—the rate has increased, as also is the case in all the other Provinces. So much for that. I state again that I did not misrepresent the figures, but gave them exactly as they appear in the Public Accounts. I am further convinced that there is much more in this than my hon friend is willing to admit. He would make it appear that this statement and these tables are not of a character that they could be accepted. I took the trouble, while the hon. gentleman was giving us his very brilliant speech, at least from his standpoint of ruin and decay to that beautiful little Province down by the sea, where everything was going to ruin—I took the trouble to go through the Trade and Navigation Reports for a few years back, as I wondered why it was so. I do not, however, wish to trouble the House with the figures for each year. If hon. gentlemen will excuse me, there are some of them of so much importance, and they explain, to my mind, clearly the reason why this taxation has been reduced, as shown by this table, that I would like to trouble the House with them:

Year.	Exports.	Imports.	Duty.
1874.....	\$785,610	\$1,908,522	\$219,458
1875.....	1,908,461	1,983,419	317,163
1876.....	1,655,519	1,382,679	293,547
1877.....	1,384,673	1,380,878	266,483
1878.....	1,700,752	1,293,225	231,386
Totals.....	6,835,015	7,948,723	1,328,037

Subtracting the total exports from the total imports for those five years, we find the balance of trade, \$1,113,718, during the five years of the ruin Administration, as I might fairly call it, of hon. gentlemen on the other side, while the average annual duty for the same period was \$265,607. Now, in order to see whether that Island has suffered by Confederation, or whether it has suffered by the National Policy, it is only fair that we should give the figures since the National Policy was inaugurated. In 1879, the exports had risen to \$1,831,369, and the imports had fallen to \$910,987, and the duty paid was \$206,245. The following table will show the exports, the imports, and the duty for the three succeeding years:—

Year.	Exports.	Imports.	Duty.
1880.....	\$1,736,533	\$799,287	\$198,542
1881.....	1,774,246	993,593	256,513
1882.....	1,887,146	785,610	196,586

Now we have this result, that for the four years from 1879 to 1882, the total exports were \$7,229,314; the imports for the same period were \$3,489,477, leaving the balance of trade in favor of the Island, \$3,739,837. Now, if you take those figures into consideration in connection with the fact which we heard stated the other day in this House, by an hon. gentleman who is in a position to make that statement, and it can be verified by referring to the *Canada Gazette*, that the deposits had largely increased—increased, I believe, in a larger proportion than some of the western Provinces—we will find as a result a large increase of the wealth of the people of Prince Edward Island. Now, Sir, in order to see whether they were fairly dealt with by this Government in connection with the National Policy, let us take the average duty which they paid for those four years, and compare it with the average under the previous Administration. We find that the total duty paid was \$860,886, or an average of \$215,331; so that while we have a lower amount of duty paid in the latter of these two periods, we have at the same time a balance of trade in their favor amounting to \$3,739,837. Under these circumstances I cannot conceive why the representatives of that Province should have any reason to cry out ruin, when the fact stands so clearly forward in their favor; for while the balance of trade is against the whole Dominion, it is in favor of that Province

Mr. HANSON,

by fully 100 per cent. If there is anything in having the balance of trade in favor of a Province they have that advantage, and hon. gentlemen opposite from the Island do not pretend to say that the people are worse clothed or fed than they were before. My own impression is that the great cause of the reduction of direct importations to the Island from foreign countries is the increased intercourse which the Province has with the western Provinces. I believe we are selling them more flour and meal, and other produce of these Provinces, which they formerly purchased from the United States; and I think it was for that very purpose that the Provinces entered into Confederation, namely, that we should have inter-provincial trade. I believe, moreover, that we should have a Committee of this House established for the purpose, if possible, of working up a more extensive trade of that description. I am sorry to hear hon. gentlemen rise up in this House and say that the policy of this Government is against the interest of any Province, and when they do make such statements I would like to hear them substantiate them in an honest way. But when they come forward and make broad assertions without producing the figures to support them, or to show whether they are correct or not, I think they should not assume that we on this side, or the people of the country who can read the figures for themselves, will accept those statements as facts. I fancy, Sir, that the debate has gone so far that it will not be necessary for me to say one word with reference to the National Policy. The country has accepted that policy; it has been reendorsed by the people, and as the hon. Minister of Finance has stated it will never be reversed by this country so long as our people have common sense about them. I am confident that it will go on, and that the people finding that they have surpluses instead of deficits, finding that they have prosperity and happiness throughout the Provinces generally, will support that policy. And believing that, I leave hon. gentlemen opposite to predict the ruin and the decay which they say will come some time, but which I trust, if it is to come at all, will not come before fifty-five years hence—as calculated by an hon. friend on this side of the house—a time when we shall have passed away at all events, so that if our children, or our children's children, have to take the risk of another period of mis-government by hon. gentlemen opposite, we at all events will know nothing about it.

Mr. HACKETT. I will not detain the House with any lengthened remarks, but I would be delinquent in my duty to my constituents, and unjust to myself, were I not to make some reply to the very extravagant and unwarranted assertions which were made by the hon. member for Queen's, with regard to the operation of the National Policy in Prince Edward Island. Having had the privilege of sitting in this House for the last four years, I have a very good idea of what hon. gentlemen opposite think of the National Policy. From year to year, from the day that policy was introduced into this Parliament up to the present time, we have heard these hon. gentlemen denouncing this policy in most unmeasured terms. One year they call it a policy of spoliation, and the next year they call it legalized robbery. They say: You are driving the people out of the country for the purpose of building up a few manufactures. When the hon. Finance Minister introduced his policy, they said: Your policy will not produce a revenue; the Tariff you propose is a prohibitory Tariff; the revenues will fall off; and consequently you will have to come down year after year and declare a deficit. Well, Sir, after the policy had been in operation one year, they came back and said: You promised us prosperity, and look at the country; bank stocks have decreased and you have a deficit. Year after year they come down here with the same tone; but this year, I am glad to see, they have come to their senses, and admit that prosperity prevails in Canada; but while they admit the prosperity, they are unwilling to

admit that it is due to the National Policy. They say: The country has prosperity; we are glad to see it. You have a surplus, that is a good thing for the country; but these are not due to the National Policy; they are due to the fact that the bright sunshine and the genial showers have given us good crops and good prices for our produce. They also point to the singular coincidence that while we have had sunshine and showers in Canada, they have had floods and poor crops in England. Well, Sir, I wonder if we had one continuous Wiggins' storm in Canada during the Administration of hon. gentlemen opposite? Had we nothing but rain, and hail, and storm, and whirlwind during all that time? I do not believe it; on the contrary, I am prepared to prove that, during the time of the late Administration, there were very large exports from Canada. If hon. gentlemen will look at the Speech from the Throne in 1876, they will see that His Excellency was made to congratulate the country upon a good crop and a bountiful harvest in Canada. The hon. member for East Elgin who moved the Address, also congratulated the country on a bountiful harvest. I am not going to confine my remarks to any particular year, but I will compare the exports of Canada during three years hon. gentlemen opposite were in office with those during three years of the present Administration. In 1874 our exports amounted to \$89,351,928; in 1875, to \$77,887,979, and in 1876 to \$80,956,435; or a total for the three years of \$248,205,342. Now, here is a very creditable export, but what was the state of Canada during that period? Why, Sir, every industry in the country was paralyzed, and, notwithstanding the fact that our exports were so large, and that we must have an increased import as a consequence, yet the Finance Minister had to come down, year after year, and admit that there was a deficit. But let us see what the exports were during the first three years this Administration was in power. In 1879 they were \$71,491,225; in 1880 they were \$87,911,450, and in 1881 they were \$98,290,823; a total of \$257,693,528, or only about \$9,000,000 more than the three years of the Mackenzie Administration. It cannot be possible that this amount exported in excess of what was exported during the time of hon. gentlemen opposite could have produced the prosperity. It was due to other causes—to the change in the fiscal policy of the country, that encouraged the people of Canada and set in motion the wheels of industry in all parts of the country. That is one reason why we have increased prosperity. Another reason is, that the coal mining industry of Nova Scotia has increased largely during the past four years. I was glad to hear my hon. friend from Inverness (Mr. Cameron), state the other evening that in the Island of Cape Breton alone the output of coal has increased 300,000 tons. It cannot be possible that the rain or the sunshine has penetrated to the bottom of the coal mines to produce this great increase, but I attribute it to the fiscal policy of the country that set the wheels of industry in motion, creating an increased demand for Nova Scotia coal. But I consider that the hon. member for North Norfolk, in the course of his remarks, gave up the case altogether. While hon. gentlemen opposite have been unwilling to admit that any industry was created by the National Policy or that the prosperity was in any way due to it, the hon. member for North Norfolk, in the course of his remarks, said:

"If my hon. friend for West Durham were at the head of the Government he would find, I have no doubt, that in dealing with this question he would have to have a due regard for the interests which have grown up under this Tariff."

Here is an admission that interests have grown up under the Tariff, and in making it the hon. gentleman gave up his whole case. Why would he not leave them to the sunshine and the showers? We know what the result would be. We know that these industries would at once go down, and that the people would at once become discouraged, and

would fear a return to the hard times that prevailed from 1874 to 1878 while hon. gentlemen opposite were on the Treasury benches. It is not necessary for me to deal any longer with this branch of the question. I now come to the question of expenditure. Hon. gentlemen opposite say that there has been an increase of some millions of dollars in the controllable expenditure. The hon. member for Brant, whose speech was referred to in such high terms this evening by the hon. member for Queen's, made a close analysis of the expenditure, and what did he find? The only item he could pick out of this extravagant expenditure was the sum of \$881 for cab hire. If the Government were reckless in their expenditure on any other items, why did the hon. gentleman not point them out? He did not do so, but, as the hon. member for King's said the other evening, he descended to the region of cab hire. I do not think he descended to that region, for he never rose from that region; he was found there and remained there. It is quite impossible that the Government of Canada, having to deal with the great and increasing interests of the country, could go on from year to year with a fixed expenditure. There are many public works to be built in Canada; there is a great country to be opened up; the increasing necessities of the country, in the post offices and in other services, require increased accommodation and consequently increased expenditure. I am happy that the public buildings are being erected. I may say here that, coming from Prince Edward Island, I find in the Estimates this year \$250,000 for the purpose of carrying out the terms of Confederation. I am prepared to support the Government and their expenditure. We have been long looking for it, and if we are to receive \$250,000 for the purpose of carrying out the terms of Confederation, and if we are to receive money for the construction of public works, we must believe the same expenditure should go on in the other Provinces, and we should be prepared to support an expenditure of this kind. While our friends opposite are unable to point to one item in the expenditure which they can say is extravagant, while they have simply with these \$881 cab hire to talk about, they have not proved their case. The hon. member for West Middlesex stated a great increase had taken place in the salaries of postmasters. When the trade of the county is prosperous the revenue at the post offices is increasing. Every hon. gentleman who represents a country constituency knows that fact, and is aware that the postmasters only receive \$10 per annum. This is a mere pittance to give to any person for placing his house at the service of the public; but when the revenue increases the postmaster should be paid 40 per cent. when it goes above \$10. This is increased every year, and if the revenue has increased the postmaster must have an increased salary. I intend to deal with the speech of the hon. member for Queen's, who, this evening, endeavored to decry as much as possible, the Province from which he has the honor to come. It is true, notwithstanding the remarks of the hon. member for North Perth, that Prince Edward Island has not received as great advantages from the National Policy as the other Provinces. Hon. gentlemen will readily understand this. We are a country that is cut off by ice in the winter season from connection with the main land, and consequently manufactures have not grown up. I deny that the National Policy has not had a beneficial effect on our Province. On the contrary, I believe that were it not for the National Policy the Province would be in a worse condition than that in which it is to-day. The hon. gentleman has stated that the Customs duties per head are very much greater than in the other Provinces, and to show how this may occur he made a comparison of the last years' revenue before Confederation with that of last year. Nothing could be more unfair. Previous to Confederation all the goods entered paid duty, those coming from the other Provinces as well as those coming from foreign countries, and the result was that a very large revenue was

raised. But now these goods are manufactured in other parts of the country, by the Canadian people, and we buy them without paying a cent of duty. Before making an assertion of that kind the hon. gentleman should show that the people pay more for their goods now than in 1878; but, on the contrary, in many lines they are sold cheaper. The hon. gentleman went on to say that there was no ship-building on the Island, but this can be accounted for in the same way. Of course the ship-building industry has been declining in that Province, as was stated by the hon. member for Queen's, and it was due to the fact that the material was not to be had there. It must be remembered that the iron ship is to be the ship of the future; that the ships engaged in the shipping trade are now made of iron, and that is one reason of the decline. In reference to the trade of the Island, and his endeavor to make it appear that there was no trade, I will give the number of vessels employed in the different years. In 1878, the number was 6,024; in 1882, 6,174, an increase of 150 under the National Policy. When the hon. gentleman said foreign trade was ruined, and that no vessels came with cargoes from England, he would find, if he looked through the Trade Returns, that in 1877, thirty vessels carried 4,462 tons of freight from the United Kingdom to Prince Edward Island; that in 1878, the number of vessels was forty-five, and the tons of freight 10,600; in 1880, thirty-seven vessels arrived with 7,440 tons of freight; in 1881, thirty-five vessels with 8,012 tons, making a total of 15,452 tons, or an increase of 613. That goes to show that the shipping has not been contracted by the National Policy as the hon. gentleman represents. But he told us there has been a great depreciation in the value of real estate in Prince Edward Island. This is not true to the extent represented. In the towns and villages where there is a depreciation to a limited extent, there was an inflation at the time of the building of the railway, and high expectations were aroused which were not carried out completely, and, consequently, there has been a reaction in value in the towns and villages; and in the farming districts there has been a slight depreciation, due altogether to other reasons than the National Policy. I might state to the hon. gentleman, and he will not deny it, that one reason why there should be a depreciation in the value of real estate in the farming districts is that the hon. gentleman, when he was leader of the Local Government, got direct taxes imposed on real estate. This depreciation resulting from that legislation had commenced before the National Policy was introduced, and if he will take time to enquire he would date it to the passing of his Assessment Act in 1872. At a time when the hon. gentleman had sufficient funds he imposed a direct tax on the farming interests, and so dissatisfied were the farmers that they refused to give him their support. I hope soon to see that the real estate of the country will have risen to its former value. The hon. gentleman has gone on to state that hard times prevail in Prince Edward Island, that the young men are leaving the country in thousands. Now, that is not the fact. Some young men do go away. It is quite impossible to keep all the young men in any Province. They are possessed of a spirit of adventure, and seek to better their position. But I am happy to state that if the young men of Prince Edward Island go away it is not to the United States that they turn their faces, as they did under the rule of hon. gentlemen opposite, but to our own North-West. They do not go to Free Trade England; and if any of them go to the United States it is to a country where there is much greater protection than in Canada. Now, I want to show from the organs supporting hon. gentlemen opposite that hard times do not prevail in Prince Edward Island to the extent that has been represented. The hon. member for Queen's read an extract from the *Herald*, a newspaper that supports the Government.

Mr. HACKETT.

Now, Sir, no quotation from any journal has been read in this House with a purpose so misleading as the extract which the hon. gentleman read this evening. It was for the purpose of deceiving this House as to the fact. The hon. gentleman simply cut out part of an editorial article in the paper. The heading of the article itself showed that it had no relation whatever to the National Policy, but it related to the whole world. The editor was moralizing on the mission of the press, and he said that the Christian press would have a great effect in preventing certain evils. It was a most unfair thing to do on the part of the hon. gentleman, and does not do him any honor. Now, I am going to give you a quotation from one of the papers supporting hon. gentlemen opposite, I mean the *Charlottetown Patriot*, owned and edited by the ex-Governor of the North-West Territories. That hon. gentleman, in his paper of the 1st March, 1883, says:

"Where will you find another 100,000 people in Canada who are better off than the people in Prince Edward Island? I am sure it is not in Nova Scotia, New Brunswick or Quebec."

That is what the ex-Governor of the North-West Territories has to say with regard to the people of Prince Edward Island, and I put that against the garbled extract given to this House by the hon. member for Queen's. But I have an extract from another newspaper, published in the county I represent, and which has been a thick-and-thin supporter of the hon. gentlemen opposite. Here is what the *Summerside Journal*, of 20th March, 1883, says:

SUMMERSIDE'S PROSPECTS FOR 1883.

"We are glad to say that the prospects for our town are better this year than they have been for a long time. A walk through the several ship yards show a marked improvement in that line of industry.

"Hon. John Lefurgy has in his yard the frames for two vessels—one to be about 400 and the other about 1,000 tons.

"The stern post and part of the frame of the former is already in position.

"At the yard of Angus Macmillan, Esq., everything is booming on a small vessel of something over 200 tons, and the frame is being delivered for another about the same size.

"Captain William Richards is preparing a 500-ton barquentine, and judging from the immense amount of lumber in his yard he will have the vessel pretty well on in a short time.

"In addition to the ship-building interest, the Merchants' Bank of Halifax are preparing for the erection of a handsome brick building on the site just east of R. T. Holman's store. This building will likely be one of the best ever erected in our town.

"Then again the probabilities are that tenders will be called ere long for the new Post Office, Custom House and Savings Bank building, followed, no doubt, in a short time, by the buildings being erected.

"With those several improvements, added to which there are and will be many of less importance, we can safely say that Summerside has not been in so prosperous a condition for many years."

I think that is quite sufficient to meet anything advanced by the hon. gentleman opposite, and I am willing to put that against the theories of the hon. gentleman with regard to Free Trade and Protection. But the hon. gentleman says this Government is opposed to Reciprocity. He says that, in listening to the admirable speech of the hon. member for West Middlesex, he was fascinated, but that the Government did not seem to pay much attention to it. Let the hon. gentleman consult the records, and he will find that this Government is not opposed to Reciprocity; on the contrary, he will find a standing invitation to our friends across the border to reciprocate with us. He will find in the Revenue Law of 1879 the following:

"Any or all of the following articles, that is to say, animals of all kinds, green fruit, hay, straw, bran, seeds of all kinds, vegetables (including potatoes and other roots), plants, trees and shrubs, coal and coke, salt, hops, wheat, pease and beans, barley, rye, oats, Indian corn, buckwheat and all other grain, flour of wheat and flour of rye, Indian meal, and oatmeal, and flour or meal of any other grain, butter, cheese, fish (salted or smoked), lard, tallow, meats (salted or smoked), and lumber, may be imported into Canada free of duty, or at a less rate of duty than is provided by this Act, upon Proclamation of the Governor in Council, which may be issued whenever it appears to his satisfaction that similar articles from Canada may be imported into the United States free of duty, or at a rate of duty not exceeding that payable on the same under such Proclamation when imported into Canada."

Now, here is Reciprocity at once. It does not require any legislation, simply an Order in Council. Whenever our friends across the border wish to reciprocate, our Government will be prepared to meet them.

Sir LEONARD TILLEY. It is a standing invitation.

An hon. MEMBER. That is for manufactures.

Mr. HACKETT. No, it does not extend to manufactures. What we want is Reciprocity in the products of the country, in the raw material. The hon. gentleman endeavored to make it appear that because there was an increase of some \$300,000 in the deposits in the savings bank of Charlottetown last year, it was due to the Government debentures that were taken up in 1873. What became of the money from 1873 to 1882? The increase in the deposits was not due to the facts stated by the hon. member for Queen's (Mr. Davies), but to the fact that the farmers of the Island are in a good position, are able to pay their bills at the stores, and when they come to close up their accounts in the fall are able to place to their credit in the savings bank a very comfortable sum. I agree with Mr. Laird, Editor of the Charlottetown *Patriot*, that you cannot get any 100,000 people in Canada more comfortably circumstanced than the people of Prince Edward Island. It is true they have no great amount of wealth, but the people are comfortable, and although you will find in every country some poor people, I say again that the bulk of the farming population are to-day happy, prosperous and contented. The hon. member for Queen's referred to the United States and said that country possessed a variety of soil and climate; and the same point was made by another hon. member. It is true the States have a greater variety of soil and climate than Canada, but it is not true that they have any advantage in this respect over Canada. We have as good a soil and climate as may be required for the purpose of colonizing or promoting the industries in the country. Let the hon. gentleman take the railway from Montreal to Boston. Let him note in Vermont, New Hampshire and Massachusetts, the great manufacturing industries established there. Let him follow the course of the Merrimac and observe the rising towns and villages where the manufacture of cotton, sugar, steel, iron and other articles is being carried on. The soil is not better than with us; in New Hampshire it is very much worse. Travelling through the hilly country you will come to prosperous towns from which the smoke of factories rise. Business, life and activity permeate all classes of the people. The climate is as cold as ours, their soil is no better, their water power is no better, and they are no more talented than our people. The advantage they possess is that their industries have been fostered and protected by a policy such as we have in Canada. We can bring our raw material from the country of growth. Cotton can be brought to Canada and manufactured as well here as in Massachusetts. Raw sugar can be brought here and manufactured, and as the great manufacturing centres of the United States are found in the north, so in a few years under the fostering care of Protection manufactures will be developed in Canada, and we will be able to meet the Americans on their own ground. The hon. member for Queen's has referred to the question of taxation. I was surprised he should have touched that question, because no hon. gentleman has such a bad record in connection with taxation as the hon. gentleman himself. The people of Prince Edward Island, in a moment of temporary insanity, placed him at the head of their affairs. When he assumed the reigns of power he found the exchequer of the country in a good position, there being sufficient money to carry on public affairs, and after he had done so for a year there was a nice sum in the Treasury of thirty or forty thousand dollars. But the hon. gentleman was not satisfied. He wanted to make his mark, and he did so effectually. He imposed an iniquitous assessment tax, one of the worst

ever imposed in any civilized country without a doubt. The hon. gentleman increased the taxes of the people of the Island, who were the most lightly taxed people of Canada. They paid at that time a small acreage tax amounting to \$1 per hundred acres. The hon. gentleman increased the taxes by 300 per cent., viz.: from \$1 to \$3. The hon. gentleman read from Sydney Smith in respect to the burdens of taxation, but there never was a greater burlesque in the history of any country than the system of taxation introduced by the hon. gentleman; and the people of the Island took the first opportunity before his natural term expired to hurl him from power, and I hope he will not come back again to power on the Island. I will not speak further of the hon. gentleman, but I want to say a word with regard to the hon. member for Digby (Mr. Vail), an ex-Minister of the Crown. In the course of his remarks the hon. gentleman said that when the Maritime Provinces entered the Union—I suppose he specially referred to Nova Scotia—that it was on the understanding that the duties should not exceed 15 per cent., and charged the present Government with having enormously increased the taxes. Who broke faith with the Province? The hon. gentleman and his friends found the rate of taxation at 15 per cent., and they made a horizontal advance of 2½ per cent., and thus broke faith. When they made that increase, they taxed our tea, which was free before, and the material for ship building, which had been free before, and made it pay 5 per cent.; and yet the hon. gentleman has the audacity to say that the present Government have broken faith with the people of the Province. Such a charge comes with a very bad grace from the hon. gentleman, as the Government in power from 1874 to 1878 raised the taxes and broke faith with them. The hon. gentleman also said that Nova Scotia is being crushed between the upper and nether mill-stone. Hon. gentlemen are, however, endeavoring to array Province against Province, and to create sectional feeling. They do not wish to weld the Dominion into a solid body, but to bring about divisions which may ultimately split up the Dominion. When the hon. member for West Durham spoke, in 1880, in respect to the Pacific Railway, he endeavored to make it appear that Ontario was the milch cow of the Dominion. Speaking of Nova Scotia, he said:

"For Nova Scotia, the receipts were \$19,112,000; the expenditure, \$21,175,000; the deficit, \$2,063,000. That did not show that Nova Scotia was being ground between the upper and nether mill-stone."

Those are the words of the hon. gentleman's leader, and although the hon. gentleman spoke of Manitoba being bound hand and foot, what did the Opposition leader say? He said that the receipts for Manitoba were \$876,000 and the expenditure \$1,599,000, and the deficit under this head \$723,000; that Manitoba had withdrawn some three-quarters of a million more from the Dominion of Canada than it had paid in; but still he said that it was bound hand and foot, and tossed about by the present Government. Let me now come to the small Province from which I have the honor to come, and I wish to refer to what the hon. gentleman said with regard to what was done in that Province. He stated that the receipts from Prince Edward Island were \$1,596,000, the expenditure \$2,624,000, and the deficit \$1,027,000. Now, I have no confidence in any hon. gentleman who aspires to lead a party in this country, and who endeavors to create sectional feeling, and make it appear that a small Province is extracting more than it has a right to from the larger Provinces—Ontario and Quebec. I do not believe that such an hon. gentleman will deal justly and fairly by a Province, when he rises in his place and takes the responsibility of stating that a Province takes more out of the Dominion than it has paid in. An hon. gentleman across the House referred to the fact that there was an increase in our exports. I find that in 1871—and these figures are taken from the Customs Returns of the Local Government before

Confederation—the total exports of Prince Edward Island amounted to \$1,350,640, while in 1882, a memorandum compiled by the Local Government of the Province, a few days ago, places the whole of the foreign exports, and to the other Provinces of the Dominion, at \$3,052,150, or an increase of \$1,701,490 in ten years. I think that while Prince Edward Island goes on producing at this rate and exporting, they can obtain better prices for their products at present than they got four years ago. Oats, which is a staple on the Island, realize higher prices in the markets of the Maritime Provinces than could be secured across the ocean; and while they can sell their oats, and potatoes, and pork, and butter, and pelts, &c., at higher prices, there can be no fear but that Prince Edward Island must go on progressing. When I see the right hon. gentleman who leads the Government in his place in this House surrounded as he is by colleagues who have always shown a desire to deal justly and fairly by Prince Edward Island, I know that the hon. Minister of Railways, during the five years he was in Opposition in this House, always nobly and manfully battled for the rights of Prince Edward Island, when there was no gentleman in this House who would raise his voice in its favor, although a majority here—a servile majority—supported the Government of the day. That hon. gentleman then contended for our rights; and when I see those hon. gentlemen placing in the Estimates large sums to carry out the terms of Confederation, I have no fear but that they will deal honestly and justly with the Province from which I come. But when I look across the House and find the hon. leader of the Opposition state that Prince Edward Island has taken \$1,227,000 from the Dominion more than it has paid in, and the hon. member for East York (Mr. Mackenzie) stating here that the Dominion had dealt fairly by Prince Edward Island and carried out the Terms of Union to the fullest possible extent, I cannot have any confidence in those hon. gentlemen, and I believe that it would be to the disadvantage and ruin of the Province from which I come if these hon. gentlemen should unfortunately occupy the Treasury benches. We have as good a climate, although it is a little cold in winter, as prevails in any part of the Dominion; we have, I believe, as good, as energetic, as active, and as industrious a people as are to be found in the Dominion of Canada. While we have them there and find the country progressing, and have a Government here willing to deal fairly and justly by us—it should be the prayer of every Prince Edward Islander, that this Government will long continue in power; and when I look over the Dominion of Canada and see benefited, by the fiscal policy of the hon. gentlemen who occupy the Treasury benches, all the industries and trade of this country, and that our trade is increasing; and while I see the people of this country employed, and know that it is the aim and desire of the Government to create employment and foster the industries of the country—I can only hope, Sir, that the day is far distant when there shall be a change in the Administration.

Mr. McMULLEN. I am sorry that the hour is so late, but I shall not occupy the time of the House very long. I simply want, as a new member, and as coming from a rural constituency, to refute some of the statements made with regard to the prices paid by farmers in this country for manufactured goods, as not being increased. I contend that through the Election of 1878, when hon. gentlemen opposite appealed to the country on the promise of the National Policy, it was stated on every hustings, that the produce of the farmer would be increased in price by the introduction of the National Policy; and that our farmers would have the surplus produce of the United States shut out of our markets, that they would reap the advantages of the home market, and that a home market would be created whereby we would get better prices for the produce of the soil; and I contend, that they have not

Mr. HACKETT.

realized this promise, and that the farmers have not received increased prices for their surplus produce in the case of a single item. In place of these increases, he is called upon to pay increased prices for every single thing which he buys. I would like very much to accompany the hon. Finance Minister across the Atlantic, and see him take a cargo of wheat, or barley, or cheese to Liverpool, and offer it to the buyers there, and hear the introductory remarks which he would make in presenting these articles to the people in that market. I presume that he would do so in something after this fashion: "In keeping with the promises made to the agriculturists of this country, where this produce is raised, I wish to say to you, Mr. Buyer, we have there what is called a National Policy, and at the inauguration of that policy we promised the people there to secure to them better prices for the surplus produce of the soil; and I want you, under these circumstances, to give me something in excess of what you ordinarily give for our produce in this market, and place me in a position to return across the Atlantic, to the farmers of Canada and tell them that I have carried out the promises made by me to them and to those who supported me in that country, and to prove to them undoubtedly that the surplus produce of their soil does get a higher price in the Liverpool market, than they could obtain, if the National Policy had never been introduced. I want you to give the increased price asked." Will he do so? No, Sir. Now I contend that it is impossible, by any argument for any hon. gentleman opposite to prove that the farmer reaps any benefit whatever in a single item he has to sell. In the constituency I represent we went over the different items of farm produce, from wheat to oats, barley, peas, cheese and every single item of the produce of the soil; and I say that my opponent failed to prove that in a single instance the farmer gets one cent more under the operations of the National Policy than if it had never been introduced. The next thing to which I want to draw the attention of the House is, that he pays more for everything he buys. It has been stated here that goods are sold now as cheap as they were before 1878; but that is not the question. The question before this House is: are the goods now entering into daily consumption of the farming community, and of the laboring classes of this country, sold as cheap over the retail counter to-day as they would be were there no National Policy? I say that they are not. I will take the article of cotton—of grey cotton, for instance. Prior to the introduction of the National Policy, grey cotton was brought into this country at 17½ per cent. The duty now is 15 per cent., and one cent per square yard specific. Take ordinary cotton, which will cost three pence a yard, or five cents, which would represent 20 yards for \$1. To that you add 15 cts., which will make \$1.15. We will suppose the cloth is ¾ of a yard wide which would make 15 square yards on the 20, and we add 15 cts. more, or in other words 30 per cent. This makes \$1.30 for the 20 yards when laid down here, and this quantity would cost under the old Tariff \$1.17½. I was amused to hear an hon. gentleman state the other evening—I think it was the hon. member for Essex (Mr. Wigle)—that goods are brought into this country and sold as cheaply as they were prior to the introduction of the National Policy. He says he is in the trade and handles these goods, but I would like to ask him this question: If he went to the market of Montreal to buy goods and entered an establishment and asked, at what rate of advance on sterling will you sell me certain goods, the merchant would reply, 17½ per cent. He goes across the way and asks another merchant: At what rate on sterling will you sell? The other merchant replies, 30 per cent. I would like to ask the hon. gentleman which of those merchants he would buy from? Will he take the goods from the man who sells at 17½ per cent. advance, or the man who sells at 30 per cent. advance? Yet these hon. gentlemen will have the assurance to tell the House and the country that this policy

makes no difference in the price. I say that the goods which are sold to, and consumed by, the farmers of this country, are increased in every item. What about cottons? I had a conversation, a few days ago, with a man largely interested in the cotton manufacturing business. I enquired of him how they fixed the price just now. They take imported cottons, say, 33 inches wide; they estimate the texture and the quality, and they put it alongside the goods manufactured in this country, of the same width. They bring out their own manufactured article, and they say at what price it can be sold under the duty. They fix what it would cost the consumer here, and then they say: That is what we will sell ours for. I would like to ask hon. gentlemen if there is any competition in that? There is no cotton factory in this country which does not get orders in advance of what they can fill.

Some hon. MEMBERS. Hear, hear.

Mr. McMULLEN. Hon. gentlemen say "hear, hear;" but that is the very thing that kills competition, and it is the very thing which compels the farmer and the mechanic to pay the outside figure—the last farthing—for every article they consume. I would like the hon. Finance Minister to act upon the suggestion made a few evenings ago with regard to placing the farmers of this country upon the same footing as the manufacturers. If he were to do so, I think it possible that some scheme might be inaugurated whereby the farmers might get some little advantage under the operation of the National Policy. If he were to adopt the suggestion made by the hon. member for South Huron (Mr. McMillan), and give an export bounty on every bushel of wheat, every barrel of flour, every pound of cheese and everything else the farmer exports, then he would bring to our doors the markets of Liverpool, then he would be keeping Canada for the Canadians, and instead of compelling the farmers to send their produce across the Atlantic, they would be able to secure in our own markets the prices they would obtain in Liverpool. I would like to ask how the manufacturers would receive such a suggestion? Why, Sir, you would have the biggest howl that was ever heard, and the largest crowd that ever gathered on Parliament Square to oppose the change. Manufacturers would say: why make the change? Why give us 50 cts. in one pocket while from the other you take 50 cts. by making us pay an increased price for what the farmers have to sell. The fact is the manufacturers must have something which will give them a special advantage, and if the National Policy does not give them that it is of no use to them. Then, as an hon. member stated, a policy which is fair all round would cease to be a protective policy; it would not reach the pockets of the manufacturers to an extent which would satisfy them, and the result would be that they would spurn it. When the various deputations were waiting on the hon. Finance Minister asking for protection to the industries of the country I would like to know who was standing at his other elbow, urging that he should not listen to these men and grant them all they ask. I would like to know who stood by urging the interests of those men who go with their spade to dig their living out of the earth, at \$1.50 a day, to support a family of children, and who, out of that \$1.50, have to pay 10 cts. or 15 cts. to the cotton manufacturer, and the furniture manufacturer, and all the rest of them—a policy which compels them, out of their hard earnings, to sacrifice a certain percentage because certain manufacturers want certain advantages. I say it is an iniquitous, an unjust, and unrighteous law; and I say no honest Government, no honest country, should tolerate a system which compels one man to contribute to the wealth of another against his will, and by force of law. I tell the hon. Finance Minister that his policy is one-sided and that the people will wake up to the fact that it is not in their interests to support it. I know he has a majority at his back and that

the Elections were carried in his favor, but why was that? They went to the country before the Parliament expired and under circumstances which were specially favorable to carrying out the National Policy. They told the people that it was building up this country and making them rich, and the people in their simplicity and under that illusion went to the polls and supported him. But I have no doubt if they had the chance again he would find that there are many men who have opened their eyes, because they have found out that it is not the National Policy that keeps up the price of barley, or wheat, and other articles which the farmer produces. I was amused when hon. gentlemen opposite told us that if our party were ever to occupy the Treasury benches they would have to adopt the National Policy from top to bottom. But it struck me that he should have told us how we should keep the Treasury benches if we gained them. He should have told us that we would have to learn how to gerrymander the constituencies and to take advantage of good times, to go to the country before the people had awoken to the fact that they were laboring under a delusion, and that there has not been time to show the folly and the hollowness of the policy on which he appealed to the country.

Mr. RYKERT. Mowat will tell you how to do that.

Mr. McMULLEN. Mowat never gerrymandered.

Mr. HESSON. Here is a plan of Centre Wellington, and the hon. member represents North Wellington.

Mr. ROSS (Middlesex). How about North Perth.

Mr. HESSON. North Perth is a square riding.

Mr. McMULLEN. I would just say that any remark on the question of the gerrymander would come with better grace from any other member of this House than from the hon. member for North Perth. If there is any man in this House who gerrymandered his constituency to make it undoubtedly certain for himself, it is the hon. member for North Perth. After I was nominated for the representation of North Wellington, that hon. gentleman along with others coolly set apart and attached to my riding a certain township that had formerly given him about 150 majority, and took another township from me. He did that in the hope of defeating me, but he did not succeed.

Some hon. MEMBERS. Order.

Mr. SPEAKER. I hope the hon. gentleman will kindly confine himself to the question under debate.

Mr. McMULLEN. I stand corrected, and I apologize if I erred in departing from the question under discussion. I was amused the other evening in listening to some remarks that fell from the hon. member for Lincoln (Mr. Rykert). I can remember when that hon. gentleman came into the section of the county I represent, and while speaking on the question of building the Canadian Pacific Railway, declared positively that the Government were going to build the railway out of the receipts from the sales of land in the North-West, and that it was not going to cost the people of this country one dollar. I was quite amused the other evening, to notice with what feelings of ecstasy, with what smiles of gratification the hon. member for Lincoln received the announcement from the hon. Finance Minister, that if the people would only submit to the extra strain of taxation he was putting upon them, the Government would be able to build the Canadian Pacific Railway without going abroad for any money, for he would be able to build it out of the taxes the people are now paying. Now, I say, that the people have no right, after submitting themselves to enormous taxation in order to build the Grand Trunk and other railways, to be imposed upon to the extent the hon. Finance Minister intends to tax them, in order to build

the Canadian Pacific Railway. It appears that he is extremely anxious to meet the views of the deputations that call upon him for the purpose of obtaining further increases in the taxes. It appears that there are two items entering largely into the consumption of the farmer and laboring classes, on which he has consented to increase the duties: winceys and the ordinary standard printed goods. If there are any two items upon which the hon. Finance Minister ought to have hesitated to increase the taxes, they are these two. He proposes to increase the duty on cotton goods, because there is a factory to be started for the printing of cottons. Now, I contend that it is quite within the ability of the people of this country to manufacture the coarser goods, such as liens, drillings and duck, in which the quality consists largely in the strength and durability of the goods; but the moment we leave these lines, and undertake the manufacture of printed goods, in which the value consists largely in the style and finish, we cannot manufacture such goods of that class as will meet the demand. There is no one circumstance that will so convince the people of the country of the fallacy of the National Policy as having placed on a counter before them the miserable article, the mere excuse for printed goods, that will be placed before them as the production of this country. Even the United States, although they have been printing goods for thirty years, cannot hope to compete in the same article with England. Although we are so close to the United States, what percentage of this class of goods sold over the counter is imported from the United States? Not 5 per cent. All the printed goods in this country are imported from Great Britain. The United States manufacturers have never been able to reach the style and finish attained by English manufacturers, and it will not be in the lifetime of the youngest member of this House that the printed goods manufactured in Canada will be of that quality to meet the eye of the purchaser. I say the imposition of a protective duty on this article is a mistake, and will be found to be a great burden on the poorer classes of the people. I was rather amused, too, with the remarks made with regard to the desire that was supposed to exist among hon. members on this side of the House for hard times. We have no desire whatever to see hard times. I hope and trust that the predictions made by the hon. Finance Minister, of seven years of prosperity, will be realized by every man in this country. I hope that, like Pharaoh of old, he has been dreaming a dream, and that in the interpretation of his dream he is correct; but I hope we shall not have seven years of bad times after his seven years of good times. If so, I hope he will lay up the corn. He is bound to put on taxes, but, although he had \$6,000,000 of a surplus last year and has \$8,000,000 this year, he has not reduced the taxation, except on such articles as saw-dust; but on the principal staple articles that enter into the consumption of the poorer classes, the taxes remain. Perhaps the hon. gentleman intends to lay up corn; I hope he does, and I hope his prediction will be realized. We do not want hard times, but good times. Hon. gentlemen opposite always point to us as free-traders. It is impossible for us to have Free Trade in this country, where we have a large debt, which is swelling every year; but the true basis of all assessment is the necessities of the country, and the moment you leave that basis and adopt a policy of Protection, that moment you drift upon a sea of difficulties, and the hon. Finance Minister is beginning to find this out. Day after day he is visited by deputations. He announces in his Budget Speech that he is going to make changes in the Tariff, and immediately we read in the papers of meetings in Toronto and in Montreal, and deputations come here to expostulate with him upon his proposed changes. How absurd to say that that policy would be perpetual, for though the hon. Minister has announced to us that he is

Mr. McMULLEN,

not going to make any further changes, yet I venture to predict that next year when he brings down his Budget Speech, he will have some more changes to suggest. Every year, no doubt, all the changes will be in the direction of a step higher, and an additional row added to the height of this National Policy, which will keep growing every year. With regard to the fact that in the United States the National Policy is supreme, the reason is that the manufacturers and those engaged in their manufactories constitute about five-twelfths of the entire voting population, which has become a solid body to resist any reduction of the Tariff. That organized body of five-twelfths control the remaining seven-twelfths, and the result is that any Government which undertakes to interfere with the Protective Tariff, does so at the risk of its life. The manufacturers will receive such benefits from the operation of the policy that they will form one solid mass opposed to any reduction to the burdens of the people, and wielding an irresistible influence over the Government. Talk about the North-West as the wet-nurse of this portion of the Dominion, I tell you that the farmers of this country are the wet-nurses of the National Policy and the manufacturers, and the day will come when the people will find out the great mistake they have made in placing in office the present Government. The farmers are not fairly dealt with under this policy, which promised that their produce would increase in value through its operation, and I defy any of the hon. gentlemen to prove that it has caused any single article of produce to raise in price. The farmers have to pay additional prices for everything they purchase over the counter. I would like to have an opportunity of asking some of those hon. gentlemen who are so positive in their regard for the National Policy, how it is that the price of salt has largely increased? Two years ago we could buy salt at from 75 cts. to 90 cts. a barrel, and now we have to pay \$1.50. The reason of this increase is very simple. The Government, in order to meet the wishes of the salt manufacturers, legislated in their behalf, and the farmer has to pay the difference. That is a fact which no one will dare to deny.

Mr. FARROW. I deny it.

Mr. McMULLEN. You cannot deny it, if you do the farmers will say that you are stating what is not true. I was rather amused with the remarks that dropped from the hon. gentleman who addressed the House from the seat of the hon. Minister of Railways, and was not certain but that possibly his remarks were in the direction of a warning that the Government intended that he should occupy the position of the hon. Minister of Railways. I understand the hon. gentleman comes from the same Province, and I have heard little whispers that he will probably replace the hon. Minister.

Mr. FARROW. I will only occupy the attention of the House with a few remarks in answer to the speech we have just heard. I do not know that I would have troubled myself with noticing the hon. gentleman's remarks if he had not spoken of the salt question. That is an article in which I have a great interest, and which is manufactured in my county and the adjoining county. The hon. gentleman made this plain statement—I took it down—that the farmer does not get a single cent more under the National Policy for anything he has to sell than he did before. Is that correctly taken?

Mr. ROSS. No.

Mr. FARROW. I am glad to be able to state that there is an industry just adjoining the hon. gentleman's riding, situated in the town of Listowel, which is a furniture manufactory and gives in a nutshell an answer to the objections made against the National Policy. What is true in this establishment is true with the others throughout the Pro-

vince, and I will just read statistics connected with this manufactory to show the good work it is doing. In 1878 the manufacturer could only give employment to 53 men in his establishment. In 1882 he employed 131 men. And further, while the wages paid in 1878 were \$1 per day, in 1882 they were \$1.80 a day. The manufacturer said something further: that in 1878 he could find no sale for his goods, but had to store them away, and to hire buildings, barns, and outhouses in order to do so. Since the National Policy was adopted he could not keep pace with the orders, and easily got rid of the accumulations from former years. And these men were working overtime, 14 or 15 hours a day, and still could not keep up. Now, I come to the point. The hon. gentleman said the farmer was not getting a single cent more for anything. What does Mr. Hesson say:

"Farmers that were selling thin elm logs for 60 cents a standard in 1878, in 1882 were getting \$1.25 for them."

Now will that hon. gentleman rise in his seat and say that is not the truth? And how can these men get up and state, as they do state, that the farmer is not getting a cent more for any article he has to sell now than he did before? What confidence can we place in such statements. Now about salt. I acknowledge that salt is dearer to-day than it was a year ago. Salt was sold at a ridiculously low figure eighteen months ago, but the rise is not owing to any duty that has been placed on it. The rise in salt has been about one-fifth greater than it was a year ago. What is the reason of that? It is not because that he listened to me when I tried to coax him to put a duty on the salt coming from Great Britain. We wanted him to do that, but he refused. Salt has risen because fuel has risen and labor has risen. In my own village the price has risen 75 per cent. and labor has risen from 50 to 75 per cent., and the men who were conducting these salt works, finding that they have to pay extra for fuel and for labor, have come to the conclusion that they could not sell salt at the old figures, and hence the rise. But the hon. gentleman takes the farmer under his protection. Now, I am a farmer; he is not a farmer.

An hon. MEMBER. A money-shaver.

Mr. FARROW. I do not know whether he is a money-shaver or a store-keeper. I understand he is a merchant. How is the farmer to-day compared with his position when the hon. gentlemen opposite were in power? First, our tea and coffee were taxed, now they are free. Another commodity used in every farm house, rice, is made cheaper. We find that molasses and syrups are cheaper by about 10 per cent. I have canvassed the neighborhood in which I live, and every lady who manages a household and goes to the store from week to week to buy her groceries, declares that in all her experience in Canada she never knew groceries, cottons, woollens, and everything else the family requires, as cheap as they have been during the *regime* of my hon. friend the Finance Minister. Now, that is the testimony of the ladies of the country, and nothing could be more decisive in favor of the National Policy. But that is not all; the farmer is getting more for his stuff now. Here is a little Blue-book that cost this country a good deal of money; it was compiled last Session. There were nearly three hundred questions submitted to the Reeves of Ontario. Now, the Reeves of Ontario are not all Grits, nor all Tories; they are a mixture of both. They were asked to give their opinion about the rise and fall of the prices of the different articles. This question: Has the price of oats increased? was sent to 228 Reeves, and what do you think they said? 104 said yes, and only 43 said no.

Mr. ROSS (West Middlesex). How many said it was owing to the National Policy?

Mr. FARROW. Ninety-six said corn had increased, and thirteen said it had not. About rye, forty-seven said it had increased in price, and twelve answered "no." Wheat, and

flour from wheat, ninety-nine said it had increased in price, against sixty-three that said "no." And so I might go on through the whole list. The testimony from first to last is that the farmer had been benefited by the National Policy. I notice that the hon. gentlemen opposite like to take the farmer under their wing, but I guess when they get him into their law offices they squeeze him pretty well, and he knows it, too. This debate has been noticeable to me in one particular. They have been talking about the low price of grain this season. It has been fluctuating up and down, they said. They spoke of wheat, barley, and other grains. Take pease. I raised a great many hundred bushels of pease last year. I took them to market and got a first-class price for them. Oats brought a good price. Take clover seed. Last year it was \$4.25 a bushel, to-day it is \$10. Pork and dressed hogs are enormously high. What about eggs?—and, as a practical farmer, I want just to tell the facts about eggs. It has been contended that the hon. Finance Minister did not make the hens lay more eggs. I contend that he did, and I will prove it. During the time hon. gentlemen opposite were in office farmers kept a few of the common breed of hens; they took no care of them, because the eggs were worth practically nothing. So soon as the present Finance Minister took office eggs attained a good price, and farmers began to see that they must obtain better breeds that would lay more eggs. Such were obtained, and the hens were better fed, so that they laid right through winter, and when spring came there was the multiplication of eggs. This is no small matter when it is remembered that eggs in Ottawa to-day are worth 25 cts. a dozen. Then with regard to the fattening of pigs. When the hon. gentlemen opposite were in power pork was so low in price that it was not worth while for a farmer to properly feed his hogs, and he felt that every bushel of peas he fed was equal to giving them away. Now, the farmers feed them three times a day, and hogs may be seen on the Ottawa market 800 lbs. in weight. Therefore, are not only the hens laying better but the hogs are fattening better. Cows also give more milk. If you starve a cow through winter, you need not expect much milk or butter. It was not worth while under the old Government to feed a cow well. When the present Government came into power farmers wives soon found that the cows must be fed better and that they could be made profitable with butter at 25 cts. a pound and milk at 10 cts. a quart. Thanks should be given to the Finance Minister, because he had actually made the hens lay more eggs, the pigs to fatten better and the cows to give more milk and butter. I was astonished to hear the hon. member for South Huron (Mr. McMillan) declare that under the Mackenzie Administration farm implements came in free. Every member of this House who makes any pretence to be a legislator should know that they paid a duty of 17½ per cent.; yet the House has been compelled to listen to such trash day after day, and week after week. Hon. gentlemen are standing in their own light, and if they expect ever to come into power they must adopt this very policy, and if they had succeeded at the last Election very little change would have been made in the Tariff. The hon. leader of the Opposition made a statement to that effect before the Elections. They have just said: Oh, we will get into power, and find this order of things established; the people seem to be pretty well satisfied with it, and we will keep right on this track; and that would have been the last of it. We ought not to find fault with these hon. gentlemen for talking by the hour, as they are doing, as it is helping us every time and every day; and I am sure, that if they cannot see this they cannot see very far ahead of them. They cannot forecast things much.

Mr. WATSON. I rise to make a few statements in the hearing of the hon. Finance Minister with regard to the

duty on agricultural implements, which greatly interests Manitoba. I do not think I will take up any time in replying to the hon. gentleman from North Huron as to when hens lay best, or as to whether the cows give more milk now than before the National Policy was established; but I will confine myself to agricultural implements. This question has been argued, and strongly, here by hon. gentlemen on both sides of the House, both for and against, and it appears to be necessary for a member to leave home in order to learn what are the interests of his constituents. We find hon. gentlemen stating here that it is right to increase this duty, while the members of the Opposition claim the contrary; and several statements have been made by the hon. Finance Minister to the effect that our country is made a slaughter market by the Americans, for these implements; but this statement is not correct. The American machines are sold in Manitoba in all cases at higher figures than are Canadian machines; and consequently there is no slaughter market. I have a list of the prices in Minnesota and Manitoba, and I find that a self-binder costs \$85 more in Manitoba than in Minnesota; a reaper, \$35 more; a sulky plough, \$23.50 more; a Walker plough, \$5.30 more; and seeders, \$13.60 more. An hon. gentleman has stated, that in the future the North-West will pay off the whole debt of the Dominion. I think that the Government should then do all in their power to encourage its settlement, as that cannot be done until it is settled and the country is cultivated. I am not here to state that we have not as good natural inducements to offer immigrants, as they have in Minnesota or Dakota. I believe that we have greater natural inducements than those regions possess; and if we have any fair chance of supplying immigrants and settlers with the necessaries of life, and the implements to cultivate the land, we certainly ought to settle up the North-West a great deal quicker than our neighbors to the south of us can settle their vacant lands; but I regret to say, we are in such a position, that we find we have very strong competitors in our neighbors to the south, even supposing that we have more natural advantages. They have inducements to offer which we lack; for instance, the price of lumber and agricultural implements are higher with us, while better prices are paid for grain in the States. The *Winnipeg Times* gives the following quotations on the 4th inst. —

Winnipeg.		Minneapolis.	
GRAIN.			
Wheat .....	\$0 75 to \$0 78	Wheat .....	\$1 11 to \$0 00
Oats .....	0 38 to 0 49	Oats .....	0 40 to 0 42
Barley .....	0 45 to 0 48	Barley .....	0 66 to 0 60
LUMBER.			
Common boards .....	\$30 00	Common boards .....	\$15 50
Sheeting .....	30 00	Sheeting .....	13 50
Timber, joists & dimensions	30 00	Timber, joists & dimensions	18 50
Shingles .....	5 00	Shingles .....	3 25
Laths .....	5 00	Laths .....	3 00
COAL.			
Hard coal .....	\$15 00	Hard coal .....	\$10 00
Soft coal .....	12 00	Soft coal .....	9 00

This paper, which is the organ of the Government in Winnipeg, also goes on to say:

"The relative prices of these commodities tell still more heavily against the North-West in the districts remote from railroad communication. Minnesota and Dakota being older and more populous regions than this have more railroads, and therefore better rural markets. Before long, of course, we shall be as well off as they in all these important respects; meanwhile is it wise for the Government, by increasing the duty on agricultural implements, to increase the temporary disadvantages under which the North-West labors? This is not a political question; it is a case of life or death with this region."

This evidently is not published in a partisan sense, and is worthy of consideration. The hon. Finance Minister might well be enlightened with regard to the quality of agricul-

Mr. WATSON.

tural implements. The Americans have had certainly a longer time, and a greater experience in the manufacture of agricultural implements for a prairie country, and it would be naturally supposed that they can make better implements than the Canadians can. I am not here to state that the Canadian manufacturers are not capable of manufacturing, or have not enough ingenuity to manufacture machinery. I think they have, but at the same time the first lot of these implements which was sent up from Ontario to us, after the Tariff was increased in 1878, did a great deal of harm to the Ontario manufacturers. The work was slighted, waggons were made out of green lumber, and this was also the case with agricultural implements. Since that time it has been hard to place Canadian implements in the market in competition with American implements. There is one article in particular as to which I know the Canadian manufacturers cannot at all compete with the Americans, and that is ploughs. I know there are hundreds of ploughs made by Canadian manufacturers which are stacked up in different parts of Manitoba, which can be bought at 25 cts. on the dollar of their cost, and it is only the most inexperienced settlers that purchase ploughs of this kind. With regard to the deputation from Winnipeg and from the agricultural implement manufacturers of Ontario who waited on the hon. Finance Minister, I am in a position to state that, with perhaps one or two exceptions, every Canadian manufacturer who sells goods in Manitoba, handles some class of American goods, along with the Canadian goods which he sells. One firm last year brought in 144 self-binding reapers. These will not be found in the Trade and Navigation Returns, because they were shipped after the 30th June; and when these returns are made it will be seen that the importations into that country are much greater than is generally supposed. Another fact which I would like to mention is this: that I do not believe that the manufacturers of Ontario can supply the North-West, and that is one of the reasons why I think the hon. Finance Minister should not increase the duties on agricultural implements going into that country. I know that 250 self-binders were imported last year, but still the demand was greater than the supply, and all those machines were in use in taking off the crop. What would have been the case if the duty had been increased 10 or 15 per cent. last year? The result would have been either that they would have paid so much more for machines, or their crops would have rotted in the fields. I hope and trust that the hon. Finance Minister will do a favor to the settlers of that country and not impose this additional 10 per cent. duty on agricultural implements, especially as so far the North-West has not been made a slaughter market for these goods. As remarks which are made on this side of the House are taken to be of a partisan character, I will read an extract from the *Winnipeg Times*, of the 9th of April, on the subject of this duty. It has been stated that the hon. gentleman believes in the greatest good to the greatest number, and that is the principle in which I believe, and which I am advocating now. I am advocating the interests of the great number of farmers who will settle in the North-West this year against the interests of a few Ontario manufacturers. The *Times* said:

"It is telegraphed that when a protest was entered in the House of Commons by a Manitoba member against the proposed increase of duty on agricultural implements, the Finance Minister laughed sarcastically."

"Sir Leonard's laugh was ill-timed. This is probably a more serious business than he imagines. Nature, a more potent ruler than any New Brunswick statesman, has placed nearly a thousand miles of rock between us and Ontario. She has decreed, too, that our most convenient markets are St Paul and Chicago. The Eastern Provinces ought to treat this region not as satrapy to be over-run by their carpet-baggers, but rather as a distant sister in the Confederation entitled, if not to special consideration, at least to decent treatment. The North-West taxpayers owe nothing to the taxpayers in the East. Old Canada paid \$1,500,000 for the extinguishment of the Hudson's Bay title here, but she borrowed the money; and we are paying our share of the interest on it in the proportion of \$16 to the \$5 paid in Customs duties

by our friends below. The Dominion is building the Canadian Pacific, but, according to the same Customs returns, we are paying more than thrice an equal division of the cash subsidy. True, it is a national work which benefits us more than the Eastern people; but, then, we are paying more than our fair proportion of the interest on the vast debts contracted for the construction of public works in the East, which do not and never will enrich us to the value of one cent. We owe the East nothing, and why we should be taxed to enrich the East is a question Sir Leonard cannot down by any amount of 'sarcastic laughter.'

"The fact that the Finance Minister was cajoled into suggesting an increase in the duties by the Ontario implement makers, and that he did not think it worth while to ask the Manitoba members how it would suit their people, is not highly creditable to him. His first and highest consideration ought to have been for the settler. The settler is a much more numerous person than the Ontario manufacturer, and, what is more, on him, not on the Ontario manufacturer, turns the destiny of the North-West. Our settlers, under the most favorable circumstances, have a hard life of it; and that Sir Leonard should deliberately increase the taxes on the necessities of farm life is not evidence of superior statesmanship. It may suit the Ontario manufacturer, but he is not our king, and we owe him no tribute. The increase of this duty would kindle a feeling of hostility to Eastern Canada which Sir Leonard would not be able to smother by any concessions the troublous future might wring from him. It appears, however, from our Ottawa despatches to-day, that the Finance Minister is carefully reconsidering the proposal."

I am sorry to learn, from what I have heard here to-night, that the hon. Finance Minister is not likely to reconsider this matter, for he put it pretty strongly in his speech, and he accused the implement dealers who handled these American implements of receiving a consideration for so doing.

Mr. BOWELL. Did these agents act for these American manufacturers for nothing?

Mr. WATSON. I do not think so, but that is not what the hon. Finance Minister meant. The inference I draw from his remarks was that they were paid more for handling these machines in Canada, so as to make it a slaughter market, than they could get from the Canadian manufacturer for handling his machines. The firm most interested in those machines is one which has purchased \$370,000 worth of American machines for the coming season. The firm which purchased those machines, which he has referred to as probably receiving a consideration, do not sell on commission; they buy them and sell them out on their own responsibility. That firm is one of the most respectable and responsible firms in the North-West, and the men who compose it give their customers good satisfaction. I believe their business is one of the largest in the North-West. I hope the Finance Minister will consider whether he should not encourage the immigrants who go into the North-West by giving them all the facilities in his power, such as giving them their agricultural implements at the lowest possible rate and giving them also, as I think he should, a reduction of the duty on lumber. I do not think it is a good policy for a Government, after spending money in taking immigrants into a country, to put obstacles in the way which will counteract every encouragement extended to them.

Mr. BOWELL. I would like to ask the hon. gentleman if responsible parties in Winnipeg were not offering to furnish the council of that city with any quantity of lumber they required at \$24.95 per thousand, or, without certain handling, at \$23.95.

Mr. WATSON. I suppose a dealer in lumber can get lumber for \$24, and he would be quite willing to sell a large quantity, perhaps 1,000,000 feet, to the city of Winnipeg at a slight advance. But I am talking in the interest of the settler and not that of the large dealer.

Sir LEONARD TILLEY moved that the House do now resolve itself into Committee on the following resolution:—

1. Resolved.—That it is expedient to amend Schedule B of the said Acts by the following alterations therein and additions thereto:

After the word "Agates" strike out the word "unmanufactured," and insert the words "rubies, pearls, sapphires, emeralds, garnets and opals, not polished nor otherwise manufactured." After the words "Aniline dyes" add the words "in bulk or packages of not less than one pound weight."

Mineral Waters, natural—"Under regulations to be made by the Minister of Customs."

After the words "Celluloid or Xyolite in sheets" add the words "lumps or blocks."

Under the heading "Colors, dry" strike out the words "blanc fixe" and "Mayacca" and add the words "Metallic Colors, viz: Cobalt, Zinc and Tin."

Diamond Drills, for prospecting for minerals.

Dye, jet black.

Kainite or German Potash Salts for fertilizers.

Under the heading "Lumber and Timber," after the word "Chestnut," and before the word "Mahogany," insert the word "Gumwood," and after the closing word "manufactured" add the words, "and sawdust of the same, provided that Hickory lumber, sawn to shape for spokes of wheels, but not further manufactured, shall be also free."

Under the heading "Settlers' Effects," after the words "removal to Canada," and before the words "not to include," insert the words "Musical instruments, domestic sewing machines, live stock, carts and other vehicles, and agricultural implements in use by the settler for at least one year before his removal to Canada," and after the word "machinery" strike out the words "or live stock," and after the words "entered as Settlers' Effects," and before the words "shall not be sold," insert the words "cannot be so entered unless brought with the Settler on his first arrival, and"

So much of Schedule A as imposes any duty of Customs on the following goods is hereby repealed, and the same are added to Schedule B of Free Goods, viz.: Asphaltum.

Books, bound, which shall have been printed more than seven years at the date of importation except that foreign reprints of English copyrighted books shall be subject to the Copyright duty.

Books printed by any Government, or by any Scientific Association, or other Society now existing for the promotion of learning and letters issued in the course of their proceedings and not for the purpose of trade.

Chronometers and Compasses for ships.

Copper, in sheets.

Hatters' Plush of silk or cotton.

Iron and Steel, old and scrap.

Iron beams, sheets or plates and knees for iron or composite ships.

Iron, crude.

Manuscripts.

Marble, in blocks from the quarry in the rough, or sawn on two sides only, and not specially shapen, containing fifteen cubic feet or over.

Newspapers, after the word "Magazines," and before the word "unbound," add "and weekly literary papers."

Ottar of Roses.

Platinum Wire.

Seeds, Anise, Coriander, Cardimon, Fennel and Fenugruk.

Spurs and Stilts, used in the manufacture of earthenware.

Sausage Skins or Casings, not cleaned.

Valerian Root.

Wire of brass or copper, round or flat.

Wire of iron or steel, galvanized or tinned, fifteen gauge or smaller.

Wire of spring steel, coppered, for the manufacture of mattresses, number nine gauge and smaller

Strike out the item concerning "Steel in ingots, bars, sheets and coils, railway bars and fish-plates," and insert the following:— Steel railway bars or rails, and fish-plates, and in sheets for the manufacture of saws.

Motion agreed to; and the House resolved itself into Committee of Ways and Means.

(In the Committee.)

Sir LEONARD TILLEY. I propose to make two or three slight alterations. Aniline dyes in packages of 5 lbs. and upwards were to be free; but we find that a large portion of the packages imported are 1 lb. packages, and these we propose to admit free. I propose also to add to "wire of spring steel, coppered, for the manufacture of mattresses." No 9 gauge and smaller, and to place weekly literary papers on the Free List.

Mr. BLAKE. There are a number of these items on which I do not wish to make any observations at all, but the item of books and that of steel railway bars and railway fish-plates, I wish to have an opportunity of discussing. Perhaps the hon. gentleman would pass those items that will not involve discussion and allow these to stand.

Mr. PATERSON (Brant). What will be the loss of revenue resulting from these changes.

Sir LEONARD TILLEY. About \$75,000 or \$80,000, as a result of placing these articles on the Free List. These re-

solutions cannot be separated, and I would suggest that they be carried in Committee to-night, and that the discussion take place on concurrence.

Mr. BLAKE. If it is understood that the discussion will be as free as in Committee.

Sir LEONARD TILLEY. Yes; I can promise that there will be every opportunity afforded for discussion. There are certain proprietary medicines which are now sent in in bulk, and bottled at the price they cost, and the Department cannot get at the value without having the proprietary name attached so as to ascertain the correct value.

Resolution agreed to, and ordered to be reported.

Mr. BLAKE. Would the hon. gentleman state generally, what changes he proposes to make in the other resolutions?

Sir LEONARD TILLEY. The changes are, as I stated, children's carriages, named as they are in the printed list, to be 35 per cent. With reference to wool and muslins, it is proposed to increase the weight of the goods from three ounces to three and a-half the line yard. All agricultural implements that paid specific and *ad valorem* duty equivalent to 35 per cent. are changed. Gloves, leather, buck, deer, elk and antelope is to be placed on the 10 per cent. list, but sheep, kid and lamb are to be struck out. Files are to be made 35 per cent. specific and *ad valorem*. Portable steam engines, 35 per cent. Jams are to pay 5 cts. per lb.

Sir LEONARD TILLEY moved the adjournment of the House.

Motion agreed to; and (at 1:40 o'clock a.m.) the House adjourned.

## HOUSE OF COMMONS,

MONDAY, 16th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### GRAND TRUNK AND NORTH SHORE RAILWAYS AMALGAMATION BILL.

Mr. COLBY moved that the petition presented this day from the Grand Trunk Railway Company, asking leave to present a petition for a Private Bill, notwithstanding the expiration of the time for the presentation of such petitions, be now read and received, and referred to the Committee on Standing Orders.

Mr. BLAKE. Perhaps the hon. gentleman will explain.

Mr. COLBY. It appears, by the petition which I have moved to be read, that the Grand Trunk Railway Company, on 10th March last, entered into a traffic arrangement with the North Shore Railway Company for a period of twenty-one years, the period limited by the General Railway Act; but there was a proviso in the arrangement that it should be extended for a period of fifty years provided Parliamentary sanction could be obtained. That arrangement was confirmed by the stockholders of the Grand Trunk Railway in England on 29th March, and was only confirmed by the shareholders of the North Shore Railway Company on Friday last. This is, therefore, the first day on which the petition could be presented. It has been represented to me that, in the public interests, as well as in the interests of the companies, there should be a Private Bill introduced to enable them to extend the period of the arrangement to fifty years as arranged between the contracting parties.

Sir JOHN A. MACDONALD. There is no objection.

Motion agreed to; and petition read:  
by LEONARD TILLEY.

### THE LIBRARY OF PARLIAMENT.

Mr. COLBY, in moving that the First Report of the Joint Committee on the Library of Parliament be concurred in, said: The report will be found in Votes and Proceedings (No. 38) of 6th April. The important features in the report are the following: The Committee make a recommendation in regard to the Library of the Supreme Court. By an arrangement entered into last Session a considerable portion of the Supreme Court Library has already been removed from the Library of Parliament to the Library in connection with the Supreme Court building. The Committee are of opinion that the two libraries should be kept distinct, but that such law books, text books and such books as are convenient for reference by members, during the Session of Parliament, should be retained in this Library; that a separation and discrimination should be exercised by which those books which are peculiarly needed in connection with the Supreme Court would be transferred to that building, but those books which are convenient for reference by members would be retained here. The Committee also call attention to the fact that the Library grant of former years is quite insufficient. Since the establishment of the Supreme Court a very large portion of the annual appropriation has been expended on the purchase of books which are necessary for that court, so that of the whole appropriation—I think for a period of five or six years—not more than \$2,500 have been available for general literature, the consequence of which is that the Library is evidently retrograding, and it is evident if the Library of Parliament is to be kept in a respectable condition an increased appropriation must be had. The Committee also call attention to the fact that there are certain books relating to North America which are now in existence, but which are rapidly going out of existence; and they deem it advisable that an appropriation for a limited period should be made for the purpose of securing from time to time such books as would shortly go out of print, and not be available on any terms, and with a view to keeping them in the small rooms, not to be taken out under any condition, but placed among our permanent records for historical purposes. The Committee also call attention to the application of the Clerk of the House, Mr. Bourinot, who has, during the last few years, been engaged in the preparation of a very important book, a work that will be very useful to Members of Parliament and others. We have a very excellent book by Mr. Todd, on the Law of Parliament, but none for convenient reference on the Procedure of Parliament. The Committee recommend that a limited number of copies be purchased in order to enable Mr. Bourinot to proceed with the publication of his work. These are the salient features of the report.

Sir JOHN A. MACDONALD I take a little blame to myself for not having been able to consider this report before. I had promised my hon. friend who now moves concurrence in the report that I would do so. My engagements have been such that I have not been able to consider it, nor yet the Government. Some of the recommendations bring up the question which will have to be undertaken and considered at a very early day. Our Library is neither the one thing nor the other just now. It is not a British Museum, or a Canadian Museum, or a National Library. It falls as it were, between two stools. I may say the same thing, however, with regard to the great Library at Washington. It is assumed from the number of the volumes, that it has the character of a National Library, and yet it is commonly, and technically, merely a Parliamentary Library. Now our selection of books is far too great to be considered a Parliamentary Library, which should be a collection of works to assist Members of Parliament to perform their duties intelligently—books of reference, books containing all the information necessary for legislators;

that is the idea in England, where the Parliamentary Library, which is used by the two Houses, the House of Peers and the House of Commons, is one distinctly of reference. A Member of Parliament wanting information on any possible subject, to which his attention may be called as a legislator, will find it in the Parliamentary Library; but the general collection of books, and the Library of the nation, is the British Museum. We will have to face that subject very soon. Our Library is a very good, a very respectable Library, and considering the misfortunes we have suffered, in having our Library twice destroyed in my recollection, twice burned, it is a very creditable collection of books, and it is really worthy of the name of a Library. I would ask my hon. friend to allow this matter to stand over for a few days more. I think that we ought now, having to some extent curtailed the unauthorised expenditure of the Library Committee, and having reduced the debt, to be really in a position to add materially to the Library; but still every addition we make of every volume in science, literature, and art, &c., that does not belong to a Parliamentary Library, but belongs to the national branch of the question, and I think that this we will have to consider. Perhaps the Library Committee will take up that question; because we ought really to have—the Dominion of Canada really ought to have—a National Library, containing every book worthy of being kept on the shelves of a Library, but we cannot be continually adding to these buildings, and to Parliamentary Libraries. It ought to be quite a separate and distinct question, which should be taken up at an early day. As this matter involves a not inconsiderable vote of money, I would ask my hon. friend to allow it to stand over for a few days.

Mr. BLAKE. Of course, there is no objection to the motion standing over; but the hon. gentleman appears to be under some misapprehension as to the question, that this involves an increased expenditure beyond the proposals of the Government contained in the Estimates before us. The propositions are three-fold, and it is well that the House should understand them: first, that the Law Library, strictly so-called, beyond the books essential to the discharge of our Parliamentary duties, should be entirely now—as in bulk it is—in charge of the Supreme Court and of the Department of Justice; that the hon. gentleman will agree is within the theory of his remarks.

Sir JOHN A. MACDONALD. Yes.

Mr. BLAKE. It is not part of the Library of Parliament, and belongs to something else. It was the Supreme Court which gave birth to the great additions made to it. The Government have gone a long way in this direction, because they have put a vote in the Estimates for an addition to that Library separately. I observe also that they have put another vote in the Estimates for an addition to the Departmental Library of the Department of Justice; and I may venture to suggest now—and it will be better at this time, if our plan and the plan of the Library Committee is adopted—that the Department of Justice ought not to attempt to obtain a separate library for its purposes. I quite agree it is fit, for the Department of Justice, that there should be in it those few volumes which are constantly required in it—ready reference books.

Sir JOHN A. MACDONALD. Yes.

Mr. BLAKE. For every day use; but a Law Library is of no use for enquiry unless it is a complete library.

Sir JOHN A. MACDONALD. Hear, hear.

Mr. BLAKE. It is just the book which is missing that you want; and if anything wants to be looked into, the officers of the Department have to go down to the big Law Library and delve into that; so I do not, myself, see any present objection to what I know of it. The Department of Justice advises the expenditure of \$1,000 a year for books

for its library, which will have to be duplicated below—so much for law; then the Government proposes \$10,000 as a grant. Now, all we propose is that there should be \$10,000 as a general grant, and \$2,000 a year for five years, to be voted especially to those books on North America which are badly wanted, but are not current volumes, not coming out every year. Owing to the losses and misfortunes to which the hon. gentleman has referred, partly owing to the very great shrinkage which has taken place in the Library votes of late years, we are as a Library, as many of us know, shamefully defective in books of interest concerning the history of the North American Continent, and I think that those books, in view of our duties as Members of Parliament, ought to be supplied. It turns out, from the information we have been able to get, that these books can be obtained now only occasionally at sales, and through casual circumstances, and we propose that this particular vote shall be available for that; and above all, to that particular purpose, as occasion arises, to complete the North American department of the Library. For the rest of the \$10,000, which is the vote that the Government propose in the Estimates, the Library Committee propose \$10,000 a year; and so the whole of our proposals may be said to go beyond the proposals of the Government only to the extent of the North American vote, \$2,000 a year.

Mr. CAMERON (Victoria). Do I understand it is suggested that the Law Library is to be removed to the Supreme Court?

Mr. BLAKE. Yes.

Mr. CAMERON. I think it would be extremely inconvenient if all the law books are to be taken away from here and to be sent down there.

Mr. BLAKE. All the law books are not to be removed. I am sorry that my hon. friend has not read the report. I may say to Members of Parliament, who, as members of the legal profession, require more particular reference to these works, it is proposed that the books wanted in a Constitutional Library and a Library of Parliament shall be retained here, and that such further books that are occasionally wanted by Members of Parliament shall be removed to the Supreme Court, as also the books that are wanted by Members of Parliament who may want them here to carry on their legal business, here. All the books ordinarily required for the use of hon. members for the business of Parliament will be kept in the Library of Parliament, but for the rest hon. members will have a preferential right of access to the Library of the Supreme Court.

Sir JOHN A. MACDONALD. I would like to ask the hon. gentleman whether the Committee have really considered the question of having a National Library as one distinct from the Library connected with the Buildings.

Mr. BLAKE. I am not the spokesman of the Committee. My hon. friend from Stanstead acts as its spokesman; but I may say that the Library Committee did not think it was within its province to propose the creation of a National Library.

#### FIRST READING.

Sir JOHN A. MACDONALD introduced Bill (No. 103) respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations.—(From the Senate.)

Bill read the first time.

#### THIRD READING.

The following Bill was considered in Committee, reported, and read the third time and passed:—

Bill (No. 79) to incorporate the Davis and Lawrence Manufacturing Company.—(Mr. Curran.)

LOYAL ORANGE ASSOCIATION OF BRITISH AMERICA.

Mr. WHITE (Hastings), in moving the second reading of Bill (No. 87) to incorporate the Loyal Orange Association of British America, said: In moving the second reading of this Bill, I wish to say a few words by way of explanation. When I first introduced the Bill to the House, I, perhaps, spoke a little hastily in my remarks in reply to the motion made by the hon. member for East Montreal (Mr. Coursol). He left the impression on my mind that he was going to move the six months' hoist of the Bill. I may be wrong, I may have misunderstood him, and if I have I regret that I said that the motion was cowardly. I do not wish to make a remark on this question that will offend or injure the feelings of any hon. member of this House. I might say further, that this Bill is not in my hands to be moved in this honorable House by my wish, for when I was asked to take charge of the Bill I advised the promoters to put it into the hands of a member better qualified than myself to bring it before this honorable House. I advised them to put it in the hands of the hon. member for Simcoe (Mr. Mc Carthy) or the hon. member for North Victoria (Mr. Cameron), or the hon. member for Lincoln (Mr. Rykert). I believe that either of these hon. gentlemen could have brought this matter before Parliament a great deal better than I can do. I believe that their force of character, their industry, and their moderation were such as would enable them to promote the Bill much better than I possibly can do. I had no other object in view, when I advised that the Bill should be handed to them, than its promotion and advancement; and that it should be placed on the Statute-book of the country. We had a Bill placed before the Local Parliament of the Province of Ontario. That Bill passed through the different stages necessary for it to become law, but according to the Rules and the usages it was necessary to have the Governor assent to the Bill, and that assent was reserved. A similar Bill was moved and became law in the Province of New Brunswick; one was passed and is law in the Province of Nova Scotia; one was passed, but has not become law, in the Province of Prince Edward Island, the Lieut.-Governor reserving his right to put his signature to the Bill. I may also say that during the past year a Bill somewhat similar to the present Bill passed the Legislature of Manitoba. When that Bill was brought before that honorable House, the Catholic members there asked the advice of those who held prominent positions in their church, who advised them not to oppose the Bill—and I must say that that was a kind and sympathetic act on the part of Archbishop Taché. Although that great and wise man advised the passage of the Bill, the Lieut.-Governor, it is said, by the advice of the present hon. First Minister of that Province, declined to put his signature to the Bill, so that it has not become law in that Province. Some years ago a Bill similar to this present Bill came before the old Parliament of Upper and Lower Canada, and in the list of those who voted for that Bill, I find the names of Sir George E. Cartier, Sir John A. Macdonald, the hon. Mr. Brown, and others. With regard to the hon. Mr. Brown, we all regret that he was carried hence by the assassin's bullet, and that he is not to-day living to assist, by his pen and his eloquent tongue, in carrying on the affairs of this country, and to warn the Government of the day to discharge its duties in the interest of this vast country. He was certainly a man who knew what was necessary for the interests of all parties, and he wished the country governed wisely and well. Let me also say of the hon. leader of the present Government that a great deal of his success in life has been due to the fact that he has always been anxious to do justice to all parties in order that this country might be prosperous, happy and contented. We must not forget that the late Sir George

Sir JOHN A. MACDONALD.

Cartier, not only voted for the introduction of the Bill, but that he voted for it twice on the same day; and I have yet to learn that Sir George Cartier was not in reality a true-hearted Frenchman, anxious to promote the best interests of the church of his choice; that he was not anxious to promote the interests of the people who spoke the same language as himself; that he was not capable at all times to discharge his duties in the best interests of the Province of Quebec. But, Mr. Speaker, I regret to learn that very few from that Province to-day, speaking the same language, having faith in the same church, are going to support the second reading of the Bill now before this honorable House. Be that as it may with these hon. members, I am not going to have any difference, they have a right to do as they think best; but the same privilege should be accorded to us. Many hon. gentlemen think that I hold an office for the society for which I am speaking. That is not correct. I am one of the humblest members of it; I do not hold any office in connection with it, nor have I held any for the last five years, and I am confident that it will be a long time before I shall do so. Not that I would shrink from the responsibility, but I have not the time to attend to the duties of the institution. But what do we ask this honorable House? What do we ask the representatives of the people of the country. We ask the right, as I said when I last addressed this House, to buy a piece of land; the right to buy lumber or other material, to erect a building in which to hold our meetings; we ask that when we get through with that building, we may, by the vote of a majority of the members, sell it, or employ it in whatever way we think best—and I am confident that the proceeds from the sale of any building would be placed in a fund for the support of the orphans and widows of members of the society. Mr. Speaker, why should we be refused this? I ask any hon. gentleman—I care not what Province he comes from, or what political party he belongs to, or what church he worships in—I ask him why, in the name of common sense, should any party of men, sworn to be loyal to the Queen and to be true to the Constitution, who pay taxes, who support the Government of the country, and who are ready at all times to go forth to defend the homes and fire-sides of the people of the country—why should they be deprived of the right to hold a piece of property for their own use, when they are ready to pay for it, and to pay the taxes upon it? If this measure is refused, there must be some secret reason for the refusal. Many hon. gentlemen have said to me that I must speak very cautiously on this matter—that I must use language that will not offend. One of the principles of our institution is to be slow to take offence, and to give none. I trust not to use a word in this discussion that will offend anyone; but let me make this remark, that we wish to know who is for us and who is against us. Mr. Speaker, we have a right to come to the Parliament of Canada, and to ask the House to give us this right. If it is refused, we want to know who refuses it, and why it is refused. I trust that this honorable House, or a majority of it, will grant what is asked for by the society of which I am a member; and I trust that it will do it in a manner that will leave us to feel that the Parliament of Canada is an independent Parliament, composed of true, honest and free men, prepared to do justice to all parties alike. I will now just move, seconded by Mr. O'Brien, that the Bill to incorporate the Loyal Orange Association of British America be read the second time.

Mr. CURRAN. I feel, Sir, very fully indeed, the responsibility that weighs upon me, not only as a representative of the people, occupying a seat in this Parliament, but as a citizen of the Dominion, in rising to oppose the second reading of this Bill, which has been proposed by the hon. gentleman who has just resumed his seat. Those who

have witnessed what has taken place, not only here but elsewhere—those who have heard the conversations that have been going on, and have followed the tone of the press since this matter was first mooted, must be, and are, aware that a very deep feeling exists in the minds of a large section of our people with reference to this Bill. Previous to opening our proceedings to-day, we called down upon our deliberations the blessings of Heaven. We asked for light, we asked for purity of heart, and patriotic aspirations; and I, for one, trust that, in the few observations I will have to make during the course of this debate, my mind may be inspired with, and my heart moved by, patriotic aspirations, and that no word may issue from my lips to which the most fastidious, or those most inclined to take offence, may take exception. I look upon this question as one of the most momentous that has yet appeared on the tapis of Canadian politics, because if this motion should be passed, if this Bill should become law, if this House is going to sanction the incorporation of the Orange Association, with its history from 1795 down to the present day, not only in Ireland but in this country and all over the world, wherever it has existed, if we are going to plant the Orange flag upon the tower of this Dominion, what will be the result upon the immigration to this country? We have three millions four hundred thousand miles of territory but sparsely populated, and if you put this weapon into the hands of the American immigration agents, what Catholic will come to reside in this country where these old quarrels are to be revived; what Protestant, who is looking for a future home, will come to this country when the old battles, quarrels, and bitterness of 200 years past are to be planted and nurtured? I trust, having said this much in the interest of our country generally—and this is the strongest expression I am going to use in the whole course of my remarks—I may be permitted to say one word with regard to what is usually urged with reference to this organization: that it is a Protestant institution. I have the advantage of having been born and brought up in the great metropolitan city of Montreal. There Protestants and Catholics live side by side. There we have Protestant charity and Catholic charity; Protestant benevolence and Catholic benevolence working side by side. There we see the Protestant Orphan Asylum and the Catholic Orphan Asylum, the Protestant House of Industry, and the Catholic House of Industry; the noble institutions of each rivalling the other in all good works for the relief of suffering humanity, for the relief of those who have been deprived by Divine Providence of any of their faculties. We see there the name of a distinguished Protestant connected with the foundation of the Deaf and Dumb Asylum, to which he donated a large portion of his fortune; then, too, on the other hand, we see a similar institution for the care of those of our creed who are similarly afflicted. This is what I call Protestant and Catholic benevolence working side by side in praiseworthy rivalry; but I have never yet seen there the party asylum for the care of the widow or the orphan left destitute through mischievous party processions and party organizations. Lord John Russell, as you will see in the *Mirror of Parliament*, said during that great debate which occupied the attention of the House of Commons, and with which every hon. member of this House is cognizant, that:

“He would not enter into that enquiry in the spirit of an impression that Orangemen and Protestantism are synonymous terms, he should be sorry to pass so sweeping a condemnation on the Protestants of Ireland.”

Here I draw the line of demarcation. There is no Protestant institution in this country for charitable or philanthropic purposes that would not receive my vote and concurrence as heartily as any Catholic institution of a similar kind; but I oppose this Bill on the ground of history, because we have no right in this Parliament to pass such a law, because it is contrary to the Treaty of Paris and the laws of Lower Canada, because it is an infringement on the rights of the

other Provinces, and a violation of the British North America Act. These propositions I think I can prove without the slightest difficulty. My proposition is that the Parliament of Great Britain—were we still governed by that body—could not pass this Act of incorporation, because in so doing they would violate the Treaty of Paris; and this Parliament, therefore, with its delegated authority, cannot entertain such a Bill. I shall prove, by testimony which cannot be contradicted, that the main feature of this organization is Protestant ascendancy. The first witness I shall call to prove the statement I have made, is a man whose veracity no one can question, who has filled the highest offices in this country, who has been a member of successive Governments, both in the old Provinces of Canada and this Dominion, who has occupied the position of representative of Her Majesty as Governor of an important colony and a member of the Privy Council of the Dominion of Canada—I allude to Sir Francis Hincks. In his sworn testimony before the Superior Court, in the city of Montreal, in the case of *Grant vs. Beaudry*, Sir Francis Hincks said:

“When a large majority of the people are Protestant the Roman Catholics do not like to see these processions, but they submit to it; and in places where they are in a large majority they do not submit to it, for the simple reason that it cannot be supposed that Catholics like to have an institution paraded where the first principle of the thing is Protestant ascendancy.”

Now, Sir, not to detain this honorable House longer than is necessary, I shall proceed to my quotations and curtail my remarks as much as possible. I next refer, to establish this statement that the fundamental principle of the Orange Association is Protestant ascendancy, not to a Catholic work, but to a work entitled “Chambers’ Encyclopedia,” a Scotch work, edited by Protestants, and here is what they say:

“Orangemen.—One of the unhappy designations which contributed for nearly a century to create and keep alive religious and political divisions of the worst character through the British Empire, and especially in Ireland. The Orange organization had its origin in the animosities which had subsisted between Protestants and Catholics in Ireland, from the Reformation downwards, but which reached their full development after the revolution of 1686, and the wholesale confiscation of Catholic property by which that event was followed. From that time the Catholics of Ireland may be said legally to have lost all social, political and religious status in Ireland. Some demands which were made in the latter part of the 18th century to ameliorate their condition, excited, especially in the North, the alarm of the Protestant party who regarded the traditional Protestant ascendancy as in danger.”

This book goes on to show—as I don’t care to read the whole article—that the Peep-O’Day Boys, having become incorporated with the Orange Boys, subsequently the Orangemen, that the establishment of Protestant ascendancy was the main feature of the Orange organization. That organization is identical with the Orange organization here, it was transplanted here; and the organization here receives representatives from the parent organization across the Atlantic. Therefore, I say that we have strong Protestant authority to show that the main principle of this organization is Protestant ascendancy. I might refer to other works, such as the *Dictionnaire de la Conversation*, a very popular French work, where the same principles are enunciated. It is far from being a Catholic work, yet we find there, laid down by the eminent writers, that the principle of Protestant ascendancy is the main feature of this Orange organization. I could refer to the *Edinburgh Review*, but I do not think it necessary when I can take the very words of the organization itself. In the thirtieth volume of the *Mirror of Parliament*, in the debate on the investigation of the Select Committee of the House of Commons on the Orange Order, as regards its establishment in the army, the Orange Order having presented an address to the Duke of Cumberland, we find them saying:

“That with an uninterrupted enjoyment of health Your Royal Highness’ active and valuable life may be prolonged to watch over the

destinies of the nation with the same vigilance you have so fearlessly manifested throughout your enviable career to the support of Protestant ascendancy.

"(Signed) W. BLANNERHASSETT FAIRMAN, D.G.M.  
"Metropolitan District.

"W. L. THOMPSON,  
"Secretary."

Now, Sir, there is an authentic document by the Order itself, setting forth its principles. But, Sir, lest there should be any doubt upon the mind of anybody, I will read, with your permission, the closing sentences of a speech by Mr. Finch, an hon. member of Parliament, a prominent Orangeman, who spoke on that memorable occasion. He said, on page 2415 of the thirtieth volume already referred to:

"In conclusion I warn the House against outraging the feelings of the Orangemen of Ireland. On too many occasions of late they have been offended\*\*\* the mode in which the Catholic Relief Bill was passed grievously wounded their feelings. The transfer of the Parliamentary grant from the Kildare Peace Society to the national system of education has been resented by them. The suppression of the Protestant Bishoprics, was followed as it was by the unchristian triumph of Dr. McHale, has greatly irritated them. The title measure of the last and the present Session which received the sanction of the last and the present House of Commons are considered by them to be a violation of the Treaty of Union, and to be at variance with the coronation oath.\*\*\* The steed, when goaded and maddened, disdains restraint."

Now, Sir, I contend that the incorporation of any society having for its object the ascendancy of one creed over another, is in direct violation of the Treaty of Paris, which guarantees perfect freedom of religion to the Catholic subjects of His Majesty of France who were then transferred to His Majesty of England. I say that it is incompatible that there should be Protestant ascendancy and Catholic liberty; and I contend that to incorporate this association would be a violation of the 27th article laid down in the Treaty of Capitulation and the Treaty of Paris that followed it. But, Sir, we have still more. The 32nd article of Capitulation reads as follows:—

"The communities of Nuns shall be preserved in their constitution and privileges. They shall continue to observe their rules, and they shall be exempt from lodging any military, and it shall be forbid to molest them in their religious exercises, or to molest or to enter their monasteries."

Mr. WHITE (Hastings). Hear, hear.

Mr. CURRAN. I am glad the hon. gentleman says "hear, hear;" but that was not the "hear, hear" that was uttered when the Provincial Grand Lodge of Western Ontario met, when they laid down their platform, and where, after setting forth other resolutions which have not the ring of benevolence about them, I can assure you, as far as I can see, which have nothing in all their long programme to show that there is either to the right or to the left one attempt at philanthropy in the organization. In the 5th article laid down by the Provincial Grand Lodge of Western Ontario, we find it stated that:

"The opening of all public institutions in the land, religious or otherwise, to public inspection by Government officials, shall form part of the programme of this institution."

I say if that forms part of the programme of this institution, and it does, here is their document, which is published in the *Toronto Mail* of February 18th, 1876, and I challenge contradiction upon this point: I say if that be the case this Act cannot pass, that it would be a violation of Article 32 of the Capitulation which I have already quoted to this House. Now, Sir, having disposed of that branch of my argument, I proceed to the second point, which is this: That such an Act could not be passed by this Parliament, even admitting that the incorporation of such a society could be had under authority of this Parliament, without violating the laws of the Province of Quebec, where this institution is illegal and has been declared illegal by the highest tribunal in that Province. I have already referred briefly to this case of *Grant vs. Beaudry*. In that case—and the evi-

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dence is all here before me—it was established that this society, instead of being a benevolent association, is a secret, oath-bound, political-religious association, and I have the evidence before me both for the plaintiff and defendant, to which hon. members may refer, or hon. members may procure a copy by applying either to the Supreme Court of the Dominion, or to the Court of Quebec Bench in the Province of Quebec. By Chap. 10 of the Consolidated Statutes of the Province of Quebec, all secret oath-bound societies are declared illegal—all confederacies and combinations that are oath-bound, with one exception, which is found in section 9. That section reads as follows:—

"And whereas certain societies have long been accustomed to be holden in this Province, under the denomination of lodges of Freemasons, the meetings whereof have been in great measure directed to charitable purposes;—nothing in this Act shall extend to the meetings of any such society or lodge holden under the said denomination and in conformity to the rules prevailing among the said societies of Freemasons; provided such society or lodge has been constituted by or under the authority of warrants in that behalf granted by or derived from any Grand Master or Grand Lodge in the United Kingdom of Great Britain and Ireland."

This was thoroughly understood by the Masonic body to extend only to such societies as held their charter from a Grand Master or a Grand Lodge in the United Kingdom of Great Britain and Ireland. But this association struck out into a Canadian branch; and when it constituted itself into a separate organization, it took particular care, in order to give the organization, legality to have this Statute amended by 29 Vict., chap. 46 of the Statutes of Lower Canada, which added after the words "United Kingdom of Great Britain and Ireland," the words "or any Grand Lodge of Canada." But it is altogether needless that I should undertake to argue whether this society is legal or not from the books that are before me, or that I should dissect that chapter of the Consolidated Statutes of Lower Canada, because I have here at the present moment the *Legal News* of Lower Canada which contains the judgment of the hon. Justice Ramsay, concurred in by the Chief Justice, Hon. Sir A. A. Dorion, and Mr. Justice Cross, and I need only say that the hon. Judge, whose words I am about to read, is a Judge esteemed as one of the most eminent jurists in the Province of Quebec, or any other Province of the Dominion. Speaking on this very point raised in the *Grant-Beaudry* case, the hon. Justice says:

"On the interpretation of the Act as given by me on the occasion referred to, I see nothing to alter, and if I do not repeat textually what I then said, it is because I think I can make the matter more clear if I apply that interpretation to the points raised in discussion before this court."

"Our ordinance of the 2nd Vic. is borrowed from three acts of the reign of George III.—37, Cap. 123; 39, Cap. 79; and 52, Cap. 16. Though borrowed from these Statutes, there are differences on which it is not necessary to enlarge. The words of our Statutes are perfectly clear, and they extend to every society and association whatever, 'the members whereof shall, according to the rules thereof or to any provisions or any agreement for that purpose, be required to keep secret the acts and proceedings of such society or association.' It is impossible to deny, and it is not denied, that these words cover every association bound to secrecy by an engagement purporting to be an oath, or otherwise. But it is sought to limit their scope in practice by invoking the preamble. But the preamble does not, as was pretended, limit the enactment following; it gives the reasons, two in number, for these enactments. It says, in effect, that there are seditious and traitorous combinations, and there are societies and associations of a new and dangerous character, 'inconsistent with the public tranquility and with the existence of regular government,' therefore all secret societies are forbidden. This is not such an unreasonable conclusion as to entitle us to say that the legislative will was other than the words of the law imports. So far as cases on the English Statute can be authority, they seem to uphold the view now taken. (See *R. V. Lovelass*, 6 C. & P. 596, and *R. V. Dixon*, 6 C. & P. 601.)

"We next come to the question of whether the Orange Association comes within the terms of the law. Its members are sworn, and they are therefore under the most formal engagement to obey its rules, and one of these rules, No. 15, makes secrecy a distinctive part of the organization. It seems to me to be unnecessary to pursue the enquiry farther. It is no answer for the violation of a direct prohibition of the law to say, 'Our motives were good; we are really organized in support of the Government.'

"Having arrived at this conclusion, our duty ceases. We have no special mission to point out to our fellow-subjects the expediency of this or that line of conduct; we have not to warn them of the absurdity

of a contest, on the real merits of which both parties are thoroughly agreed. The one are Jacobites by their sympathies, the other are Orangemen; but it is more than likely both would fight to the death against a despotic form of government. This is a truth which will be fully recognized some day or other; but in the meantime I notice it without the slightest hope of it being accepted, for we are much more guided by our feelings than by our reason. But the feeling as to the color of a ribbon or a flower is only a prejudice, a vulgar prejudice, not really entertained by anyone of education. Some people in a higher position may affect to sympathize with such follies, but in reality they only laugh in their sleeve at such of their dupes as believe in them."

Having thus referred briefly to that branch of the law of Lower Canada, I now come to another point, and I would wish to draw the attention of this honorable House to it, the more especially so as the hon. gentleman who moved the second reading of this Bill has referred to the Province to which I am about to allude—the Province of Prince Edward Island. In that Province, in 1863, a law on this subject was passed. It received a majority of votes, but the Governor in Council, on receipt of a petition, undertook to send that Bill to the foot of the Throne in order to ascertain whether Her Majesty would sanction it or not. With the permission of the House I will read the despatch of the Duke of Newcastle:

"DOWNING STREET, 21st September, 1863.

"SIR,—I have the honor to acknowledge the receipt of the following Act of the Legislature of Prince Edward Island, passed with a suspending clause on 22nd April, 1863, and transmitted to me with other Acts in your Despatch No. 65, of the 5th ultimo (No. 1,136) Chapter 7, An Act to incorporate the Grand Lodge of Prince Edward Island and subordinate Lodges in connection therewith.

"I have had under my consideration as well the Act itself as two petitions against, forwarded respectively with your despatches No. 43, of the 27th April last, and No. 66 of the 5th ult., the latter of which is stated to have been signed by upwards of 11,000 persons. I deeply regret that the Legislature of Prince Edward Island should have given its sanction to a class of institutions which all experience has shown to be calculated, if not actually intended, to embitter religious and political differences, and which thus must be detrimental to the best interests of any colony in which they exist.

"Holding these views respecting the measure, I have felt it impossible to advise Her Majesty the Queen to giving Her Royal approbation of it, without which I am glad to observe it will not take effect.

"The Act will therefore remain inoperative.

"I have, &c.

"(Signed) NEWCASTLE."

"LIEUT.-GOVERNOR DUNDAS."

Now, Sir, this document having reached Prince Edward Island, for a certain number of years the Orange body remained quiet. They again, in 1878, sought an Act of incorporation, despite the express wish of Her Majesty, as contained in that document. But although they once more succeeded in obtaining the votes of the House, the Act was referred to His Excellency the Governor-General of the Dominion, who again returned it, telling them that it was their own business to decide as to their Provincial matters. On another occasion, however, they came to the charge, and, in 1881, in Prince Edward Island another Bill was presented, another attempt was made; it was again carried, but when it was submitted to the Lieut.-Governor in Council, the present Lieut.-Governor of the Island vetoed the Bill, and that is now upon record; and yet we are asked here in this House to pass this Act without even a repealing clause over the Statutes of the Province of Quebec, over the decisions of the highest court in that Province, over the despatch of Her Majesty's Minister refusing Her sanction and regretting that such a society should have sought incorporation, or that such incorporation should have been granted by a majority of votes, despite the action of 1878, and despite the Lieut.-Governor who vetoed that Bill in the Province of Prince Edward Island only about eighteen months ago. I shall next deal with the third point of my argument. Admitting this society to be a benevolent society—and really the hon. member in saying so must take this Parliament for a lot of Rip Van Winkles asleep for the last twenty or fifty years for that matter—this Parliament has no authority, has no right to deal with the incorporation of a benevolent society. If we

deal with the benevolent societies, if we really are going to come down to the incorporation of benevolent societies, why we may as well, with one stroke of the pen, do away with the Local Legislatures altogether. Every hon. member who has taken an interest in our legislation has admitted that on all sides encroachments have been made, and are daily being made, into the rights of the Provincial Legislatures; and if we undertake to incorporate a benevolent society, we may as well do away with the Local Legislatures altogether, because this is the very last thing we can touch; and when we have come down to benevolent societies, there is no necessity for Local Legislatures at all. I happen to have here before me a work edited by Mr. Doutre, the eminent Queen's Counsel of the Province of Quebec, and who, by the way, was the counsel of the Orange Association, who managed their cases, and who fought their battles in the courts all through; and I shall do no more than simply refer the hon. members of this House to the speech of Lord Carnarvon, delivered on the occasion of the passing of the British North America Act, wherein he lays down in language that is perfectly unmistakable what are the different attributes of the Dominion and Local Legislatures. I will spare the House from the reading of that speech, which is, no doubt, very familiar to all those who have taken an interest in this subject; but when we come to look at this work, we find quoted here a statement of the hon. Judges, delivered in the cases which came before the highest courts in the Province, and in the other Provinces as well, which, I think, under the provisions of the British North America Act, relative to civil rights and the rights of property, show that even if this were a benevolent society—even if there were no other object, even if there were no other result, than that mentioned by the hon. gentleman here in his speech, to-day, to give these lodges, to give this institution, the right to hold property and the right to own real estate—that such a right must be applied for to the Provincial Legislatures of the different Provinces of the Dominion. I shall read the words of the Hon. Sir A. A. Dorion, the Chief Justice of the Province of Quebec, in rendering his judgment in the most important case of *Dobier and the Board of Temporalities*, &c.:

"The British North America Act was passed for the purpose of allowing each Province to regulate its own internal affairs, including civil rights and incorporations for Provincial objects, without interference on the part of the other representatives of the other Provinces through the Dominion Parliament."

Now, mark this, Mr. Speaker:

"It would be a mere evasion of the plain tenor and object of the Act to say that the Dominion Parliament could interfere in matters purely Provincial, merely because two or more Local Legislatures had adopted the same legislation, or what would be more obnoxious, because they had refused to do so. It has been held, and I believe without a dissenting voice, that the Dominion Parliament could not grant to the Orange Society an Act of incorporation with franchises applying to the whole Dominion; and that the Local Legislatures could alone create such a corporation for their several Provinces respectively; and Bills have been accordingly introduced for that purpose, and discussed in the Local Legislature of Ontario during several successive Sessions. This shows that what are civil rights and provincial objects is not to be determined by the extent of territory to which interested parties may wish to apply legislative action, but by the character of such rights and objects."

I think that this establishes the doctrine pretty clearly, and the same principle has been applied in the various reported cases, and nowhere more so and in no case more pointed than in the case of the *Queen vs. Mohr*, quoted in this House a few days ago, and this principle has been sanctioned by judgments over and over again in the other Provinces as well. I shall not detain this House at very great length in discussing this subject farther. I shall content myself by reading a few of the statements of the most eminent public men in the British Empire on this subject. I have taken these extracts from the debates as reported in the

*Mirror of Parliament*, and the first I shall read is that of Lord John Russell. He said:

"If in the course of the observations I should feel it my duty to make to the House, I should pronounce my opinion unfavorable to the Orange institution, it cannot be imputed to me that I do so from any bias of opinion particularly adverse to those societies, because while a member of this House and the Government I have ever been an enemy to all associations of this kind, and have not hesitated in being a party to laws repugnant, even as I am free to confess, to the spirit of the Constitution, with a view to put down associations that I have thought dangerous to that Constitution and injurious to the authority of the Crown."

Sir Robert Peel, another eminent statesman, said:

"I trust that all parties will agree that no separate interests can be served by the continuance of those societies, but that peace and tranquillity will be advanced by their abandonment."

Mr. Hume speaks as follows, of various disturbing societies, among which he includes the Orangemen:—

"The country has thus been torn in pieces by intestine strife. I find that amongst other associations and societies of this kind there have been the Levellers, the Ribbonmen, the United Irishmen, the White Feet, the Black Feet, the Peep-O'Day Boys, and the Orangemen."

He says again:

"The existence of a body on the one side invariably leading to the establishment of a rival party on the other."

In closing his speech he said:

"I cannot too strongly express my conviction of the fact that these Orange societies are illegal, but in their very nature they are most mischievous as tending to disorganize society."

Lord Palmerston, when waited upon by a deputation of prominent persons belonging to the order of Orangemen, said:

"I am clearly of opinion that it would be far better for us to look to the future than to the past; and what, let me ask, is the object, and what are the prospective advantages of this Orange Association? Is it an organization which belongs to the age in which we live? Is it not rather one that is suited to the Middle Ages—those periods of society when anarchy prevailed, and when one body of people were in the habit of arming themselves to resist some outrage or violence committed by another, and this because they felt that they could not depend upon the Government of the country for adequate protection or security? But this state of things no longer exists; and not being an Orangeman myself, I confess I am at a loss to understand the use of the association in the present age."

And what was the reply of His Majesty to the Address presented to him on the conclusion of that celebrated investigation, during the course of which most of the quotations I have made were delivered. He said:

"I willingly assent to the prayer of my faithful Commons for the effectual discouragement of Orange lodges, and generally of all political societies, excluding persons of a different religious faith, using secret signs and symbols, and acting by means of associated branches."

"It is my firm intention to discourage all such societies in my dominions, and I rely with confidence in the fidelity of my loyal subjects to support me in the determination."

Now, Sir, I wish to ask this honorable House what would be the inevitable result of the incorporation of this society, if we have the power to do so, and we make this association legal in the Province of Quebec. I have not, in the course of my remarks, alluded to the history of this institution, nor to the various occurrences—to use the mildest term that comes to my mind now—which have characterized its history in Ireland, England, the United States, and this country. I say that I am not standing here merely for the purpose of raising an alarm when I tell you what I believe will be result if this society is made a legal one throughout the Province of Quebec. I refer hon. gentlemen to the *Toronto Mail* of the 13th July, 1852—and that is not ancient history—and there, Sir, it is stated that in the Queen's Park London East Orangemen assembled in solemn conclave, and declared that they had unanimously resolved to celebrate the next 12th of July in Montreal, and that the Ontario Orangemen will march despite all opposition. This, Sir, is what we are promised. We are notified of it in advance, and this notification being given, what will be the result of these

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men coming, not only armed themselves, but joined by other armed men from Buffalo and elsewhere who were appealed to on a former occasion which I do not refer to here. Why, Sir, you will have the whole Province of Quebec—every Irish Catholic of Montreal, every French Canadian Catholic—in arms. You will have the people of Quebec coming to assist the people of Montreal, and men from New York coming to confront the men from Buffalo; and then, Sir, the carnage of the battle of the Boyne will be repeated over again. That will be the result, and hon. gentlemen will be obliged to admit, though they seem to think this a laughing matter to-day, they will be obliged to wring their hands as they did on a former occasion, and to say that they have no power to restrain their followers. I ask in what country is it sought to establish this Protestant ascendancy? Here where we are all living together in peace and harmony. Look at those Ministerial benches. Is Protestantism in danger there? We have the Premier, Postmaster General, and the Minister of Finance of this Dominion, to protect Protestant rights, and if that is not sufficient protection, we have my hon. friend the Minister of Customs, the Past Grand Master of the Orange Order, to assist them. We have my honored and honorable friend the Minister of Inland Revenue to protect us, and, fortunately, we have the successor of the late Sir George Cartier—and who fills his mantle worthily—I say we have him the hon. Minister of Public Works and his colleagues to represent the interest not only of their own fellow countrymen, but of every man who wishes to do what is right and just through the length and breadth of this Dominion. Is this state of peace and harmony going to be disturbed? Are we going to have it marred? Are we going to have this great Confederation, which was founded and brought to its present position of progress and prosperity by the great statesman who sits at the head of this Government—are we going to have the work of his lifetime torn down by a measure merely for the satisfaction of this organization? I say no, Sir, this thing shall not be tolerated. I feel that I can appeal here to those who have read the history of the land in which this organization took its root, and where the great national poet in the anguish of his heart, seeing the horrors that had for years and years been engendered by this and similar societies, exclaimed:

"Erin! thy silent tear never shall cease;  
Erin! thy languid smile ne'er shall increase,  
Till, like the rainbow's light,  
Thy various tints unite  
And form in Heaven's sight  
One arch of peace."

These are the words of our national poet, wrung from him by the sad picture revealed to his poetic eye by the history of his country; and I ask, is it in this land, where Jacques Cartier came and planted the Cross of Christ, and before it had offered up the sacrifice of the Mass—is it in this land, where the heroic De Brabant and his fellow-laborers, the followers of Lyola, consecrated the soil with their martyr blood—is it in this land, where that long line of Irish Priests and Prelates, long before the days of Bishop Phalen and Archbishop Connolly, who did so much to build up Confederation, down to the days of that intellectual Hercules and patriot Priest, Father Dowd—is it in this land, where these men have expended their labors, as many are now doing, to promote the highest welfare of the country—is it in this land, where the Oblats de Marie Immaculée to-day are doing the noble work the missionaries did in the early times, in carrying to the Indian tribes of our great North-West the faith and the civilization of Christianity, to enlighten their minds, to make them amenable to the laws, and to render possible the carrying out of the policy of our Government, that humane policy which is our boast as compared with the policy of other countries—is it in this land of Canada that we are going to plant that tree of bitterness and dissension which has proven so

baneful to other peoples? No, Sir, I have greater faith in—I have a more exalted hope for my country. I believe there is a nobler destiny for us than to be cut up into sections and factions, and to be reduced to the desolation of those unhappy countries where factions have wrangled and fought. I trust, Sir, that the day is not far distant—I trust rather that that great day is here—when we may indulge in larger hopes for our country, when the Orange and the Green, the Rouge and the Blue, may all mingle together in celestial harmony, to contribute to the general prosperity of the country, each in its own way. They may not all follow the same political plans; they may not all have the same political ideas. But this is a free and progressive land. We look forward hopefully to its great future; and if we want to make it prosperous and happy, if we want to make it a land where men will come to establish their homes, we must make it a land of peace and harmony, where these disturbing associations will not be allowed to exist; and therefore, Sir, in order to prevent the consummation of the disasters which I should anticipate from the passing of this Bill, I have now the honor to propose, seconded by my hon. friend Mr. Hackett:

That this Bill be not now read the second time, but that it be read the second time this day six months.

Mr. WHITE (Cardwell). Mr. Speaker: One would think from the speech of the hon. gentleman to which we have just listened, that this Bill was for the establishment of the Orange organization in Canada. The mistake into which the hon. gentleman has fallen is this: There are at this moment upwards of 200,000 Orangemen in this Dominion. They have their lodges, they hold their meetings, they distribute their benevolences, they have their processions whenever they choose to have them—in the Province of Ontario at any rate; and this Bill is simply desired for the purpose of enabling them to do that which every other organization in Canada which seeks incorporation can do—that is, hold their property by a legal tenure. There is nothing in the Bill to establish Orangeism; there is nothing in the Bill to promote Protestant ascendancy. There is simply an opportunity given to a number of people—if this Bill should pass—who choose to think that they enjoy themselves by being Orangemen, who choose to believe that it is their right to meet together in their lodges if they think proper—there is simply given to them the liberty of holding their property in the usual way. Sir, the hon. gentleman talked of this Bill as an attempt to plant the Orange flag over the Dominion of Canada, and he argued—hon. gentlemen, whatever their opinion of his general view may be, must admit with some difficulty—that this Bill was opposed to the Treaty of Paris, because Orangeism has for its basis the establishment of Protestant ascendancy. Why, Sir, every Protestant church, in the services which it holds, is an assertion in favor of Protestant ascendancy, if it could be had; every Roman Catholic church, in which masses are held and sermons preached, is an assertion of the principle, if it could be accomplished, of Roman Catholic ascendancy. But, although Protestant and Catholic alike seek to establish the ascendancy of his own particular faith, believing that the ascendancy of that faith will be the best for the interests of the country at large, no one pretends to say that either the one or the other is to be stigmatized in the terms the hon. gentleman has applied to the Orange Association, because of his desire to secure that ascendancy. Sir, there is no interference here with any Treaty of Paris. Except in the Province of Quebec, the Orange organization has already a legal existence in Canada, and even in that Province its legality is still an open question. The expression of opinion from a learned Judge, read by the hon. gentleman, was a mere *abiter dictum*; and, if I mistake not, the Judge who made it, received from the Judges of the Supreme Court a

remonstrance on the practice of undertaking to decide the legality of an institution when the question of its legality was not directly before him. This society is legal in every Province besides the Province of Quebec, even in the view of the hon. gentleman, and this Bill does no more to determine this legality than has been done already. If, when a body comes here to be incorporated, we are to consider the principles or methods of that body, and are to refuse incorporation upon such considerations, I venture to say that there would be some extraordinary results from the Parliament of Canada being bound by such a principle of action. In the times past that principle was attempted to be set up. I remember the first Session of the Canadian Parliament which I ever looked upon from the reporters' gallery in 1852, a gentleman, who was afterwards the strong and vigorous leader of the Liberal party, opposed the incorporation of all religious societies because he was opposed to their methods and principles. We know that for years after 1852, down at any rate to 1858, at almost every Session of Parliament, the Legislative Assembly was divided on the incorporation of religious associations or organizations, simply on the ground that there were those who did not believe in their methods or principles, and were determined to refuse them incorporation. But on looking over the division lists, you will find that almost every man who represented a constituency in which the Orange party may be said to have had the control, voted in favor of these corporations, because Orangemen were willing to give to others the same privileges that they asked for themselves. In 1863, when Mr. Scott introduced his Separate School Bill during Mr. Sandfield Macdonald's Administration, we know that when the Liberals of Upper Canada opposed that Bill, and were prepared to refuse to the Roman Catholics of Upper Canada those amendments which would enable them properly to work their schools, twenty-two Conservative members from the Province of Upper Canada, members of the Opposition from constituencies in which they depended on the Orange vote for election—including the Grand Master and a past Grand Master of the Orange Association, forgetting the advantage they might derive through the embarrassment the defeat of this measure would cause the Government—gave their votes in favor of enabling the Roman Catholics to carry on their separate schools as they might desire. That was their policy then; and I venture to say that if you trace the records of the history of this country, if you will take the constituencies in which the Orange element is predominant, and note the views of the representatives of those constituencies in Parliament, you will find that, so far from Orangeism having had any evil effect upon the religious liberties of the people of Canada, it has had just the reverse effect; you will find that whenever the Roman Catholics came for anything to Parliament, the representatives of Orange constituencies, whatever side of the House they might happen to sit on, were for the time being prepared to give them what they required. What do the Orangemen ask to-day? Simply that they may be incorporated. They ask for no special legal recognition; they ask not that you may establish Orangeism, for it is established already, and we cannot injure it if we would. But they simply ask that they may have the liberty to hold their property as others do in this country. The hon. gentleman says we have no right to pass this Bill here. I think it is a pity he did not confine his argument to that contention. It would have been better for the discussion in this House, for the peace and harmony, not only here, but throughout the country, if he had. Not being a lawyer, I am not going to discuss that point, but will simply say that this organization which is seeking incorporation here has jurisdiction all over the Dominion, and cannot be incorporated in any particular Province, but must come here if it is to be incorporated at all; and having come here, it would be much better were the petitioners allowed to feel that they had not

appealed in vain to the liberality of a Parliament in which there is, at any rate, a large number of those who are indebted to them for sympathy and assistance in times past in the legislation affecting religious associations. The hon. gentleman ventures to think that if this Bill passes Orangeism will increase. I can tell him that if he will look at history he will see that Orangeism owes its strength in Canada to-day to the opposition it has on various occasions encountered. The unfortunate Gavazzi riot in Montreal did more to promote Orangeism in Canada than any other one event in connection with our public affairs. The objections to this Bill instead of lessening the influence of Orangeism, will bring to the order generous-minded men who will not submit without, at any rate, some form of protest, that one class should be selected for special ostracism on the part of Parliament. If this order be an evil order, if it be something we do not desire to promote in Canada, the only way in which its influence can be lessened is by taking from it every sense of grievance and wrong. You cannot better promote any body, any peculiar set of opinions, than by placing them under the ban of Parliament, of political ostracism, and that is what is proposed to be done with this Bill. I sincerely hope the Bill will pass. My only regret is that it did not come up for a second reading in the ordinary course; I regret that any special significance has been attached to it at all. It would have been infinitely better, once introduced, to have treated it like any other measure. I am satisfied of this, that our Roman Catholic fellow subjects need fear nothing as the result of the incorporation of the Orange Association; and as to the fear expressed by the hon. gentleman that the passage of this Bill may result in an attempt to have an Orange procession in Montreal, I can only say that were a procession there—which I think an unwise proceeding, and one greatly to be regretted—it would be perfectly harmless, and produce none of the results which my hon. friend predicts, if he and his friends will only consent to remain at their usual business for the day, and not attempt to interfere with the procession. If that policy were adopted in Montreal, as it is in Toronto and elsewhere, we should have no bad results, even from such processions, regrettable as they are in communities like Montreal, where the majority are Roman Catholics, and where they are likely to be considered offensive by the majority. It is for the Orangemen to consider whether they will hold their processions or not; but I think their opponents, if they do not approve of them, have simply to abstain from interfering, and this idea of a procession will soon pass away. I trust this Bill will pass to its second reading, and become the law of the Dominion of Canada.

Mr. COURSOL. I have to thank the hon. member for Hastings for the manner in which he apologised for the expression he used on the occasion of the first reading of this Bill. I am perfectly convinced, and I may say I was prepared to hear from the hon. member, that he had no intention then either to insult this House, or any of its members, especially one with whom he has been on friendly terms for the last five years. Having said so much, I feel I cannot give a silent vote on this question, having moved the six months' hoist on the appearance of this Bill before the House. In doing so at the first reading, I used the right which I hold as a member, and I had before me the precedent of the vote in 1858 on the first reading of a similar Bill. A division then took place, there was a tie, and the Speaker voted in favor of the reception of the Bill. Precisely at the same stage that we are now, another division took place, and the Bill was rejected by a majority of five votes, if my memory serves me right. On that occasion the leaders of the party were divided, the leading statesmen of the country differed, and those hon. members who have read

the speeches on that occasion will find that very able arguments were used on both sides. It is true the late lamented leader of the Province of Quebec, Sir George Cartier, voted on both divisions in favor of the Bill, but he was only followed by three French Canadians; and I am perfectly convinced that if Sir George Cartier were present with us now, he would not give a similar vote. At that time Sir George Cartier did not know the strength of the feeling in the Province of Quebec against such a Bill, and if the public voice had been consulted, there would have been, I believe, a unanimous condemnation of the vote in that Province against such a vote. Some of the leading statesmen of that day voted against the Bill, among whom were the Hon. L. T. Drummond, the Hon. Sandfield Macdonald and the Hon. Mr. (now Sir) Hector Langevin, with nearly all the French Canadian members. They did so on the same ground that I am taking at present. I do not oppose this Bill—and I say it sincerely—from any sentiment of animosity to Orangemen; I oppose it on the broad ground that the association is illegal in the Province of Quebec, and that this Parliament has no right to impose a Bill of this description upon that Province. It is not asked for, it is not required, and it would not be useful in that Province. This Parliament has a right to incorporate societies for the benefit of the community at large, and they have done so on many occasions; but if you incorporate this association you will be legalizing and sanctioning the principle of secret societies. I believe that a majority of the country is against the principle of incorporating secret societies. Why should we incorporate secret societies in this country of ours, where all the leading statesmen, where every member in this House, is doing its best to promote harmony and good feeling in order to make a great country that we may all be proud of? We are now on the eve of accomplishing that great task. Our laws are well administered, we are able to maintain the public peace, we cordially support the dignity of the Crown and the supremacy of the flag which floats over this Dominion; and what need have we of secret societies? They are not wanted in the Province from which I come, they are not desired by the great mass of the Catholics of this country, nor are they favored by the majority of its people, and why should they be imposed upon us? I would ask those hon. gentlemen who are promoting this Bill whether they would accept without remonstrance, a measure that they did not like to have imposed upon them? It is a measure which we cannot accept on general grounds. First, it is illegal; and, second, the Province of Ontario has no right to impose it on the other Provinces. If the Orangemen of Canada want to be incorporated as a benevolent society—and I am far from saying that they wish to do it for any other object; I am glad to know that such is their intention and I am perfectly sure that they do as much good to each other as they can—let them incorporate themselves as a benevolent society, but don't let them impose their society upon the other Provinces. They may have such a law in the Province of Ontario; they already have it in New Brunswick and Nova Scotia, and why should they not be incorporated in the Province of Ontario where, we are told by the last speaker, there are 200,000 Orangemen? Why, I ask those gentlemen, should they force it upon us in the Province of Quebec? They must know, the leading men of the country must know, and the right hon. leader of our party knows right well that the Province of Quebec cannot accept such a law, and the Catholics cannot endorse a secret society. I speak for myself, and I believe I express the opinions of others, when I say that the passage of this Bill would be putting on the Statute-book of the Dominion a standing denial of the rights of our Province. It would be embodying in our Statutes a standing insult to the Catholics of the Province of Quebec.

Mr. WHITE (Cardwell).

Now, why should we do that? Is it a matter of necessity? Is it in the interest of our country? Is it necessary to the defence of our flag? Why, Sir, if we have to defend our flag, and if the flag were in danger, the Orangemen of Canada would, no doubt, do their duty nobly; but, Sir, the French and Irish Canadian Catholics of this Dominion would equally well do their duty. They have proved it on many occasions, and they are ready to do so to-morrow. Therefore, on the score of loyalty we do not want any secret organization. We do not want any faction secretly organized to defend the flag of the country. We can face the enemy in the open light of day. We do not require to be sworn in order to be ready to meet the enemy face to face. When the occasion arises we will have but one motto; "Go ahead!" and to adopt my friend's suggestion near me, "No surrender." Sir, secret societies are the great curse of the world at the present day in every civilized country. The late Emperor of Russia was blown into the skies by a torpedo set by secret societies; every sovereign in the world is trembling on account of their machinations, and even the safety of our beloved Sovereign Queen Victoria is menaced by evil disposed persons who are organized into secret societies. What they have done in the past they will do even to a greater extent in the future. Look at Italy with her *Carbonari*, at France, at Germany, at Russia, at England—all honeycombed with secret societies; and now hon. gentlemen want to legalize them in this land of ours. I say, no! I hope that the hon. member who is moving this Bill will himself see the impropriety of applying for an Act of incorporation here. As I said before, I do not speak in a spirit of nationality, I do not speak in a spirit of party. I speak only as a Canadian, having the welfare of his country at heart. I wish from the bottom of my heart that a measure of this description should not be forced upon us in the Province of Quebec. The Orangemen may obtain the law they desire from the Legislature of Ontario, and I am sure that before long they will be able to get from that Legislature the incorporation which they are seeking for; if they are as strong as they are represented to be, but it is improper that they should force on this Parliament this Bill at the present time. If I had entered into the history of that body I might have proved—but it has been so often stated as to be unnecessary—that this society cannot legally be incorporated in the Province of Quebec being as it is a secret society by the Dominion Parliament; and I believe it will be neither an act of prudence nor of justice to the Province of Quebec if this Parliament force upon it a law which the people of that Province do not wish to have placed on the Statute-book. Holding these views, I will vote against the motion for the second reading of this Bill.

Mr. WALLACE (York). I am somewhat surprised at the attitude taken by the hon. member for Montreal East (Mr. Coursol). The principal objection he has urged against the incorporation of the Orange body appears to be that it is a secret society, and he is opposed to all secret societies. If the hon. gentleman was as sincere as he professes to be, why should he not have offered the same opposition to the Bill incorporating the Dominion Grange in 1880. The Bill passed this House without the hon. gentleman having offered the same strenuous opposition to the Bill which he now offers to the measure for Orange incorporation. When this same society applies for some change and amendment to their Act, which they will probably do at this present Session, I venture to predict that the hon. gentleman will not offer the same opposition which he is now offering against the Orange Bill.

Mr. COURSOL. I understand the hon. gentleman to say that I would not offer similar opposition to the Grange Association. I never knew that association was a secret one.

Mr. WALLACE. I beg to inform the hon. gentleman that it is a secret association, that it has pass words, tylers

at the door, &c.; and there is a Bill going through Parliament now giving that society additional legislation, and I venture to predict that the hon. gentleman will not divide the House on that Bill, and not oppose it as he is opposing the Orange Bill. I listened with a good deal of surprise to the eloquent speech of the hon. member for Montreal Centre (Mr. Curran). That hon. gentleman has adduced a number of reasons why this Bill should not pass, why the Orangemen of the Dominion should not be incorporated, and he has referred very lengthily to the history of the enquiry in 1835 by the British Parliament into the state of the Orange Society in Great Britain and Ireland. He has read to this House extracts from many of the speeches delivered there, but if he were as desirous as he professes to be to deal impartially and fairly with the question, he would have read a few lines further on, and would have quoted the impartial criticism of the compiler of the British *Annual Register* of 1836, and would have read the following—and this was written after the recommendation for the disbanding of the Orange Association of Great Britain:

"The Orange Societies immediately acquiesced, some of them with more cheerfulness, others of them with less, and all of them with regret. People asked, would a similar regard to expression of opinion by the Commons and the Crown have been manifested by those mischievous associations which the Popish demagogue employed to extend their own political power and the influence of their church, and which had set even Acts of Parliament at defiance."

We find from all the testimony we have in regard to the history of the Orange Association, that Orangemen are law-abiding citizens. Notwithstanding the opinion expressed of a Committee of the English House of Commons, I say that Orangemen to-day, not only in Canada, but in the British Isles, particularly in Ireland, and in all the colonies, are loyal to the Crown under any and all circumstances. The Commission which was appointed to enquire into the state of Orangeism in the British Isles was a partisan commission. Its members started out with the pre-conceived idea that it was an illegal association, and should be wiped out. It made a most searching enquiry. Members of the Orange order assisted the Commission, and offered every facility for obtaining information as to the constitution, principles, acts and proceedings of the association; and notwithstanding the opinion of a Parliamentary Committee read to-day, that the Orange Association was illegal in Great Britain, we have the still higher authority of Sergeant Kerr that the Orange Association is not an illegal association. In giving his opinion, he says:

"I have perused the copy of the rules and regulations which accompany this case, with reference to the terms and provisions of the Statutes, particularly thirty George III, chapter seventy-nine, and fifty-seven George III, chapter nineteen, and I am of opinion that the establishment of the proposed society cannot be deemed to be in violation of any of the Statutes referred to, or of the provisions and restrictions intended to be introduced by the several enactments contained in them."

He also states:

"The preamble also recites that such societies have deluded ignorant and unwary persons into the commission of acts highly criminal, while no criminality whatever was at any time attempted or affected by the Orange Association."

We find that even under most exasperating circumstances, the Commission failed to find that Orangemen had aided, abetted or assisted in any criminal action whatever, and this Commission be it remembered was a partisan Commission got up with the preconceived idea of condemning the association, yet its members were unable to place a finger on any act of criminal or improper conduct on the part of the Orange Association. The Commission reported at great length, and one of its predictions was as follows:—

"When your Committee look at the political tendency of the measures of the Orange Society in England and in Ireland, and particularly to the language contained in addresses to the public and in the correspon-

dence with the grand officers of the institution, and consider the possible use that might be made of such an organized power its suppression becomes in their opinion imperatively necessary."

The Orange Association since that period, about forty-six years ago, has gone on prospering. It has increased in numbers, influence and power not only in the British Isles, but in all British colonies, and I defy any hon. gentleman to point out any of the evils predicted there as following the success of the Orange Association. The great truth begins now to be understood, that Orangeism is distinguished from societies to which in former years it was compared by its abstinence from crime and disorder, and its happy influence on the country. Wherever the original institution prevails in strength, peace and prosperity abide under its protection—our gracious Sovereign is honored, her laws are obeyed, her subjects of all denominations have protection for life, liberty and possessions. Wherever the laws are trampled, or the Throne conspired against, life and property insecure—there Orangeism is feeble and unknown. These are momentous truths. The hon. member from Montreal Centre (Mr. Curran) has asked the House what would be the effect of passing the Orange Bill so far as immigration is concerned. We have at the present time Orange Acts in force in several Provinces in the Dominion. We have not heard a word to the effect that such are prejudicial to the interests of the Province as regards immigration, and, in my opinion, the passage of this Bill would have a most beneficial influence upon our immigration prospects. It would show that the people of the Dominion are tolerant of every class and every religion, that they have no bitter prejudices against any man whatever his nationality and religion, and that he will not be interfered with in the exercise of his rights and privileges. I say that nothing will promote, in my opinion, immigration to this country of those who love freedom, more than the passage of the Loyal Orange Incorporation Bill. We are told that in Montreal it would be the means of exciting disturbances, and of disturbing the harmony which now exists. The hon. gentleman says that at present Protestants and Catholics live peacefully side by side. Well, it was not always so. It is like the story of the lion and the lamb, living side by side, but the lamb was inside of the lion. He also tells us that it is contrary to the Treaty of Paris to pass this Bill; and he would lead you to believe that by this means the Loyal Grand Lodge of Canada would obtain the government of the country; but they ask for nothing of the kind. They make the simplest request which any body can present to this House—for the power of holding their own property in a legal way. We ask for no more rights or interests in the government of the country than we have to-day. We now exercise our rights like any other citizens. We ask for no more; and this Act of incorporation will give us no more. The hon. gentleman also referred to the fact that the Orange Association was illegal in the Province of Quebec. Well, that matter is before the courts to-day, under appeal to the Supreme Court of Canada; and, I think, that for a lawyer to give an *ex cathedra* opinion on a subject now *sub judice* was highly improper. If it be found that not only the Orange Association, but also all secret associations except the Freemasons are illegal bodies in the Province of Quebec, I think that this Parliament will lose no time—if the Supreme Court so decides—in removing disabilities, if such exist; and I am sure that the great majority of the people of Canada will at once vote for and sanction the abolition of such disabilities. He also tells us that the Duke of Newcastle vetoed the Bill incorporating the Grand Lodge of Prince Edward Island. We all know what the Duke of Newcastle did, and the insult he put on a large portion of the people of Canada when he came here; and also the snub he received from the Queen herself, subsequently, in connection with the same affair. He was a gentleman who

Mr. WALLACE (York).

acted unfairly towards the people of Canada, and he was a gentleman who has lost the esteem, and respect, and confidence of the great portion of the people of Canada by his interference and injudicious conduct when he was in this country. I will not occupy the time of the House any further than to say that the Orangemen are here, and they will remain here, whether they receive this Act of incorporation or not. Probably the refusal of it will make the body more numerous and more powerful than they are to-day. The moment that you refuse to grant to a certain portion of the people what they consider as their right and something to which they are entitled, such an act attracts many others towards them; and I think that if these hon. gentlemen wish to increase the power and influence of the Orange Association, they will do nothing that will accomplish this result more quickly than by following out the course which they are now pursuing. I hope that the majority of the hon. members of this House will rise above sectional and partisan feelings, and will view this matter in a fair light, and give to the Orangemen of the Dominion of Canada the rights to which they are fairly and justly entitled.

Mr. WOOD (Brockville). With reference to the matter now before the House, I desire to say a few words in common with the hon. member for Cardwell. I regret very much that the hon. member for Montreal Centre did not confine his argument to the constitutional aspect of the case. I shall not discuss the case of *Grant vs. Beaudry*, for I have not given that case very careful consideration, but my impression is very strong that this case does not go the length the hon. gentleman would have us believe. I support the measure now before the House, and believe that the principle of toleration is the only question involved in the discussion. I have no doubt but that if any body of Catholics were to come to this House with a measure, asking for certain privileges, and having the same object in view, from a Roman Catholic standpoint, that the hon. member for West Hasting has in view by his Bill from a Protestant standpoint, every Protestant in this House, and every Orangeman in this House would support the measure which these Roman Catholics required; and it is on the principle of equal rights to all, on the broad principle of toleration, which I trust that we, as the representatives of the people may never forget, and on this principle alone I support the Bill now before the House. I have all my life so far lived, and it is not a very long life yet, in a mixed community made up of Roman Catholics and Protestants, who live together in peace and harmony, exercising the same rights of citizenship. I live within a few yards of the oldest Orange Lodge in the Dominion of Canada, and right above the office where I transact my business meets a Roman Catholic Association; but I have yet to witness the first aggressive act on the part of Orangemen in that community. I believe that the Orange Society is not an aggressive body, but a defensive association, based upon certain great principles which cannot be harmful, and must, if adhered to, produce good in the community. I speak not as an Orangeman, for I am not a member of any lodge, but from my own observation and the best information I can obtain concerning the Order. I think further, that the history of our Province of Ontario, will bear me out in the statement I have just made; that Orangeism is a defensive and not an aggressive association. If any body of men, be they Roman Catholics or Protestants, have a right to unite together in a society whether the feature of secrecy be observed or not, for defensive and not for aggressive purposes, I hold that such a society cannot be illegal by the mere fact of such union, nor so long as they abstain from any violation of the law. I regret very much that the hon. member for Montreal West, has seen fit to class the Orange Society, an order which has been noted all the world over wherever they have existed as a loyal association, on a par with the treasonable societies he mentioned, and which

unfortunately do exist in some of the old lands, and possibly in some of the new countries. In expressing the hope that the measure now before the House will receive the sanction of Parliament, I would urge the attention of hon. gentlemen to one feature which seems so far to have been overlooked. It is this, Sir, that by passing this measure, Orangemen do not ask hon. gentlemen in this House to grant legislative approbation of the principles upon which their order is based, they simply ask for the privilege of holding their property in the manner most convenient to themselves and as other corporations hold it; and every lawyer in this House knows, and must admit, that the method of holding property through the intervention of trustees is inconvenient, cumbrous and expensive. Why should these men, who have never yet, so far as I have ever read in the history of the British Empire, committed a disloyal act towards their Sovereign, not be allowed to hold their property like other corporations—like the Dominion Grange, for instance, which has been referred to by one hon. gentleman? Why should they be denied privileges freely accorded to others? On the principle of fair play, of toleration, of extending to others the same privileges which I myself would wish to enjoy, I support this Bill. I hold that there is something above party in the position we are to take in this matter. I have no desire to say one word which would offend the religious prejudices or the religious opinions of any person, and I trust I have said nothing which would in any sense arouse anything like a sectarian feeling, a thing I would regret to do upon any occasion.

Mr. McNEILL. I am anxious to say a few words on this subject, because I have been brought up in that part of the Empire where Orangeism had its birth. I was born in the county of Antrim, in the North of Ireland; and I spent the greater part of my boyhood there; and every year until I came out to Canada, I spent several months in that neighborhood. It is, I think, known to everyone who knows anything of the matter, that it is perhaps above all other districts in Ireland, the one which is more than any other the centre of the Orange organization. I was brought up to believe that the Orange order was an order which, at all events, was not a beneficial order—that it was in point of fact a mischievous order—an order which, if it did anything at all, was only useful to keep alive old sectarian traditions, which would be far better buried out of sight. Those were the views which I entertained, and which were entertained by every member of my family. But, Sir, I returned to the Mother Country in 1880, and I spent the winter of that year in the north of Ireland, and I recollect very well what the circumstances of that country were. I recollect very well the astonishment with which every one received the letter which the Earl of Beaconsfield addressed to the Duke of Marlborough. That letter fell on the minds of the people in the north of Ireland, who, like myself, believed that the Orange body was a mischievous association, like a bolt out of the blue. In that letter Earl Beaconsfield pointed out—he astonished the civilized world by pointing out, and deliberately propounding, the proposition that the Empire was threatened with a conspiracy which had for his object the dissolution of the Union and the disintegration of the Empire itself. The civilized world laughed at the letter to the Duke of Marlborough, the civilized world knew a great deal better; it said that this communication was an astute party move on the part of that old Asiatic politician, but the civilized world came to learn differently. There were only the misguided Orangemen who believed in the truth of that statement—the Orangemen we had laughed at all our lives—they believed that statement of the Earl because they knew it to be true, and circumstances that arose afterwards were sufficient to justify the assertions which the Earl of Beaconsfield made. I recollect very well during that winter the sensation of horror with which we opened our morning and evening

papers. I recollect well how we scanned the list of the atrocities which were perpetrated, not knowing but that some of our own friends in other parts of the Island might be the victims. I do not wish to say a word to hurt the feelings of any man; I will say more, that while I abominate these outrages, I have a warm feeling of sympathy with the unfortunate peasantry of Ireland. I can well sympathize with these men who in a half starving condition, warm-hearted and enthusiastic men were goaded on by agitators on the one hand and deceived by a miserable radical Government on the other—a Government that deliberately, month after month, refused, notwithstanding the urgent remonstrances of the law-abiding citizens of the country, to undeceive these men who led them to believe that it was possible for them to obtain what the Government knew well they never could grant—I say under these circumstances I sympathize with those men. But when the country was convulsed, when it was given over, bound hand and foot to anarchy (because the only men who were subject to the law and controlled by the law were the law-abiding citizens of Ireland) when the country was given over bound hand and foot to anarchy, when the very fabric of society seemed to be tottering to its fall, when Mr. Gladstone himself said that it seemed doubtful for a moment whether the forces of order or disorder would prevail—where did men look for relief? Where did they find loyal men—men that neither threat nor bribe could seduce from their allegiance? They found them wherever an Orange lodge held a meeting in Ireland. The result was that hundreds of men who had formerly like myself ridiculed this association enrolled themselves in its ranks. That was the reason why I joined that association; because I felt as others did, that this association had been, in a day of great and trying need, a benefit to the best interests of the British Empire.

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. McNEILL. When you left the Chair at six o'clock I was endeavoring to state some of the reasons which induced me and others who like myself had disapproved of the Orange association, to lay aside the prejudice which we entertained and to join that body. We became convinced that underneath the superficial blemishes which we had always blamed there lay a sub-stratum of noble, and true, and stable feeling which must commend itself to every loyal subject of the Queen. But, Sir, I should be sorry indeed if the idea went abroad, which has, I believe to a large extent been believed, that the Orange Order was one which was actuated by a feeling of dislike, a feeling of aversion—a feeling almost of hatred toward our Roman Catholic countrymen. For my own part, Sir, had this been true, had the Orange Order been such an Order as it has been described to be in this respect, it would have been impossible for me to have anything to do with it, for from my earliest childhood I have been on the closest intimacy with Roman Catholics. My earliest recollections are recollections of tireless and devoted care and affection which I experienced from Roman Catholics, and therefore it would have been absolutely impossible for me to have joined any association which had any ill-feeling towards those who had allways had such a warm feeling towards myself. Nothing can be more untrue, nothing can be more mistaken than the idea that members of the Orange Association are actuated by feelings of ill-will towards our Roman Catholic fellow countrymen. Sir, the *raison d'être* of the Orange Order is not hatred of Roman Catholicism, or hatred of our Roman Catholic fellow countrymen, but love and loyalty to the British Throne. That is the cause which has given Orangeism its strength, and that is the reason why it has extended so greatly, and become so much more powerful

during the last few years. There have been certain objections alleged against the association which I would like to say one or two words about. In the first place, it is said that we are introducing here into Canada dissensions which have unfortunately existed in Ireland, and which it is very much better should not exist here. It is said that the Orange Order is the symbol of those unfortunate dissensions in Ireland, and that to assist this Bill would be in point of fact to promote here what has been alleged to be such a great evil in that country. The observations that I had desired to make on that head, have been so admirably made already by my hon. friend from Cardwell, that I shall pass them by altogether. It does seem to me that it is not a question of the introduction of Orangeism into the country at all; but we have to consider the fact that the Orange body is here hundreds of thousands strong; and we have to consider that that body asks for certain rights, and we have to decide whether or not we are prepared to grant them. Now, the hon. member for Montreal Centre (Mr. Curran), has alleged that one of the effects of granting incorporation to the Orange Association in Canada would be the growth of intense bitterness between the different sections of society in this country. With very great respect for him, I venture to maintain that the very opposite would be the case; I venture to maintain that if there be anything more likely than another to soothe any such animosities, which may unhappily exist in any part of the country, it would be to grant these people the simple common right which they as British subjects claim. The right they ask is a right which is possessed by the humblest subject of the Queen, the right to hold property in their own name; and I cannot conceive how it would promote ill-will or ill-feeling in the breast of anyone that this common, simple, humble right should be afforded to the Loyal Orange Association in Canada. This right is in fact recognized by law in the Province of Ontario, but it is a right which we are prevented exercising, because the bringing of it into operation is attended with such peculiar expense. Therefore all that is asked, so far as the Province of Ontario is concerned, is simply the power to put into operation this admitted legal right—a request which I think ought certainly to commend itself to the sense of justice in the breast of every man present, and the granting of which, I venture to think, ought not to conflict with any sentiments or any principles cherished by any hon. member of this House. With reference to the Province of Quebec, it is said that this Act would be illegal—that we are asking our friends from Quebec to vote for the incorporation of an institution that would be illegal in that Province. Well, Sir, in reply to that I have only to make one observation, either that allegation is true or it is untrue. If the institution be not illegal, of course the objection falls to the ground. If, on the other hand, it be illegal according to the general law of the Province of Quebec, then I venture to say that this private Act will not in any way override that law, and will simply amount to a dead letter there, and will, therefore, if that argument is sound, have no effect whatever in that Province, and will not affect our French-Canadian friends in any way. But, Sir, I have no desire to weary the House with further observation. I would only say that I can scarcely think that one other objection which is sometimes made against this association is a well founded objection: that is, that it is a purely Protestant Association. Now, I am sure that all our friends, whether they are Catholic or Protestant, will feel that at all events the Protestant and Catholic alike ought to be allowed liberty of conscience; and I do think that it smacks to a certain extent of illiberality to object to an association simply because its members are men, who, while they are bound together to carry out one common political object, at the same time entertain one common religious faith. I do not think there is anything that ought to be objectionable to anyone in such an

Mr. McNEILL.

association as that. But, Sir, our attention has been directed to the fact that this association has a political object. My hon. friend from Montreal Centre (Mr. Curran) brought that forward as a grand charge against the Orange body, and I observed, that when he did so my hon. friend from Huron applauded the remark. Now, Sir, with your permission, I will venture to state what the object of that association is, it is that every man belonging to it shall to the utmost of his power endeavor to preserve to us and to our children after us, intact, that matchless Empire of which it is our glory and our privilege to form so important a part—our British Empire. I say, Sir, it is our Empire, because we have our share in it just as much as our friends in England, Ireland or Scotland have—I say, we have a greater share. We may not to day have so great an influence; but how much greater is it to-day than it was twenty, ten, aye, five years ago. It is, Sir, an ever-increasing influence and an ever-growing power; and I venture to say that the day is rapidly approaching when this noble Dominion of Canada will exercise an influence in the Councils of the Empire which will be indeed a potent influence. I know not how it will be brought about; I care not by what machinery it is achieved; but this I do know, that I have a rooted and an abiding faith in the self-governing and conservative instincts of the Anglo-Saxon race, and I believe there is in store for this mighty British Empire a somewhat nobler destiny than a destiny of dismemberment. I believe that when the time is ripe, when the hour is struck, the Empire of England will prove worthy her ancient renown, and will produce men worthy to grapple with that great problem. I believe as the years roll on, we shall find these living links of loyalty and love that bind the colonies to the Mother Country drawn ever closer and closer still, closer to that Old Mother Land that guards in her bosom the bones of our forefathers. I believe that the time is coming, and I believe it is near at hand, when that matchless Empire that was won for us by the prowess of our forefathers, shall, by the wisdom of their descendants be amalgamated, and consolidated. Then, as to-day, and through the ages to come, one world-pervading Empire, flying one world-respected flag—the old, old banner of Britain, in whose folds liberty has built her home, under the shadow of which there dwells the purest and most perfect freedom to be found on earth. These are the sentiments and views, this is the political object which the Loyal Orange Association desires to promote; and I hope that these sentiments are not so disgraceful, that this object is not so repugnant to the sentiments of this House, as that I or that anyone else should be ashamed to claim connection with that association. Sir, I do not believe this right we ask can be denied. I do not believe that our Reform friends opposite will be so unjust as to deny it to us; I do not believe that our French-Canadian friends, whom we have so loyally supported, will be so unkind as to deny it to us; I do not believe that this House, the Commons of Canada, will deny to us this common, simple, humble right to hold our own property in our name, merely because we happen to be a purely Protestant organization.

Mr. CASGRAIN. I did not intend to take any part in this debate, but after what has been heard on both sides I may be allowed to say a few words, and I may say at the beginning that, perhaps, I will not please any party in this House. As a matter of policy perhaps it would have been better to allow this Bill to pass merely unnoticed, because I am sure that if incorporation were granted we would have heard most likely the last of it; but now that the debate has taken some proportions, and has become magnified to a larger extent than it ought, we should reduce it to its true value. The member for Montreal is, I think, right in assuming that this Parliament has no right, no jurisdiction in this matter, and I would have liked to have seen the whole argument on both sides

based only on that ground. My hon. friend from Montreal Centre, who made a very good and powerful speech, had certainly very good and strong reasons in his favor; but his speech, I may tell him, will do probably more to create hatred in this Dominion than the passage of the Bill itself. I would like to see explained the true sentiment of what we call the Province of Quebec representation. There is a very great anomaly between what they say and what they do. I find at present they are all arrayed against Orangeism and Freemasonry. Still the fact stared us in the face that for years past the right hon. leader of the Government has been one of the highest representatives of the lodge of Freemasonry in this country. The hon. Minister of Customs is also one of the highest, if not the highest dignitary of the other association. How is it our friends from Quebec are the strong supporters of these two representatives of these two associations. Moreover, I think the right hon. Premier, before the last Election, promised his support, as it were, to Orangeism; yet that did not prevent any of my friends from the Province of Quebec from continuing their allegiance to their leaders. It is true they have become recalcitrant at present, to a certain extent, but it is rather late, and they ought to be more consequent in their views. We have heard of the sentiment of loyalty expressed by the hon. member for North Bruce. Well, I am surprised at the *naiveté* with which my hon. friend expresses this proposition. I have not read very much of the history of Orangeism—it never interested me very much—but I may say my historical information goes far enough back to attribute the sorrowful position of Ireland to-day in a great measure to Orangeism, and if that has been its effect there, then there is much to be said against it here. I will read an extract from a Belfast paper.

Mr. McNEILL. Name the paper.

Mr. CASGRAIN. A paper published in Belfast. It is not concocted for the occasion, and will show you the amount of loyalty which this association permits itself to indulge in. The following is the extract:—

"A GRAND ORANGE SPEECH:—The annual meeting of the Stalybridge Constitutional Association took place, says a Belfast newspaper, on Saturday. At the close of the proceedings, M. Booth Mason, in seconding a vote of thanks to the Mayor, said:—I have on my Orange scarf (cheers) because I am the Deputy Grand Master of the Orange Association of England (cheers) and because it represents a good principle. It represents civil and religious liberty. (Loud cheers.) It represents an open Bible. (Cheers.) It represents the spreading of the glorious Gospel of the blessed God. Oh, brethren, shall I tell you something. (Hear, hear, cries of 'yes.') Two or three years ago I sent to the New York State 50 Orange warrants, and you will find in their lodge rooms—you will find 50 papers signed with the name of Booth Mason. (Cheers.) We have 300,000 armed Orangemen in Canada."

Sir JOHN A. MACDONALD. They have two arms each of them.

Mr. CASGRAIN continued:

"We have 250,000 in Ireland (cheers) and there is not one of the Queen's ships that sails out of Portsmouth but does not contain a band of Orangemen. (Cheers.) What, then, can we fear from Gladstone, that infernal Jesuit? (Loud cheers and laughter.) I defy thee—(cheers)—oh, Pope of Rome, thou unconfined fiend of hell, the Lord God shall shortly consume thee. (Cheers and laughter.) Oh, House of Lords—Must I say it—I will say it—(laughter)—thou shalt perish. (Laughter.) Shall I say something more? I will say it. Oh, Prince of Wales, thou wilt never be King of England. (Laughter and confusion.)"

Now, Sir, they say, like the old nigger: "Them's my sentiments." I take that to be a true index of, perhaps not the lodges of the present, but of what the Orange lodges were formerly. Their loyalty consists, not so much to their own Church, but it is the avowed destruction of the Church of Rome. I desire to record my vote against this Bill. It would have been much better if this Bill had been allowed to pass silently, but the effect of this discussion will have an effect the very reverse of what we expect, that is to say, we will make what are called political martyrs. We will

excite the ire of these Orangemen. They are a powerful body, and whatever the result of this debate be, I hope they will have good sense enough to submit to it, as I hope the Roman Catholics will have sense enough to submit to it peaceably also. The hon. member for Montreal Centre said if this Bill passed, we would have another battle of the Boyne. On the contrary, the church I belong to does not dictate to us any such line of conduct, but it teaches us, in the spirit of the New Testament, that when we are smitten on one cheek we are to turn the other. If this Bill passes, I hope my Catholic brethren will rather submit to it than have another battle of the Boyne. These are my sentiments.

Mr. TYRWHITT. Mr. Speaker: I would not venture to take part in the present debate, knowing as I do my utter inability to discuss the subject now before the House in a manner either satisfactory to myself, to interest the members of this House, or to the advantage of the Orange Association whose cause I wish to advocate; but, Mr. Speaker, I feel it would be a dereliction of duty on my part to give a silent vote on a question of such vital importance and such intense interest to a great majority of the electors of the county I have the honor to represent in this House. During the debate on the introduction of this Bill, it was claimed by my friend, the hon. member for Bothwell, that he represented the ultra-Protestant county of the Province of Ontario; but without wishing to detract from the honor claimed by that hon. gentleman for his county, or from their liberality in electing him to represent them, I have yet to learn that there is a constituency in the Dominion that can claim precedence to the South Riding of Simcoe, boasting as it does of its fifty six Orange lodges. I have listened with a good deal of attention to the arguments used by the legal gentlemen who have attempted to prove to this House by special pleading that the Orange Association is not entitled to receive that measure of justice from this House which has been accorded to other associations during the present and during the last Session of the last Parliament. These arguments have failed to convince me and will have still less effect in convincing the hundreds of thousands of Orangemen throughout this Dominion that their claim is not a just one and that they are not entitled to what has been granted to other associations throughout the length and breadth of this Dominion. I regret to say that I have a profound contempt for law as interpreted by lawyers when advanced by them. In corroboration of an opinion previously expressed I am of opinion that such laws are only intended to make litigation and to complicate the laws, so that it will require the services of the compilers to explain them. If the incorporation of the Orange Association is at a future time found to be illegal, owing to the disabilities under which some members of the Order labor in some of the Provinces, it will be an easy matter at a future time to do what is done with very many other Acts—from the Tariff downwards—to so amend it as to meet the exigencies of the hour and I am of opinion that if such an iniquitous Act does exist in the Province of Quebec the sooner it is amended the better. [\*The hon. member for Montreal Centre (Mr. Curran) said: what will be the effect of this Bill on the immigration to this country? Well, Sir, I consider that the effect of this Bill will be a most beneficial one, for the simple reason that it will assist in doing away with the evil effects which have been created in the Old Country, and it will prevent a class of immigrants coming to this country which I, for one, do not wish to see here, and I think it will save us a good deal of trouble in the future, and a good deal of expense.] I would ask these gentlemen for an instant to divest themselves of their legal minds and to view this Bill from an impartial and judicial stand-point, and I will attempt to give

\* Omitted in Daily Edition of "Debates."

some of the reasons why I consider the Orange Association entitled to incorporation. The Orange Association do not wish to come to this House in the character of suppliants, nor do I wish to prostrate myself to beg for them. We come simply to ask for what we consider we have a right to demand. We do not ask for unusual favors, for extraordinary powers, we simply ask, we simply demand, rights which have been granted to other associations in this and in the last Parliament. During the last Session of the last Parliament an Act was passed incorporating the Sisters of Charity in the North-West Territories, empowering them &c., &c. Now, Mr. Speaker, I contend that in the Orange Association we have men equally modest, equally virtuous, and equally religious as the Sisters of Charity, and, therefore, equally entitled to the consideration of this House. Their vows are not more secret. During the present Parliament an Act has been passed incorporating the Oblate Fathers of the North-West Territories, and not one of the supporters of the present Bill endeavored to place any obstacle in the way of its becoming law; and I again contend that the Orange Association are equally entitled to incorporation—being equally religious and equally desirous of serving God according to the dictates of their conscience. Exception was taken on the introduction of this Bill to the association calling themselves the Loyal Orange Association by the hon. member for Gloucester. Now, I consider that exception was not well taken, and consider they have a perfect right to any name they see fit to assume. They have ever been on the side of law and order, and their proudest boast has ever been that they will preserve the integrity of the Empire of which they are sworn supporters. I should think, Mr. Speaker, that at the present moment when we read of secret societies banded together for the purpose of murder, arson and dynamite plots, that the people of this country would feel an inward satisfaction at the incorporation of a society formed for loyal purposes. Now, Mr. Speaker, I should like to know why special privileges are granted to other associations which are denied to a Protestant association; in what way are they entitled to the consideration of this House more than we are? Are they not wedded to their own belief? Are they not aggressive? Are they not intolerant? The very fact of their denying to us what we have chiefly accorded to them is a proof that they are unwilling to grant to us, their fellow-subjects, rights which we have given them and which we could have withheld if we had seen fit to do so. Why should the Orange Society of all others be the one selected for a sacrifice? The only logical conclusion we can come to is, that its opponents are bigots and disloyal men who would pass resolutions of sympathy with rebels and assassins, but have not a word of encouragement for men who have ever stood by the Empire in its darkest hours, who combine only against her enemies, and by the opposition now shown to the passage of this Bill will prove to the world that they are still the noble sons of noble sires. It must not be supposed that by defeating this Bill at the present crisis that it will be finally disposed of as we shall continue to agitate to obtain our rights, and if unable to get what is justly due to us from this House, we will elect a Parliament from which we can obtain justice. We will give up the old party names of Liberal and Conservative and elect men to this House who are sufficiently liberal to grant us Orange incorporation.

**Mr. HAWKINS.** Mr. Speaker: When this Bill was introduced into this House, and when it was proposed to throw it out without giving it a hearing, and without hon. members learning what the provisions of the Bill were, I, for one, felt it to be my duty, and felt it to be due to the electors who sent me here, to rise in my place and object to that proceeding. I demanded on that occasion a hearing for the promoter of this Bill. I went further at that time: I said I was ignorant of the contents of that Bill, that I was

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unaware what they were asking at the hands of Parliament. Since that time, Mr. Speaker, I have informed myself, and I now know the full scope of the Bill, and what it asks from Parliament. Is it not extraordinary that, while the right hon. leader of the Government, the hon. Finance Minister, the hon. Minister of Railways, the hon. Postmaster General and the hon. leader of the Opposition, all voted that the Bill should go to a second reading, no word of reproach has been cast on any of those hon. gentlemen, and no imputations have been attempted to be cast on their conduct by the press; but because I am a Roman Catholic, and because I saw fit to refuse to throw the measure out without a hearing, how have I been received by the Liberal press of the country? The *Globe*, the *London Advertiser*, and the *Hamilton Times* have all made animadversions against me for the course I saw fit to take. I say, if I was worthy of blame for having taken that course, so also were other hon. members, and a majority voted that the Bill should go to the second reading. With what state of affairs are we now confronted? Did not the Orange Association exist over the whole of British America long before Confederation? Is not the Grand Lodge of the Orangemen of British North America now in existence in all Provinces of the Dominion, and is it not a body exercising its functions in regard to that Order for every one of the Provinces? Such was the position at the time of Confederation, and it is the position to-day. I freely confess that if any act or vote of mine were likely to bring this institution into existence, if I felt we were going to give it a status which it had not already in the country, I do not think I would cast my vote in favor of the Bill. But I find this association in existence in every Province in the Dominion. In the Province from which I come it has not only an existence, but a very vigorous and strong existence, and a membership numbering hundreds of thousands. In the Maritime Provinces it has also a numerous membership, as also in the Province of Quebec. The association has property in all these Provinces. I know in Ontario it possesses a very large property, and since the first reading of this Bill I have received letters from Orangemen in different parts of Ontario.

An hon. MEMBER. Hear, hear.

**Mr. HAWKINS.** An hon. member says "hear, hear." Well, Mr. Speaker, I hope the relation between Orangemen and Catholics will long continue to be of such a nature that we can have communication with each other. What did those gentlemen say? They said they had many lodges in different portions of the country which long since would have passed into the possession of private individuals, and would have become dwelling-houses, if the association had had the right to deal with them and dispose of them. It is quite true, in many other places they may desire to acquire more property, and to hold the property in such a manner as to sue and be sued. But if hon. members will read the Bill through they will find nothing to cause apprehension of danger, or infringement, in the slightest degree, of the rights or privileges of any class of the community. Those newspapers which have been attacking me solely because I, a Roman Catholic, felt I was justified in casting my vote in this House according to my conscience, will be surprised to learn that, no longer since than 22nd and 23rd of September last, one of the largest bodies of Roman Catholic representatives ever convened in Ontario met in Toronto, and after having deliberated on this subject for upwards of six hours, decided we would have an interview with the First Minister, and Mr. Meredith, as leader of the Opposition in the Ontario House; and a committee of upwards of forty was appointed to wait on those hon. gentlemen at the Queen's Hotel, and did wait on them, and I was chairman of the convention and of that committee. And we were instructed without a dissenting voice upon the part

of nearly a hundred representative Catholic gentlemen, from nearly every riding in Ontario, to say that it was our advice that this question should be settled; that it was our opinion, that the passage of the Orange Bill would be the means of bringing peace and harmony to the Province of Ontario; and that we, in our representative capacity gave it as our opinion—and there were there Members of Parliament, members of the Local Legislature, and representatives as I have said, of our body from Ottawa to Sarnia, and also from the southern boundary northward—and this was their unanimous advice tendered to the leaders of our party, that the Orange question should be settled, that it had long enough been the cause of discord and trouble in the courts; and that the settlement of that question, and according to this association the right to deal with its own property in the manner in which they might see fit, could be of no possible concern, could be no possible injury to any other body or class of the community. Yet, I, the chairman of that convention, the spokesman of that committee, appointed to wait upon the right hon. Sir John A. Macdonald, in the capacity he then was, of leader of the Opposition, have been stigmatized and asked to give my authority for having refused to give this measure the six months' hoist, when it was brought up in this House. Mr. Speaker, there is my authority. I had the right to speak as I did speak, as representing one of the most influential bodies of Catholic Conservatives ever convened in the Province of Ontario. Well, the position appears to me to be this: this association is in existence; this association has increased and multiplied its membership from the time that this question began to be agitated in this country; this association would have ceased long ago to agitate, and would have retired within their lodges, would have retired within their circle, but for the fact that, not only the members of the Orange Association, but the Protestant people of Ontario at large have felt, and feel now, that a great injustice had been done them in the denial to them of the right which is conceded to every other class of the community; and, as I said, the principle of incorporation was fully conceded in the Province of Ontario. At one time the Liberals took up this question in the Local House and settled it, and if they had had the courage of their convictions and of their opinions, it would have been heard of no more during the last nine or ten years. But for political reasons, in order that they might keep it up as a means of agitation, and in order that the cause of peace and harmony might be disturbed by this sectarian question—for I hold that it is no more and no less than a mere sectarian question—they have kept it open to the present day. With regard to the advisability of bringing it to this House, or of waiting to submit it in the Local Legislature of Ontario, I pass no opinion; but the member for Montreal Centre, and every speaker who spoke against the Bill, said that it should be relegated to the Legislature of Ontario, and that the Bill of incorporation would be had there. Now, as a resident of Ontario, and a member hailing from that great Province in which nearly one-half of the people of this Dominion is situated, I think that the difference between voting for Orange incorporation in the Legislature in Toronto, and voting for it here on the floor of the Dominion Parliament is very small; therefore I feel, for one, that I am perfectly justified in believing that to give this association the right to deal with its property, and to dispose of its property in the places where it is not used, and of acquiring property in other places where they require it, the right of holding their moneys in the name of their own association and of not being liable to loss and litigation through having held it in the way they do hold it now, is something which this House ought to concede. I know, for I have been for many years, at least during ten years, quite familiar on this subject, with the feeling of the Catholics of the Province of Ontario, and if there were that opposition of which we have

heard, and that opposition to the measure which two or three sectarian papers have said there is existing in the Province of Ontario, would we not have had this House flooded with petitions against the passage of the Bill, but on the contrary we hear scarcely any opposition to the passage of the Bill. I can very well understand that the members hailing from the Province of Quebec feel somewhat opposed to it on account of their strong opposition to secret societies in every form, but I am bound to tell those members that I also, as a Roman Catholic, know my duties as such. I know that no Roman Catholic may or can be consistently a member of any secret organization; but I challenge any member on this floor, I challenge any co-religionist in the country, to point out, or show, that this obligation goes any further. I challenge them to show that it is incumbent on any Roman Catholic to persist in the state of affairs which is bringing a dangerous agitation in the country, which is fostering a state of agitation in the Province of Ontario, that must inevitably range the Protestant section of that Province sooner or later against their fellow Catholics in the same Province and in other Provinces of the Dominion. Now, as I said the other day, I believe that the passage of this Bill will be accepted as a peace offering; and that it can be of no possible injury to any class in the community; and that, moreover, I have a firm and abiding faith in that great church, in that great society of which I have the honor of being a member. I believe that wherein all the efforts of the German Empire, as wielded by the great Bismarck, having failed to affect the position and the standing of that great church in Germany, and although all the machinery of Government, all the aid of the State was brought to bear, still we find the church came out of the conflict triumphant over all its enemies. In Russia, we see the same thing come to pass. Notwithstanding all the machinations of the Government, and all the attempts to crush out that church in Poland, and to banish and close the churches, we see that glorious institution triumphant and going upward and onward in its great mission. Again in England—hon. members have pictured to us here to-day the state of affairs in England 100 and 200 years ago—well, at that time, what was the position of the church in England? The bishops were proscribed; it was illegal to perform the offices of the church in England or in Ireland; but the world has become more enlightened, has become liberalized, and we find the Catholic Church to-day in England, in as healthy and as prosperous a state as it is in any other part of the world. In the United States, where every association, where every society is allowed to band together and hold their property, a similar state of affairs prevails; and in speaking of the United States, I am only sorry that there is not more power in that country to restrict and restrain those men who are disturbing the peace of the British Empire at the present day; and I will ask from one certain paper in this Dominion which stigmatizes me as being a sympathizer with Orangemen—whether it is more honorable, more worthy of me, as being a Canadian, to be in sympathy, as they say I am, with a body of loyal citizens of this country, or to be in sympathy with those men who have brought much shame and disgrace upon Ireland. I ask that paper to state which of these is the more honorable or dishonorable position to occupy. I have nearly concluded my remarks. I did not intend to say so much when I took the floor, but I felt I was liable to be misrepresented and I only pleaded in favor of giving the Bill a hearing, and I only voted as my right hon. leader voted, as the Minister of Railways voted, as the Postmaster-General voted, as the leader of the Opposition and many others of the most intelligent members of this House voted, yet of all these I was the only member who was singled out for attack for having voted for the Bill, and, again, as being an inconsistent Catholic for having done so. I have

now expressed my views, and I could quote from speeches of mine which I have delivered in different parts of Ontario during the last ten years and in which I have openly, strongly and manfully advocated the speedy settlement of this question in order that we might have happiness and harmony in this country, and in order, that these Old Country bitternesses might disappear, and that Canadians might join heartily in building up and fostering the welfare of this great Dominion, and forgetting, laying aside, and burying forever the differences out of which the hostility to this mere simple act of justice has arisen.

Mr. BURNS. I had not intended to offer any remarks to the House, but I desire to say a few words in reply to the hon. member for Bothwell (Mr. Hawkins). That hon. gentleman, in the observations which he has made to night, has thrown out a distinct challenge which I, for one, am disposed to take up, not for the purpose of protracting the debate, but simply in order to refute a statement which he has made. He has stated to the House that the Catholic Church does not do any more than prohibit her members from belonging to secret societies, and he says he challenges any Roman Catholic to deny the assertion. I, as a Roman Catholic, deny it. I assert that the Roman Catholic Church condemns secret societies *in toto*. I add to that assertion the observation that the eulogium which the hon. gentleman has made on the Catholic Church does not in any way cover up, in my mind, the attack he has made on the Church of which he says he is a member, in saying that that Church does not condemn secret societies.

Mr. SPROULE. On looking over the Bill which is before the House asking for the incorporation of the Orange body, I find that there is very little in it to be considered. The first thing which is asked is that the association may be enabled to own its own property. I recognize that it is the right of a Government to secure not only to individuals but also to incorporations, to people who band themselves for any legitimate pursuit whether it be manufacturing, or the promotion of any religious opinions, or any benevolent purpose, or any other charitable institutions—I say, I apprehend it is the right of the Government to secure to these parties, whether individually or collectively, the right to use and to hold their own properties. There is no doubt that there is a great deal of sentiment in connection with this question. The history of the institution in the past has done more to prejudice the people against it at the present time than anything else; but if members were to look around and see what the society is really like they would find that it is a progressive society, that it has comparatively lost its original identity, and is to-day more in harmony with the spirit of the age. It has materially changed in that respect in this country. It is composed of very large numbers of men that are acknowledged at least to be respectable members of society. They ask the right to hold their own property, to contract debts, to have the privilege of suing others, or to be sued themselves. They ask that when this property is of no more use to them they shall have the privilege of disposing of it and of distributing the proceeds in any way they may see fit. I think no man can see anything wrong in that. Looking back over the history of this Parliament and other Parliaments in this country from the earliest inception of Government, I have not been able to recognize any period when so large a number of men acknowledged to be respectable members of society came before a Government, asking a Bill of incorporation for any reasonable purpose, and had that right denied them. We have incorporated religious associations, enabling them to hold and dispose of their property—benevolent societies, and we believe it is right that they should be incorporated, because they are doing a good work. We have incorporated charitable institutions, and they are all tending, as this one is, in the direction of harmony with the spirit of the

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age, the spirit of progress, of benevolence and of good. In the opposition taken to this Bill there are several principles involved—one is that it would not be in harmony with the law of the Province of Quebec. So far as the constitutionality of the Bill is concerned, I cannot say anything, because I do not consider I am capable of judging it in that respect; but if the Bill is constitutional, then I think in some other way it should be our duty to remove that disability which rests on the association, and of harmonizing the laws in this respect. Another principle is that secret societies should be condemned, and those hon. gentlemen who hold these views are legitimately entitled to hold and express them. There is no doubt they have good reasons for the ground they take, but they will concede to others the same right to hold other views. My own opinion is that so long as a society appears to be for the promotion of the welfare of humanity, so long as it has for its object the aim of this society, that is, to concede to all classes religious liberty and toleration, then we should not condemn it. So long as it has not a tendency to undermine the foundation of society, so long as it is not treasonable or prejudicial to the welfare of the country, then I think it should be regarded as a fair and legitimate society in any one of the Provinces. We find that in Ontario at the present time almost every society is admitted whether it is secret or otherwise, but we do not find any bad results from the existence of these societies. We have the Freemasons, the Oddfellows, the Orange Association, the United Order of Ancient Workmen, and the Good Templars, and fifty others, all of which are composed, perhaps, of some of the most respectable members of society; as a whole, they are acknowledged to be good members of society. Now, I say, that so long as a society has for its object the promotion of the welfare of humanity; so long as it does not interfere with the Government of the country; so long as it does not tend to break down the institutions that go to make up the civilization of the country, then we should not pass any sweeping condemnation of it. With reference to the Orange Association, it is said that it has a tendency towards the exaltation of the Protestant religion. I can only say that, from my knowledge of it, I do not understand it. I understand that it is the imperative duty of Orangemen, if one Catholic lives amongst 10,000 of them, to accord to that man the greatest freedom to pursue his own religion, and that no matter what a man's religion may be, whether he is a Roman Catholic or a Jew, so long as his profession is a religious one they have the right to protect him no matter from whom aggression may come. It may be said that the Orangemen themselves are aggressive. I am led to understand differently. I understand that one of the imperative rules of the Order is that its members are to be slow to take offence, that they are to give no offence. Another rule is that he must be a good member of society, because he must live in accordance with the laws of the land. He must, so far as possible, live in conformity with the laws of the religious denomination by which he is governed, and while he does this, I do not think we should pass any sweeping condemnation upon him. But I believe the prejudice that exists to-day against the Orange Order is more in consequence of the history of the past than because of any of its actions in the present day. I think that in those parts of the country where Orangemen are most numerous and best known, people have the best opportunity of judging of them; and in those parts of Ontario where they are very numerous, we cannot find any testimony against their respectability, their submission to law as citizens, or any conduct on their part which might be detrimental to the interests of the State. This being the case, and in consideration of their large number, and of the small requirements asked in this Act, I think it will be only fair in this House to concede the measure, and instead of making them stronger I think the result will be to make them weaker. I know

of many of these Orangemen who have their lodges invested in trustees, and who would be willing to dispose of that property and send in their charter, but they cannot do so. It must be held by trustees, and if these trustees make away with that property they have no redress. It appears to me that they are something in the position of an insolvent without any law to enable him to wind up his affairs. They only ask what is reasonable, they only ask to have applied to them the golden rule of doing to others as you would have others do to you.

Mr. HACKETT. It was not my intention, when this question was introduced, to make any remarks upon it; but as the discussion has gone on and taken a wide range, I consider that I would not be fulfilling my duty by giving a silent vote. It has been said by the promoter of this Bill that the Orange Association is a charitable institution, and that the Orange Order is a tolerant order. Now, I am disposed to think that such is not the fact, judging by the rules of the organization, which I have in my hand, in the shape of a small book called "The Constitution and Laws of the Loyal Orange Association of British America." By the book, I find that a member of that society, although at the time he joins it may be a good Protestant, may be expelled in disgrace from the Order for the slightest reason. One of the reasons given for expulsion is marrying a Roman Catholic or Papist. I do not think a charitable or tolerant institution would do that. Another reason given for expulsion is any member sending his children to a Roman Catholic School. I say that any organization that acts in this manner is intolerant and uncharitable to the last degree. I listened with a good deal of interest to the speech of the hon. member for Bothwell (Mr. Hawkins). He states that he is a Roman Catholic and that as such he is inclined to give his support to this Bill. I may say that I am a Roman Catholic as well as the hon. gentleman; but I look upon this Orange Society as one aggressive to Roman Catholicism. I look upon it as being opposed to Catholicism, and, such being the fact, I, as a Roman Catholic, would be derelict in my duty if I did not oppose any measure directed against the religion which I believe to be the true guide to salvation. I am conscientious in the matter, as I believe the hon. gentleman who brought up this Bill to be conscientious. The hon. member for Cardwell said that it would be better for Orangemen to be allowed to walk on the 12th of July, and that Catholics should remain indoors, and no bitterness would result. I think it is a most astounding proposition to make, that Catholics, on the 12th of July, should suspend all their business operations in order to allow men to go through the streets, simply because they are Orangemen. The hon. gentleman is, of course, educated up to these views, but I look upon them as being narrow-minded and intolerant. Why do Orangemen march on the 12th of July? Why do they think it necessary to go out, on that day, with yellow ribbons, yellow flags, and yellow regalia, and flaunt them in the faces of Roman Catholics? Why does the hon. gentleman think it necessary that, in this free country, they should be allowed to do it? They simply do it for the purpose of reminding me that my forefathers were defeated, some two hundred years ago, by their forefathers, on the banks of the Boyne. They do it for the purpose of reminding me that a solemn treaty, entered into by the Irish people who were conquered at that time by the Prince whom the Orangemen immortalized, was violated before the ink was dry on the paper; that the Roman Catholic people of Ireland, of whom I am a descendant, were used in a manner which, at this day and this age, would not be allowed. These are the facts, and the hon. gentleman need not attempt to deny them; and when we see these processions marching before our faces, we cannot be blind to the fact that they are intended to remind us that we must bow in submission as our forefathers did two hundred years ago. That is one reason why I refuse

to vote for the incorporation of this association. There is no reason why in free Canada we should perpetuate the religious animosities of our forefathers. There is no reason why we should take an oath of ultra-loyalty. All that is required of a good citizen is, that he should obey the laws and take the oath of allegiance to Her Majesty. The hon. member for North Simcoe (Mr. Tyrwhitt) made a very unwarranted attack upon Roman Catholics. In replying to the hon. member for Montreal Centre, with regard to a certain class of immigrants being turned away from our shores, he said it would be better if they were. Now, I think that was a gratuitous insult to the Irish Roman Catholics, whom the hon. gentleman must have meant. I do not see why he should insult these people. The Roman Catholic people have always, as far as I have known, been, with very few exceptions, loyal to the British flag in every part of the world where they have been called to fight for that flag. They have done their duty on the plains of India, in America, on the burning sands of Africa, and no later than last year on the plains of Tel el Keber. Irish Catholics have always done their duty whenever required, and the stream of blood shed in defence of the British flag has always been increased by the pure blood of the Irish Catholic. The insult offered to the Roman Catholics of Canada and the world by the hon. member for South Simcoe is one that casts discredit only on its author. While I think the hon. member for Montreal Centre entered very largely into the constitutional question in regard to this Bill, I think it will prove of interest to state that in the Province of Prince Edward Island we had a good deal of discussion over these questions, and I am sorry we did not follow this evening the rule followed in that Legislature on that occasion, when I had the honor of a seat in our Local House. Both parties agreed that it would be better to take a silent vote on the Bill, so that no ill-feeling might be created, as both Catholics and Protestants lived side by side on the Island, and had always entertained the best of good feeling towards each other. For my part, I have always found in my intercourse with Orangemen that they were as honest and as generous in their dealings as any other people. I do not believe that Orangemen individually are intolerant, but that the Orange body as a society is an intolerant and uncontrollable association. We voted against the Bill, but it was carried, and was reserved for the signification of Her Majesty's pleasure. It was sent up to Ottawa in 1878, when the hon. member for East York was at the head of the Government, but was not dealt with until the present Government came into power. That Bill was sent back to the Lieut.-Governor of Prince Edward Island, with the following despatch:—

"RESERVED BILL.

"In addition to the above Acts, a Bill was passed entitled—'An Act to incorporate the Provincial Grand Lodge of Prince Edward Island and the subordinate lodges in connection therewith,' which was reserved by His Honor the Lieutenant-Governor for the signification of His Excellency's pleasure thereon.

"In 1873 two Bills were passed by the Legislature of Ontario entitled—'An Act to incorporate the Loyal Orange Association of Western Ontario,' and 'An Act to incorporate the Loyal Orange Association of Eastern Ontario,' which were reserved by the Lieutenant-Governor for the signification of His Excellency's pleasure thereon. Upon these Bills the then Minister of Justice, Sir John A. Macdonald, reported as follows:—

"That these Acts purport to incorporate two Provincial Associations. That the only object of these Associations appearing on the face of the Acts is the holding of property real and personal.

"That this being a Provincial object the Acts are within the competence and jurisdiction of the Provincial Legislature. Such being the case, in the opinion of the undersigned, the Lieutenant-Governor of Ontario ought not to have reserved these Acts for Your Excellency's assent, but should have given his assent to them as Lieutenant-Governor."

Referring to the two Acts and the reserved Bill of Prince Edward Island the despatch concludes as follows:—

"If the Acts should again be passed the Lieutenant-Governor should consider himself bound to deal with them at once, and not ask Your

Excellency to intervene in matters of Provincial concern, and solely and entirely within the jurisdiction and competence of the Legislature of the Province."

This shows very clearly that these Acts come under the competence and jurisdiction of the Local Legislatures, and that the gentlemen seeking incorporation should apply to them. In Prince Edward Island, the Bill was again revived in 1881, and the Lieut.-Governor of the Province vetoed the Bill, so that the question, as far as Prince Edward Island is concerned, is looked upon as settled, because this action will always stand as a precedent. Therefore, this question is settled for all time to come in our Province, and I know that a great deal of ill-feeling and disturbance would be created there if this Bill becomes law.

Mr. MACKINTOSH. I am not a believer, Sir, in the fallacy that the discussion of questions distasteful to one nationality or another, one creed or another, should, as a matter of convenient policy, be avoided in this House. I believe this to be the proper place, this the High Court, to which all classes of Her Majesty's subjects should feel safe in appealing, and thus appealing, rely upon being justly and impartially dealt with. Within these walls, Sir, I take it, we have virtually entered into a solemn compact to cultivate mutual forbearance, mutual toleration, and if the mixed population of this Dominion is to continue to live in peace, and the great future we have marked out is to prove other than a dream of enthusiasm—all classes, all creeds, all sections, must adopt the golden maxim of doing as they would be done by. Questions such as these must be settled from a higher level than that upon which political problems are sometimes solved; questions involving the rights of minorities, the duties of majorities, and those higher incidents of statecraft which tend to impart vigor and give permanence to the principles and designs of responsible government. For, if we are not able to withstand the promptings of prejudice, if powerless to school ourselves in the true elements of self-government, we are not worthy of being entrusted with the discharge of higher legislative responsibilities. When the Bill now before the House was introduced by the hon. member for East Hastings many who extract a modicum of interest from speculating on the effect a question of this nature might produce in the ranks of both political parties, not unnaturally expressed grave apprehensions that the discussion would re-open old sores, resurrect old issues, and engender bitterness, discord and personal acrimony. Happily, Sir, so far, there has not been the most remote manifestation of ill-feeling, and no better proof has been furnished for many years within the House of Commons that the people's representatives properly estimate their duties and appreciate the blessings of the Constitution under which they live. All profess, I think, to recognize the individual and collective rights guaranteed under that Constitution. All creeds claim, and reasonably claim, the enjoyment of certain well-defined privileges, and whilst making no scrutiny into the inner lives or religious convictions of those from whom they may differ, each reasonably expects to experience like consideration. By such reciprocal relations alone can perfect harmony be maintained, and by such reciprocal relations alone can we hope to avoid those national breakers that in the past have wrecked so many communities and destroyed so many States, where the hand had done its work whilst the heart failed to throb responsive to the advanced intelligence of the age. Convinced that where the masses are educated and possess ready access to centres of knowledge, where the press is daily within the reach of all, and public opinion restrains anything approaching either injustice or license, I feel, Sir, that an attempt to curtail the liberty of conscience or legitimate freedom of action enjoyed, or sought to be enjoyed, by any portion of the commonwealth would be a most questionable, in fact, a most pernicious experiment. Realizing this, my duty is clear, namely, on all occasions to advocate the same powers,

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the same rights, the same liberties for a body of my Protestant fellow-countrymen, that I am willing to extend to those belonging to other religious denominations. I am not, Sir, a member of the Order petitioning for incorporation, and if the request was that we should sanction, by Act of Parliament, the inauguration in Canada of processions commemorative of any unpleasant reminiscence of a bygone age, I would not vote for it. Those who now ask for power to hold land and to dispose of the same, to own banners and have a corporate right thereto, to sue and be sued, have for many years enjoyed the privilege of marching in procession and of meeting in lodges. It is one thing to confer certain rights, either by custom or legislation, but quite another to deprive the holders of them, unless it be clearly demonstrated that they have abused their privileges and done violence, under cloak of those rights, to both social and constitutional usage. A similar argument, alluded to this afternoon by the hon. member for Cardwell, was held to be good when the country was agitated about Separate Schools, and heated debates thereon took place in the old Canada Assembly. An effort was then made to repeal the 19th clause of the School Act, but the leader of the Government of that day—the same hon. gentleman who, although a quarter of a century has elapsed, still guides the destinies of a greater Canada—fought the battle against all odds in favor of maintaining Separate Schools, and was assisted whilst so doing by every leading member of the Orange Order in the Province of Upper Canada. I cannot forget these things, and as an unprejudiced observer, I cannot fail to remember that those who comprise the Order now applying for consideration, have at all times, since responsible Government, been exponents of and believers in the extension of equal rights to all loyal and law-abiding people, irrespective of class, creed or nationality. In a circular signed by Thomas Keyes, Grand Secretary of the Orange Association of British North America, dated March 30th, the following explanations are made with reference to the Bill now before Parliament. I quote, in brief, the salient clauses of this document:

"1. Nearly all the primary or private lodges of the association own property upon which have been erected halls or lodge rooms for their purposes, but such property is held without any legal tenure. The value of this property in the aggregate amounts to many hundreds of thousands of dollars. It is vested in trustees, who are in no way responsible at law to the association, and we are liable to suffer in the future—as we have in the past—serious losses from this cause.

"2. The Bill now before Parliament asks for no more than what has been heretofore conceded to religious and benevolent associations and other bodies—that is, the right to hold in our own name our own property; and does not accord the association any other legal status.

"3. Bills have been passed by five of the Provincial Legislatures incorporating our association; but, through no fault of ours, in three of these Provinces—Ontario, Manitoba and Prince Edward Island—the Bills have never become law. Under these circumstances, and in order to settle the question, we have appealed to the Parliament of Canada, for the passage of a General Act of incorporation for our society for the Dominion."

The proposition then, Sir, that we are called upon to discuss is, whether a society holding hundreds of thousands of dollars' worth of property shall be allowed to control such a property, instead of being forced to vest it in various trustees, thereby jeopardizing the funds of the institution, such funds being intended for and devoted to benevolent purposes. The proposition is not whether a certain order, calling itself an Orange Institution shall be permitted to march in procession to the sound of the fife and drum, discoursing music distasteful to a great many people who do not possess a sufficiently cultivated ear to appreciate that sort of harmonious luxury. With two branches of the subject, namely, the existence of the associations and their regalia processions, we have nothing to do; and as I said before, we are called upon to decide whether or not an association with ramifications throughout every city, town, village, and hamlet in the Dominion should have rights always accorded every other society that has heretofore applied for incorpo-

ration. I am convinced, Sir, that if the aim is to promote the vitality or to strengthen the roll of any institution of the kind, the surest way to accomplish this would be to refuse to countenance its existence. Give any large body of people a legislative grievance, and you beget for it widespread public sympathy. I found this assertion upon facts and figures, quite as correct as they must be convincing and significant. In 1841 the Legislature proscribed Orange regalia and declared Orange processions illegal. What was the result? From that day, within a short time, there was an increase of 50 per cent. in their numbers. In 1858 incorporation was refused, although all but fifteen of the members from Upper Canada voted for it. In 1873, although the Bill passed in the Provincial Legislature of Ontario, it was reserved for the signification of His Excellency the Governor General's pleasure, and since 1858 the numbers have doubled. Now, in 1883, the Dominion Parliament is asked to adjudicate upon it. I, therefore, contend that if those who are opposed to the Orange Association desire to lessen its influence or remove it from the arena of burning issues—the wise policy would be to grant without dissent, what the promoters ask, and to-day we find them asking the Dominion Parliament to grant them an Act of incorporation. If the House will bear with me I will refer hon. gentlemen to the opinions of some of the members of the Government of Ontario, or their leading supporters, when that Bill was before them. Nothing can be found in the history of this Order in Ontario to show that they are not in accord with the fair and impartial spirit of the people of the Province toward the religious minority. Mr. Bsthune, who was the member for Stormont in the Ontario Legislature, said :

"The Orange organizations could now hold property by trustees and could bring actions in courts of law; and the only desire the members of that body had in desiring that motion passed was that they might have power to hold the land on which their lodges stood and to purchase as a corporate body the banners they carried in their processions. He did not see that to pass this Bill would be an insult to Roman Catholics, who knew that the Orange organizations existed already. He believed that if the House refused to grant an Act of incorporation the effect would be to swell the ranks of the Orange institutions."

The hon. Mr. Mowat then, as at present, Premier of Ontario, then said :

"For his part he must say that he thought the opposition to this Bill attached too much importance to its effect. Orange bodies were, he said, legal bodies now; the Bill did not legalize them; Orangemen would not be one whit stronger if the Bill passed, or one whit weaker if it was thrown out. All that was asked was an additional convenience in doing what they could legally do now, and he did not see how that could be refused by any legislative body. With reference to the secrecy of the Orange body, to which the hon. member for Grenville had such strong objection, he himself could not see that was any objection which could make the House reject the Bill. He could see no harm in signs and passwords by which the members of the same body might know one another. Respecting the charge that it was a party organization, he quoted several cases in which this was disproved by the fact that the body was divided, some of the members taking one and some the other side in politics. Then, Orangemen attached a great amount of importance to loyalty, but our religion also taught us to be loyal to our rulers. There were quite as strong Protestants out of the Orange association as there was in it, and apart from the future which was always mixed up in such matters as that before the House, there was no ground for refusing the incorporation asked for."

Mr. Fairbairn, a leading supporter of Mr. Mowat at that time, said :

"He did not believe that the Orange body was a political organization, or its members would not be so divided. Formerly the Orangemen were nearly all Conservatives, but now many of them are beginning to look favorably upon the Reform party. Referring to the refusal of the old Parliament of Canada to incorporate the Orange organization, he said that it was the composition of the House at that time which had prevented the passage of the measure. The Friendly Societies Act in England, which allowed of the incorporation of any secret societies, was a precedent for the passage of these two Bills."

The Orange Order, in the minds of many, is associated with the Battle of the Boyne, and these appear to believe that as now existing it existed two hundred years ago. I think

hon. gentlemen who have paid any attention to the subject must be aware that not for one hundred years after that historical event did Orangeism come into public notice, the memory of William of Orange being commemorated in the constitution of the modern association as the friend and patron of Protestantism. We are all aware of the troublous times of 1795-98 in Ireland, and of the melancholy events that transpired there during that period of British history. Those now known in Ireland as Orangemen were first called "Break o'day" men in contra-distinction to other societies of various creeds and classes that then existed; they were styled Orangemen because of adopting a small ribbon badge, said to be similar to that worn by the Prince of Orange one hundred years before. But when hon. gentlemen say that this body in commemorating Protestantism stopped at nothing, in persecuting every Catholic in Ireland, I must endeavor to place the matter fairly before the House and can only do this by reference to the sworn evidence given before an Imperial Parliamentary Committee, in 1835, many years after the events of 1795-98. In the first place the declaration of the Grand Lodge of Ireland, 1798, when the first Grand Lodge was formed, distinctly recorded the following solemn pledge:—

"We further declare that we are exclusively a Protestant Association; yet, detesting as we do any intolerant spirit, we solemnly pledge ourselves to each other, that we will not persecute, injure or upbraid any person on account of his religious opinions, but that we will, on the contrary, be aiding and assisting to every loyal subject of every religious description in protecting him from violence and oppression."

Again,—I now quote from the declaration of the Orangemen of Down, in 1813 :

"We solemnly declare in the presence of Almighty God, that the idea of injuring any man on account of his religion never entered our heads; we regard every loyal subject as our friend, be his religion what it may; we have no enemies but the enemies of our country. To this declaration we now once more solemnly subscribe. Our principles are unalterably the same, and deeply do we deplore the attempts now so conspicuously made to raise the cry of religious war in this land."

A copy of the qualification necessary for an Orangeman was also handed into the Parliamentary Committee. It provides for a member of the Order being attentive to his religious duties, sober and tolerant, true to Protestant principles, and a devoted adherent to the Crown based upon Protestant succession. As a further proof of loyalty to Ireland, as well as the Crown, I find it recorded that eighty three years ago, at a full meeting of some of the lodges in Dublin, Orangemen joined in protesting with Irish Catholics against the Union with England, in these words :

"We consider the friends of that abominable measure a Union with Great Britain as the greatest enemies of Our Gracious Sovereign; a measure which would destroy our existence as a nation; and eventually involve the rights, liberties and even the lives of the people of Ireland."

Again :

"As freeholders, as Irishmen in all the several relations in which we are placed, we consider the extinction of our separate Legislature as the extinction of the Irish nation."

And yet we are told that these men hate and despise those who are not of their religion. Here we find that eighty-three years ago they were protesting, as thousands of Irishmen to-day are protesting, against being deprived of their Legislature and the right to rule over their home affairs. In Canada the declarations and obligations are very similar to those adopted in Ireland when the first lodges were formed, only modified in order that they may be adapted to existing circumstances, but in no one particular can I find a declaration on their part that they are the enemies of Roman Catholics. The obligation they take is almost similar to the Queen's Coronation Oath—and is not one that could reasonably be objected to. But there is another important phase of this subject that I think the House, in its wisdom, should take cognizance of; that is, the protection each Province has

against being forced by a Dominion Statute to accept legislation affecting its Provincial autonomy or the constructive rights and privileges of Provincial legislation. In the appeal of the case of the Citizens' and Queen Insurance Company vs. Parsons, which came before the Privy Council, in 1881, Sir Barnes Peacock, Sir Montague Smith, Sir Robert Collier, Sir Richard Couch and Sir Arthur Hobhouse being present, the question of Provincial, in contradistinction to Dominion Jurisdiction in Canada, will be found fully elaborated. I wish to call the attention of the House to the following, bearing out as it does my contention that it is fully within the jurisdiction of any Province opposed to the powers given to a corporation to restrict, prohibit or curtail these privileges. Their Lordships said :

"Suppose the Dominion Parliament were to incorporate a company with power among other things to purchase and hold lands throughout Canada in mortmain; it could scarcely be contended, if such a company were to carry on business in a Province where a law against holding lands in mortmain prevailed (each Province having exclusive legislative power over property and civil rights in the Province), that it could hold land in that Province in contravention of the Provincial Legislation; and if a company were incorporated for the sole purpose of purchasing and holding land in the Dominion, it might happen that it could do no business in any part of it, by reason of all the Provinces having passed mortmain Acts, though the corporation would still exist and preserve its status as a corporate body."

Now, the Province of Ontario, in 1873, declared in the Legislature, by a majority of eight or ten, that it was advisable to give the present petitioners corporate powers. For reasons I am not going to discuss here the Act was not sanctioned. Nova Scotia and New Brunswick have given these powers, and Manitoba and Prince Edward Island have also passed Bills granting similar powers. I believe a majority of the representatives from Ontario in this House are prepared to grant the prayer of the petitioners—hence it would seem very unjust that the privilege of holding lands and owning property should be denied, when it can only be done by the votes of those in whose Province the Provincial Acts are now in force, or by the votes of gentlemen whose Provinces, if they object, have full power to so legislate as to suspend the operation of the Dominion Act in such Province. I think the judgment of the learned gentlemen from which I quoted unmistakably establishes this, and being granted it should certainly exercise great influence in determining the action of this House with reference to the measure now under consideration. In alluding, Sir, to details connected with this question, I am actuated by no unworthy motive. I have no advantage to gain, no personal interest to serve; nor do I desire to say aught that would disturb the feelings or wound the sensibilities of any class throughout the Dominion. Representing, as I do, a constituency, one-half of which is composed of Catholics, had I consulted my own interests I might have been tempted to adopt a different policy; but, Sir, if my election as a member of this House depends upon the facility with which I adapt my views towards gratifying the peculiar prejudices of either Protestants or Catholics, then I do not desire to sit in Parliament, high and honorable though the position may be. No man can be the true friend of any class, who, for the advancement of political ends, encourages a war of creeds or a war of nationalities; and no man can be fair to one if he consents to be unjust or indifferent to the other. The lesson of toleration and forbearance must be learned, and its precepts respected by all of us, if we desire to be impartial judges or wise custodians of legislation; and this we know, that the tangible progress of a people towards advanced civilization is ever marked by the decline of passion and prejudice; for where passion exists, there can be little room for reason; and where prejudice holds sway, toleration becomes the mere shadow of a god-like attribute—the clay imitation of a marble statue. I have said, Sir, that one-half of the constituency I represent is peopled by those who do not confess the Protestant faith, and knowing me as they do I feel

Mr. MACKINTOSH.

confident they are convinced I would not support this Bill for one moment if their interests were jeopardized. I ask the question: Have the Orangemen sought to injure or oppress the Catholics of Canada? Have they abused, maligned or refused to admit them into possession of rights and privileges enjoyed by other classes throughout the Dominion? The answer must be—they have not. I ask, then, will this special Act increase the number of Orangemen? Will a refusal to yield it abolish the Order? Will granting it clothe them with dangerous powers, powers inimical to the well understood principles of constitutional government? Certainly not. Then, I say, in the interests of peace, of unity, of concord, let the petitioners have what they ask and put an end to ceaseless clamor and agitation. O'Connell spoke wisely when, addressing the Orangemen of Dublin, he said: "I would gladly wear the Orange regalia, if by so doing I could promote the peace, happiness and prosperity of my beloved country." And those who know what peace, happiness and contentment we enjoy in Canada can well afford to do what some may consider a little wrong in order that what is considered by many a great right may be secured to a large body of our fellow-subjects. In Canada we enjoy all the blessings vouchsafed to the most favored nations; the portals of learning, the avenues to the highest positions in the land, are open to all. Every man is the arbitrator of his own fortune, and may gain, as many have done in the past, the highest positions in the gift of either the Crown or people. As to whether he wears a green or orange ribbon is a matter for his own conscience—for colors are not made the standard by which men are measured when aspiring to serve their country. The liberty to speak, to think, to act according to the dictates of conscience, are held to be inalienable rights, and when a man tells me he does not believe in secret societies, I respect his convictions. But that is no reason why he should stigmatize those who do. I believe that a refusal to grant what is asked will create a grievance that will make more Orangemen year after year than any other policy that could possibly be adopted. Sir, as a Canadian, I hold in high respect the rights, privileges and even the prejudices of all who call Canada their home; but I believe experience has taught the lesson that in a country like this, mutual concessions are the best safeguards against national or sectarian feuds. The nearer we approach perfection in true liberality, the nearer we approach perfection in self-government, and no man who utilises a question such as that now under discussion, for the purpose of promoting political objects, can possibly aspire to the honor of being considered a friend to his country or a leader of his countrymen. Those who came across the Atlantic with their roses, their shamrocks and their thistles, came to build up a great nation on this portion of the American Continent, came, too, to assist in grafting upon our system of government all the best portions of the British Constitution, came to lay the foundation of what is not only a dependency, but must rapidly become a powerful ally of the Mother Country. By reciprocal toleration and forbearance alone can this be done; by reciprocal toleration alone can that mission be accomplished. Let us then stand upon one common platform, each plank a maxim from the divine law of human brotherhood, and each man striving in his own way to solve the problem of national progress. Then our children and children's children will cherish the memory of those whose self-denial and patriotism laid the foundation of a Western Empire—an Empire peopled by one of the greatest confederation of freemen the world has ever known. They will say: our fathers were great warriors, for they warred against and vanquished the promptings of passion and prejudice; they warred against and vanquished the legions of discord and anarchy, and placed high above everything else the divine attributes of conciliation, forbearance and social order.

Mr. WOODWORTH. Mr. Speaker: I do not intend to occupy the time of the House for more than three or four minutes, and I do so to give a reason for the vote I am about to give. It is something new to me—I think it is something new to hon. members on both sides of the House, from the Maritime Provinces—to find such a vein of feeling excited by the introduction of so simple a Bill as that now before the House. We, down by the sea, have not been accustomed to any such prejudices being aroused as we find in this House to-night, since the Bill has been under discussion. We cannot understand it; it is new to us. In Nova Scotia, when I had a seat in that Legislature, a Bill of this kind was introduced and passed without the slightest discussion, no hon. member thinking it worth while to refer to it. The Archbishop of Halifax of that day laughed at the idea of a Catholic rising in his place in the House and opposing the Bill, because it happened to have the word Orange in it. He said: "Let them have it and it will never be heard of again." The result justified that sagacious prelate's predictions, and we have never heard anything more about it. No one ever thinks of turning up the measure, which is simply an incorporation Bill, the same as many other Bills. I should have thought, from hearing the discussion, that this was a dynamite Bill, or that some one was going to kill somebody. I was astonished, on entering the House, to find the hon. member for Montreal Centre (Mr. Curran) in a perfect paroxysm of apparent passion; I believe it was more feigned than real. I left the House on Saturday morning at about two o'clock, having heard an hon. gentleman in a very moderate tone of voice pleasantly discuss the question of the importation of agricultural implements into Manitoba. Matters were then very quiet, and yet, entering the House to-day, I found the hon. member for Montreal Centre swaying himself backward and forward in a perfect paroxysm of passion, denouncing somebody. I looked and asked: "What is the matter?" to my hon. friend on my left. He said, "I don't know." I said: "What is up? is anybody killed?" It is this Bill—yes. I took it up and read it. There was nothing about Orangemen in it, except that the word Orangemen was mentioned. I found it was simply an incorporation Bill, to enable a lot of people, numbering somewhere, I believe, about 250,000 of the inhabitants of Canada to hold their property, no longer by invoking the aid of trustees, but directly the same as anybody else; that is all that there is in this Bill; and why was the time of the House taken up by references to the Battle of the Boyne, and the old fights in the old times when people acted very badly indeed, both Protestants and Catholics; when they fought and wrangled like dogs and cats for nothing—some of them. Why were we treated to fields to be made sanguinary by the blood of Catholics and of Protestants in the streets of Montreal, on the next 12th of July? Why, there was a picture drawn that made a modest, retiring man like myself feel that I would hardly dare enter Montreal in future, for I do not know when these things may break out and somebody be killed. I looked and saw that this Bill enabled these people to hold property, which they hold now, but only to hold it differently. If this Bill were to perpetuate Orangism, and if there were any single prejudice existing by any line of it, I could understand members rising and objecting to its passage; but I cannot understand why any person who has studied history, and more, why any loyal member of this House, why any hon. member having a seat here in Parliament, knowing that this is no place for airing private prejudices, and that it is not the spot where we are to show what we like and dislike from private sources, from our own private feelings, but that we are here for mutual consultation and reference with regard to the subjects before us—should vote against this Bill. Suppose there was a Bill here to incorporate St. Patrick's Society, would any person, any Orangeman, or any

Protestant in this House, jump to his feet and say this means the perpetuation of Catholicism in Canada, that these people had no right to exercise their functions and to march in procession on the 17th of March, if you like, and to hold all the property they wanted to have, or all they can find? Why, nobody would ever think of such a thing. I also heard the hon. member for Prince County, (Mr. Hackett). He seemed to think that this was a question of Orangism vs. Catholicism. He went into history, too, and had a lot of books before him; but hon. members have mistaken entirely the drift of this question, and I intend, for my part, to vote as I voted before, and give these people the right to hold their property if they want to, and I am quite sure that if this House is the place where civil rights are obtained, and where we can meet for mutual consultation, and to give those civil rights where they do not contravene anything in the spirit or letter of the Constitution—we ought to do so. I do not believe that this question originally—to tell the honest truth about it, and not to go into history here for hours and to thus occupy the time of the House—was a question of Catholic vs. Protestant at the time of the Revolution of 1688. I have not read history that way, but something like this: that a King by the name of James the Second, I believe, undertook to subvert the Constitution he was sworn to maintain; and that men were found who would not allow him to do so; and those who gave him the most strenuous opposition were the Catholics themselves of England. That is what I learn. I also learn that an Admiral, a Catholic Admiral, when told that when the French ships of Cousin Louis were to come near his ships he was to lower the old flag, and allow the Frenchmen to overrun his vessel—he was a Catholic and an Admiral—he heard them for awhile, and when the plot was made known, that he was to lower the old flag under which he had sailed, Catholic as he was, he brought his hand down on the table, his old patriotism getting the better of any religious prejudices, and exclaimed—"If I meet them, by God, I shall fight." And I say, that this was not a religious question; it was a patriotic question whether the throne of England was to become a dependency of the French Crown; and we find that a daughter of James the Second was the wife of William, who happened to give the name to this Bill, because he was Prince of Orange, an asthmatic, pale, man, whose body did not betoken the spirit within him. This Prince landed in England, with the experience before him, that the Duke of Monmouth, a nephew of James the Second, had been caught in a corn field, and suffered death for his attempt, at the hands of his uncle; but he landed with his wife; and it was the Catholics of England, who, finding that James had, as no king of England had ever before dared to do, violated his oath, helped William the Prince of Orange; who else could never have accomplished the revolution. Then why should the members for Montreal Centre and Prince County (P.E.I.) fight all these battles over again,—and "thrice he routed his foes, and thrice he slew the slain." Why should they fight these battles over again, not from a historical stand-point, but from prejudices which have crept in since. This Bill does not curtail anything, or add to anything; and I am quite sure, that if we are here to give this Bill the same consideration which we grant to any other Bill, we will pass it, and not work ourselves into a paroxysm of passion, either feigned or otherwise; and protest that this Bill means blood and thunder and murder, and everything else—for it does not. It is no more harmful than any other Bill which has come before the House, and we from the Maritime Provinces can vote for it—although I do not believe that there is a single Orangeman in the county I have the honor to represent; and I shall not stultify myself, having voted for a similar Bill down there with good results, because a few persons, with the experience of green on one shoulder, and orange on the other, had hit each other and

knocked each other down in Montreal or somewhere else—by voting against this Bill. If these people get into such a state of mind as this, not because of any of the real merits of the matter, but from mere sentiment, like the two boys quarrelling, when one puts a chip on one of his shoulders, and the other knocks it off; this is no reason for our acting foolishly. We men, with heads on our shoulders, should allow our judgments to rule, and not our passions and prejudices. I did not intend to make a speech; but I thought it only due to the House and the constituency I represent, to give the reasons why I vote for the Bill, and why I think that people called Orangemen are entitled to own their own property in their own way.

Mr. BEATY. I am gratified that the Bill has reached its present state, and I trust it will receive the second reading at the hands of the House. I voted against the motion made at a previous stage for the six months' hoist, because I thought it due to the House and the country, and especially to the number of petitioners who applied for the Bill, that it should receive the second reading, so that we should know the character of the measure itself. We now have the Bill before the House, and we find that it is a very innocent Bill, that it is a matter of no great consequence except to those who seek the incorporation; that, in fact, it only seeks to give to them the same power of dealing with their property that many institutions of the country, religious and otherwise, enjoy. I am sorry to observe that sectarian issues have been imported into this discussion. My view of the functions and the work of this House is, that it should not legislate for or against religion; and so far as I can observe with reference to this particular Bill, it does not legislate for religion in any particular sense, nor against it. I am quite persuaded that this Bill does not withdraw from any other class of the community any of the religious rights they now possess, or those civil liberties which we so abundantly enjoy in this free country. In that view of the case I propose to support the Bill. The Parliament of old Canada declared in connection with the Clerical Reserves that there should be no semblance of union between Church and State in this country; and I think that declaration should be upheld so far as any legislation which comes before this House is concerned. When we observe this other fact, that this legislation is demanded by about 1,500 lodges in all Canada, representing it may be 200,000 or 250,000 active members, having sympathizers, or adherents they may be called, representing as many more, we find we have an aggregate represented of about half a million of people; and when we add to that number those who sympathize with them in this matter we have no less than one million of people of the most intelligent and industrious citizens of this country asking that this Bill shall become law. Under these circumstances, it is very important that we should not act in such a manner as to awaken an agitation amongst so many people in this country. What has been the course of legislation in reference to matters which have agitated the Provinces in their past history? In former times we have even heard, in Nova Scotia, the expression that the flag should be hauled down, yet concessions were made to that Province under which that agitation happily ceased, so that to-day I suppose there are no more loyal and patriotic men than the hon. gentlemen who come from Nova Scotia. At another time it was said, with reference to British Columbia, that she would secede from the Dominion. Yet, by conceding to that Province great privileges in connection with the Canadian Pacific Railway, and otherwise, we find that all agitation has ceased. Now, if we have made concessions for the purpose why of settling questions of this character, should we not make concessions when we come to the question which will raise party and religious rancour in the country, and which, if these concessions are not made, will produce bigotry and prejudice to an extent which has not been felt before. Under

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these circumstances I appeal to hon. gentlemen opposite, who may feel disposed to vote against this measure, to consider well the course they are taking, and to come to the consideration of this question with their minds relieved from all sectarian prejudices, or of any religious aspect which the question may have assumed during this debate. I ask them to treat it as it ought to be treated, as a measure dealing with property, and giving to a large class of Her Majesty's loyal, industrious and intelligent citizens, those rights which other classes enjoy in this country. Since Confederation, as before, there have been many Acts passed sometimes in every Session giving rights to religious incorporations to hold property and in reference to all matters which pertain to their religion. It may be said that corporations connected with the Roman Catholic Church are not necessarily a part of that church; it may be that they are aids or auxiliaries for the purpose of promoting certain measures connected with the policy of the church, but however that may be, this House has over and over again legislated to give these corporate rights—as indeed, we are doing this very Session, and nobody has raised his hand against these measures, because they were in the directions of allowing the exercise of those religious rights which I trust no man will be deprived of in this country no matter what name he bears, or what tenets he holds. It is of the first importance in the interests of freedom and religion, in the interests of this free country to which we are seeking to attract immigration from all parts of the world, that it should go forth to any class of people that Canada is a country whose Legislature proscribes men who hold any particular views. With reference to a matter which does not affect the private interests of individuals, it is important that we should be able to tell immigrants, as I have frequently told the citizens of other countries, that we enjoy here greater liberty than in any other part of the world. When I meet our American cousins who talk about the liberty they possess under the soaring eagle, I always claim that we possess here greater liberty than they can under their peculiar Constitution. I think we should not say to any class of the community who does not assail the State or the Government or the Constitution of the country, which does not assail that civil and religious liberty which we so abundantly possess, that they are to be proscribed or prevented from obtaining those rights which have been so largely given to all classes of the community, no matter under what name they come here. I do not suppose if any Oddfellows Society were to come here that there would not be a sufficient number of a certain class of Oddfellows in this House to give an overwhelming majority in favor of a Bill of incorporation. And so with every other class of quasi-religious or benevolent institutions. The Orange Society, as I understand, is a benevolent institution; I am not a member of it, so I cannot speak with authority, but I understand that that is the case. It may be said that it is a quasi-religious institution, but even if it is so, why deprive it of the rights which we allow to others. I say that the sectarian element, and so far as the incorporation of this body is concerned, the religious element should be eliminated from the consideration of the question, and that it should be considered simply as a question of property, and as a question of giving this body facilities with regard to their actions which are given to other bodies of a similar kind. I do not propose to detain the House at this late hour, and after so much discussion, but I thought it well after the observations which have been made on both sides with reference to the religious character of this incorporation, if it has any religion about it, that an attempt should be made to bring the discussion back to its proper channel. I deemed it proper that this aspect of the question should not be pressed on the attention of the House, for this is not a national question, it is not a question of French or English, of Roman Catholic

or Protestant, but simply a question of ordinary civil rights and of putting this society in such a position that they can exercise those rights as other bodies exercise them. I do not fear, if this Bill should pass, that the pillars of the Constitution will be carried away. I do not fear that the bulwarks of liberty shall be thrown down, or that the foundations of civil and religious liberty shall be uprooted. I do not fear anything of this kind. The world will grow, this country will prosper, I think it will prosper more largely and more widely if to-night we pronounce that we are willing to concede to every man equal rights and equal justice, and to maintain the great principles of liberty, equality and fraternity.

Mr. LANDRY (Translation). Mr. Speaker, I do not intend to speak at any great length on the matter now occupying the attention of this House; but in the course of the debate certain statements have been made which I feel it my duty to deal with. At the outset, Mr. Speaker, I must show cause why the name of a man whom we all respect, which name has been mentioned this afternoon, ought not to be mingled with this discussion. I allude to Sir George Etienne Cartier. It has been said that in 1858 this same identical question of the incorporation of a secret society, a question which we are now considering, had been laid before the House, and that Sir George Etienne Cartier, with some of the friends who then supported him, voted in favor of the incorporation of the Orange society. Sir, I now hold in my hands the Journals of the House of that time, and I find that on the 5th May, 1858, the first reading of the Bill to incorporate the Orange Association, was moved. This first reading was put to a vote, with the following result, as reported by the Journals of that time:—

"The House resumed the adjourned Debate on the question which was this day proposed, that leave be given to bring in a Bill to incorporate the Loyal Orange Association of Canada.

"And the question being put, the House divided; and the names being called for, they were taken down as follow:—"

So that it was on the first reading of that Bill that the division took place, and on that occasion the hon. Sir George Etienne Cartier took the very same position as that taken recently, not on the first reading, but on a motion to appoint a day for the second reading, both by the hon. First Minister and the hon. leader of the Opposition. On that occasion the vote stood fifty-one in favor and fifty-one against. The question was settled by the casting vote of the Speaker; and the same day:

"Mr. Benjamin moved, seconded by Mr. Playfair, and the question being proposed, that the Bill be read a second time on Thursday, the 13th instant: The Hon. Mr. Cauchon moved in amendment to the question, seconded by Mr. Ross, that the words on 'Thursday, the 13th instant' be left out, and the words, 'this day six months' inserted instead thereof. And the question on the amendment being put the House divided; and the names being called for, they were taken down as follow:—"

Hence the second vote on that question was taken on the proposition to appoint a further day for the second reading itself. I think, Mr. Speaker, that it has always been admitted, and that it is a principle generally recognized, that the principle of a Bill is asserted only when such Bill has passed victoriously through the ordeal of its second reading, and if at that time some hon. members were not even willing to vote in favor of the first reading, it must be inferred that they certainly had some reasons which dictated such a conduct on their part, and made them follow the course they have followed. But on that occasion, as he would have done on that which occurred within a few days past, Sir George Etienne Cartier took a position for which we cannot blame him, for he never was called upon to pronounce himself on the real principle of such legislation, and if he was in the House to-day, I believe he would take on the present question just the position which we intend to take ourselves. This point being made clear, I propose, Mr. Speaker, to deal

with another remark which has just been made by the hon. member for Bothwell (Mr. Hawkins). The hon. gentleman has pretended that while as Roman Catholics we cannot belong to any secret society, yet we are not forbidden to vote in favor of their incorporation. I am very far from holding the views of the hon. gentleman. If, Mr. Speaker, we cast our eyes on the different societies now existing on the surface of the earth, what do we see? We see that there exist two great societies of a superior rank, on which all the others depend: the civil society and the religious society; the civil society, which is called the State, and the religious society, which is called the church. Mr. Speaker, in every society—and this is the enunciation of a principle universally recognized—the power must be ordained according to the purpose of the society, and the purpose of the society gives, so to speak, the measure of the extent of such power. What is meant here by power is the rights, taken as a whole, which are possessed by the society, whether those rights emanate from the society itself as an intrinsic source of power, or whether they are the result of certain agreements as extrinsic sources of power. By virtue of its nature, that is to say, of its intrinsic source, every society has a right to claim all that may be necessary for the accomplishment of the purpose towards which it aims. In the religious society, this purpose is the spiritual welfare of its members and nothing else, while the only purpose of the civil society is the temporal welfare of its members and nothing else. Now, given the existence of these two societies, they may have different connections, for the reason that the civil society offers in its composition a variety which must necessarily influence the nature of its connections with the church. Of course it will be readily understood that a Catholic state cannot have with the church relations of the same nature as those which a heretic state or an infidel state might have. Leaving aside, the civil society composed from a religious stand-point: 1st, of infidel members, a society which is independent from the power of the church; 2nd, of schismatical or heretical members, a society which is separated from the church but recognizes its power, we need only to examine the civil society, bearing always in mind that it is composed from a religious stand-point; 3rd, of Catholic members, a society united to the church and recognizing its power. Judged from this stand-point, the civil community is composed of members of whom none are at variance with the church, that is to say, we, as Catholics and as members of this House, belong to two different communities, one of which aims at a much higher and much more extended purpose than the other. If these two powers are united, all will be for the best, but if they are at variance which of the two must predominate on the other? That is the real question. Well, Sir, inasmuch as the spiritual welfare is far superior to the temporal welfare, inasmuch as the soul is far superior to the body, in the same degree must the religious community predominate on the civil community; and from this stand-point, Mr. Speaker, I think that we Roman Catholics ought to follow the teachings of the religious society to which we belong. Well, what are those teachings?

Mr. LAURIER. How about the Protestants?

Mr. LANDRY. I think that judged from this stand-point a Protestant is not a different being from a Roman Catholic. A Protestant belongs to both the civil and religious communities; and if the teachings of the religious community command him to do certain things, and if he is sincere, he must needs follow the teachings of the religious community in preference to those of the civil community, when the teachings of these two communities are not at variance. I am not discussing the question from the stand-point of any particular church, but from the stand-point of the religious community, taken in the broadest and most liberal sense of the word. Now, if as Catholics we have received the teach-

ings of the church, it is our duty to follow them. If the Church has the right to command, it is our duty to obey. I hold in my hand a letter from His Holiness Leo XII, condemning secret societies. In this letter bearing date the 13th of March, 1825, the third year of his pontificate, I find the following:—

"Consequently after having taken the advice of our venerable brethren the cardinals of the Holy Roman Church, of our own impulse, of our unerring science, and after mature thought, we forbid for ever and under the penalties stated in the various Bulls from our predecessors which are herewith enclosed, and which we now confirm, we forbid, say we, all secret associations, both those that are now organized and those who may be organized in the future, and those who would conceive against the Church or any legitimate authority the schemes on which we have just called attention.

"Wherefore we commend to each and every Christian, whatever may be their rank, dignity or profession, priest or layman, regular or secular, without it being necessary that their particular names should be mentioned here, and by virtue of the Holy Obedience, never to allow themselves, under any pretence whatever to enter into the aforesaid societies, to take part in them, to favor them."

And further he adds:

"Or to aid or abet them in any manner whatever; on the contrary, let them hold themselves carefully aloof from the societies, their gatherings, meetings or assemblies under pain of excommunication which will reach whoever violates this order, even by the fact that he shall have violated it, and from which excommunication it will be impossible for him to be ever relieved, except by us or our successors, unless he is in danger of death."

Here we have, Mr. Speaker, what has been ordained by the head of the religious community to which we belong. Not only does he forbid us to belong to any secret society, but he also even forbids us to do anything whatever which spread their influence, or favor the extension. Now, the question before us is not only whether the Bill laid before the House contains, or does not contain the word "Orange," that is a question of a secondary nature altogether. The true question for us is to know whether the society now seeking incorporation, is, or is not, a secret society. Well everybody knows that for whom incorporation is presently sought, is really and truly a secret society, and for this reason it is our duty to vote against that now made before the House, and it is from this stand-point, Mr. Speaker, that we intend to act when giving the vote which we shall presently be called upon to give. Mr. Speaker, the society now asking for an Act of incorporation is either good or bad. If it is a good society—and the argument I use here applies equally well to any secret society—where is the need of secrecy? Why should it compel its members to swear to do right? The name of the St. Patrick's Society has just been mentioned, and it has been said that if that society asked for an Act of incorporation their demand would be granted. Yes, it would be granted, the same as it would be granted to either the St. George's, or St. Andrew's Societies, or to any other society of that kind. And why? Simply because these societies do not fear to float their respective flags to the breeze in broad daylight, and that their members have no need of an oath to do right. If they wish to do right, they have no need of an oath to carry out their intention. The oath which binds to secrecy the members of any society whatever, shows, or at least seems to show, that their aim is not the best that might be desired. It is for that reason that those societies are forbidden by the church. Now, for us, there is the constitutional question, which is a second reason, but a very strong reason why we cannot approve of the measure now before the House. The incorporation which is sought to-day is nothing else but the regulating of the civil rights of a society, and for that reason, Mr. Speaker, I think that this matter is outside of our jurisdiction. It ought to be left to the Local Legislatures. The objection that has been raised in the course of the debate by some hon. members has not, so far, been overthrown by the hon. members who are to-day fighting in favor of the measure; and until this argument has been successfully answered, I think that all who take an interest

Mr. LANDRY.

in Provincial autonomy ought to follow on this question, the course which their love for their own Provinces will dictate to them. I was surprised, Mr. Speaker, to hear the hon. member for L'Islet (Mr. Casgrain) waxing pathetic on the subject, and stating that the Conservatives of to-day are not sincere in their support of Sir John A. Macdonald. Well, if in the past they have sustained this man, who, in his heart, may be a member of that association, and that is the only charge made by the hon. member for L'Islet, I can tell him with pleasure, that if we support the present Leader of the Conservative Administration, it is not because he belongs to that society, but because he belongs to a party far superior to that of which the hon. member for L'Islet is a member. And for this reason, Mr. Speaker: As long as our leader will govern the country with as much wisdom as he now does, as long as he will work for the welfare of the country, as long as he will respect our principles, as long as he will be supported in his Administration by those in which we have confidence, we will always be ready to follow in his footsteps. And whatever may be the position of the right hon. First Minister on this matter, I hope that our intercourse will be just as pleasant as heretofore, and it is to be hoped that in the future, as in the past, we may be justified in continuing to give him as hearty and as enthusiastic a support as that which we have always given him.

Mr. DUPONT (Translation). Mr. Speaker, my intention is not to take up much of the time of the House; I merely desire to point out one or two contradictions, which have occurred in the discussion which took place this evening. I have remarked that my hon. friend the member for Bothwell (Mr. Hawkins) has eulogized in glowing terms the tolerance of the Orange Lodges. He almost humbled himself to the ground before this extraordinary tolerance of the Orange Society. However, I was still more greatly astonished, when I heard the hon. member for South Simcoe (Mr. Tyrwhitt), a moment after, giving a proof of this great tolerance, by telling the hon. member for Bothwell that it was not desirable we should have men of his race in this country. Mr. Speaker, it was certainly giving to the hon. member for Bothwell an immediate reward that he richly deserved, I think I am bound to say, for the extraordinary praises, the extravagant eulogium which he had lavished on the Orange Lodges of the Province of Ontario. I have observed, Mr. Speaker, that hon. members who are now discussing the measure before the House, have taken it out altogether of its proper bounds. Allusion has been made to hon. members from the Province of Quebec, as being opposed to this measure through religious fanaticism, and in consequence of their religious creed. Mr. Speaker, I think I must say that that is not the motive which inspired the opposition now made by the hon. members of the Province of Quebec, to the measure now submitted to our consideration. We are opposed to this measure because it is one of the many infringements which are constantly and daily made on our local rights, privileges and prerogatives. That, Mr. Speaker, is the true motive of our present opposition. I have remarked that every hon. member who has spoken to-night before this House in favor of this Bill went into ecstasies, and told us: "We are asking for a very simple thing; we are simply and merely claiming civil rights for this society to the incorporation of which you object." Mr. Speaker, it is written in black and white in our Constitution that civil rights are under the control of Local Legislatures; but, although I feel that the following reason is not one for which we are opposed to the measure now before the House, I must say, however, that in my humble opinion, the incorporation of such a society is not desirable in the Dominion of Canada. I remember having read that the Duke of Wellington assembled one day in his sumptuous mansion all the distinguished generals that England could furnish, all the eminent statesmen, all that she could muster of brave sol-

diers. After giving them a grand banquet, the noble Duke, being on the decline of his career, addressing his guests, told them he would ask them to join him in rendering a last service to his country. And, Mr. Speaker, what was this service? It was to put an end to the deplorable habit to which military men were then addicted, and which consisted in fighting duels. Heartily did the worthy and noble English society respond to so patriotic an appeal on the part of the Duke of Wellington, and, from that day, it is reported that duelling ceased to be honored in the English army. And why? Because all the upper class of the realm had joined hands to brand this fatal habit, which caused the English soldiers to kill one another, to shed their blood in domestic quarrels, for motives having their source in a false sense of honor, to so shed blood which should only have been shed on the battle-fields for the defence of the country. Mr. Speaker, it behooves us now to put an end to a certain kind of duel. The duel of to-day, I have no hesitation in saying, is the antagonism existing between the Irish Catholics and the Irish Orangemen, and I ask if the statesmen of this country would not do well to imitate the noble example given by the Duke of Wellington, to put an end in this country to these broils of another age, these dissensions which can only weaken the union, the harmony and good understanding which ought to exist between all members of society in the Dominion of Canada. I think that every statesman in the country, I think that all who wish heartily to see it thrive and prosper, ought to join hands to put an end to those dissensions which may bring a contest between two sections of the nation, fighting one against the other, and intent on fighting one another, as has been the case on certain occasions in this country on account of the Orange celebration. As a proof that our secret societies can always lead to evil, Mr. Speaker, have we not seen one of the most distinguished members of this House fall a victim to secret societies while going home from a sitting of this House? Well, what has been done in the past may be repeated in the future. I willingly believe that the Orangemen of the Dominion of Canada are loyal subjects, but in that organization there may be men with exaggerated ideas, and who can say where exaggeration may lead to. On certain occasions all the people are excited when quarrels exist between two factions of the population. Well, Sir, to prevent these misfortunes, to prevent all these difficulties, I think we ought not to favor the incorporation of those societies.

Mr. FARROW. I do not intend at this late hour to occupy much of the time of the House, but I cannot refrain from expressing my thoughts on this subject. I must say that certain things that have been said to-night were wise and some otherwise. For instance, my hon. friend from Prince Edward Island (Mr. Hackett) said that Orangemen were bound not to send their children to Roman Catholic schools. Now, the hon. gentleman is a Roman Catholic, I am a Protestant; and I will guarantee this: that there are ten Protestant young ladies in Roman Catholic schools to every one Roman Catholic young lady in a Protestant school. The hon. gentleman would condemn the Orangemen because that is in their obligation. There is not a society in Canada more guarded about the education of their children than the Roman Catholics, and I think I shall be pardoned when I say that the Roman Catholics have used a great deal of liberality towards Protestants in this respect. They have actually given inducements to Protestants to send their children to their select schools, by providing an education for one-fourth—nay, one-half—less than Protestants give the same education for. Now we have our own views about that. My hon. friend from Prince Edward Island should be the last man to bring that charge against the Orangemen. I have tried to conjure up in my mind what might be the reason why we are denied this little privilege of holding a little lot of property to erect a building of our

own upon. I said to myself: is it because the Orange Society is a benevolent society? Well, I came to the conclusion that it could not be that, because the Roman Catholic Church is a benevolent church. I believe the people of that church look after their own poor; I believe they are a humane people—I give them credit for it. Then I asked myself: is it because it is a religious order? I came to the conclusion that that could not be the reason, because I believe there is no class of people in this Dominion that are more religious and more observant of the rites of their church than the Roman Catholics, and I give them credit for it. I was struck with astonishment a few Sessions ago when one of the members on the other side—I think it was the hon. Mr. Anglin—told us in the House of an institution in the Lower Provinces where lepers are confined, and he told us that these poor creatures went into that lazar house never expecting to come out again, and who were the teachers that went there to provide the inmates with religious instruction? I must say—and it struck me very forcibly at the time that it was not Protestant, but Roman Catholic priests. They went into that dead house voluntarily expecting to take the contagion, and there lived and there died. I thought it was a noble deed, and I am sure that the old saying of Scripture was verified: "I was sick and ye visited me." Well, I came to the conclusion that this society was not refused incorporation because it is benevolent or religious. I thought it might be because it is a secret society. Well, partly it is a secret society, and partly it is not. There is no other society that I know of that is so open. It has very few secrets. It is less secret than any temperance organization, than the Grangers, than the Ancient Order of United Workmen, or any other secret society that I know of in Ontario, because its obligations are known to every one before he takes them. They are published broadcast. But the hon. member for Montreal set me at rest to-day. He gave me the reason why this Bill is opposed. He showed that the Orange Order meant Protestant ascendancy. Now, he is greatly mistaken. If he had made that charge against any Protestant Church—the Church of England, the Presbyterian Church, the Methodist Church or the Baptist Church—there might have been some truth in it. But when I tell you that no person can go into an Orange Lodge until he is a Protestant—they do not initiate Roman Catholics into the Order—how could it be Protestant ascendancy? Now, this is what I find, that my hon. friend says they are jealous of Protestant ascendancy—I do not know whether he speaks the minds of Roman Catholics or not. Then he makes a charge, as a representative man, against all the Protestant Churches of this and other lands. Now, that is a serious charge. How do the Protestant Churches grow? Do they grow by persecuting people? How have they grown? I tell you, and every Protestant knows, that they adopt the method of peace. They proclaim to the world the glad tidings that were first proclaimed by angels to men: "Behold I bring you glad tidings of great joy." That is the weapon they use. "Search the Scriptures," that is another weapon; and I mean to say that if they are jealous because Protestantism is growing in this land, we cannot help that. If the people will become Protestant we cannot help that. But I may say, I am satisfied with these explanations. I find that since about three and a half centuries ago, Protestantism has grown. There are about 1,300,000 people on this earth; about 195,000 are Roman Catholics, and 95,000,000 Protestants. Only consider, there were but few Protestants at the time of the Reformation, and that Protestantism has grown from a mere nothing in numbers to 95,000,000 in three and a half centuries—about 27,500,000 per century—and I do not wonder at my hon. friend from Montreal Centre getting alarmed. I suppose my hon. friend from Montreal Centre has been looking over the world, and he finds

Protestantism has been growing in Ireland, for that is a fact; and in France, for that is a fact; and in Austria, for that is a fact; and in Italy, and that is a fact; and probably he is getting alarmed about it. We cannot help that, and what has this little Orange Bill to do with it. Has it come to this pass in Ontario, in the Dominion of Canada, that we Protestants shall give everything to our friends and receive nothing in return? I have been about twelve years on the floor of this House, and can testify that our Roman Catholic friends have brought up Bill after Bill in this House, and I have voted for them every time. I voted for the Sisters of Charity in the North-West last Session; I voted for the Oblate Fathers to own \$1,250,000 of real property, or an annual revenue of \$50,000 a year, the other day, and for the Christian Brothers who have been incorporated. Should they bring up any further Bills we would be liberal enough to support them; but we cannot be always giving and never receiving. We have certain rights which must be respected. Now, I can conceive what a beautiful influence there is going on on the other side, among our friends of peace and progress—I mean the Protestant ones—they are glorying about this little thing that is coming up in the House. Let them glory. Let them laugh inwardly. They want to say, those great Liberals to-night, that they have always been liberal. I do not blame Roman Catholics very much, they do not know what the Order is, as probably this is the first time, so to speak, they have been on a commission on it, but there are hon. gentlemen opposite, and some on this side who know all about it, but for a little political purpose and clap-trap, they are going to vote to-night against this little Bill of justice to the Orangemen of Ontario. I will read you a little extract from a Liberal paper, the *Hamilton Tribune*, on this subject:

"The course pursued by several of the Liberal leaders and members at Ottawa in voting against the Orange Incorporation Bill is unworthy the traditions and principles of a great Liberal party. As for the *Globe*, we suppose in its change of management it changed all its principles, and starts out to establish a new record. It formerly supported Orange incorporation, but now it justifies the action of the pseudo Liberals who voted against it. This comes of being a mere party hack."

Now, that is pretty hard from one of their own. I think further comment is unnecessary. I suppose they think they are doing a great thing to-night, but I must tell them, I believe a great opportunity has been given them to show their liberality, and if they will not accept that they will be the losers politically. I believe, if this matter of justice was granted to the Orangemen of this Dominion, it would quiet them for all time to come. But when this vote is taken to-night, and the Orangemen see that they are being denied this simple act of justice, what will be the effect? I believe this will be the effect, that Orangeism will grow. I believe the lodges will multiply, and I think it is a pity that this act of justice should be denied them. I think it would be far better to let them have this simple act of justice, and that we should all live peaceably and happily together. I come from a mixed community; I have mingled much with my Roman Catholic friends, and I am sure that a great many of them care nothing about this incorporation at all. There may be a few of them that object to it, but the great mass of the Roman Catholic population in my riding do not care one fig whether the Orangemen get incorporated or not, but they do wish to see this question settled definitely. I am sorry this discussion has taken place, and I think in the long run it will do harm, because there have been things said that will be treasured up in memory, and will yield their fruit in after days.

Mr. WHITE (Hastings). I wish to make a few remarks before the vote is taken. There has been a good deal of discussion on this Bill, but on the whole I am pleased that it has been so moderate. I trust that after the battle is over we will all be good friends. I think some things have been

Mr. FARROW.

said that had better not have been said, and I think if the hon. member for Montreal Centre had been a little more moderate in his remarks all the others would have followed suit, and the Orangemen would have brought their Bill before this House, and the vote would have been taken without any party feeling sore for the remarks made by others. I would first say, that so far as the remarks of the hon. member for Montreal Centre are concerned, he had no right to hurl them against Orangemen, at least of central Ontario. When I was Grand Master of the Province during the troubles in the city of Montreal, I did what I could to prevent them, and I succeeded in dissuading all but one lodge under my jurisdiction from going to Montreal, because I felt it was unwise and imprudent. If we get this Act of incorporation, I can assure that hon. gentleman and every other hon. gentleman in this House, that no Orangeman from Ontario will go to the city of Montreal to disturb the peace or hurt the feelings, or injure any party that resides there. We are anxious to forget what happened in the city of Montreal; we want to let it pass away from our minds altogether. We believe the Chief Magistrate of that city did not do his duty in the way he should. I think if he had pursued the same course as the Chief Magistrate of the city of Toronto, when the pilgrims made their pilgrimage through the streets, and when parties attacked them, and both Grand Masters along with the Mayor and the late John Hilliard Cameron, successfully protected them from attack—if the Mayor of Montreal had pursued a similar course, I believe to-day that the proud city of Montreal would bear a better name than it does. But I do not wish to recall those old matters, for, so far as I am concerned, I do not wish to hurt the feelings of any one. I would only say that whether I succeed or not with this Bill I shall always feel gratified to the Liberal members of this House, for the noble, kind and friendly support they have given it. We have brought before this House a request to be allowed to hold property upon which we pay taxes, to own the buildings for which we pay rent and to sell them when we no longer need them, and we want to know if in this great country that we are all so proud of, the freest country under the sun—if we are going to be denied that right by this Parliament, we want to know it, and if they do deny it to us there is one thing sure—our institution will not suffer, I do not believe, much by it. We have asked for nothing that is unreasonable, or unfair, or unjust; we have asked for that which is fair, just, proper and honest, and I am satisfied the great Protestant heart of this country is with us and think even-handed justice should be given to us. Now, there is another matter about this little Bill—as it has been called by some hon. gentlemen. An hon. gentleman who holds a high position in the Councils of this country, who occupies a very prominent position, said to me, when I asked him to support this Bill: "White we will give you the Bill, only take out that word Orange." Give up our name, Mr. Speaker! Why does not the Dominion of Canada give up its name? Why does not Queen Victoria give up her name? Why does not every great corporation in this country give up its name? Mr. Speaker, we will not take the Bill without the name. We hold the name dear to us, and under it we have prospered, and by it we will prosper if we never get an Act of incorporation. Now, I have nothing further to add. I am glad, I say, that this discussion has gone on so well, and so little has been said, and I thank those hon. gentlemen who have allowed us to come before this Parliament; and I shall be very grateful to any hon. gentleman in this House, no matter what his religious opinions, no matter what his political opinions are, if he will support this Bill; and I honestly declare that any influence I have, be it much or little, shall be accorded to him irrespective of the political party he belongs to. I trust that we will have a vote, and after the vote is over I hope the Orangemen of this country will discharge their duty as men of intelligence, men of truth, men of honesty, men

of integrity, and that they will see where they can remedy this evil, and I trust they will do it. Perhaps we may have to wait a few years to get this Act of incorporation, but we will get it by-and-bye. Why, Sir, will we get it? Because the time is not far distant when the women of this country will have a vote, and they know in their heart that so far as this Act is concerned it will be a benefit to the country, for we shall establish at once a fund for widows and orphans, and the ladies of this country will give us their support. I am glad the hon. First Minister has introduced a Bill which will give the right of suffrage to a good many women, and if the Bill does not become law they will be able to elect good, true and conscientious men to this House who will give us an Act of incorporation.

Amendment (Mr. Curran) 6 months' hoist, agreed to on the following division:—

## YEAS :

## Messieurs

Amyot,	De Beaujeu,	Macmaster,
Armstrong,	De St. Georges,	McMillan (Huron),
Auger,	Desaulniers,	McMillan (Vaudreuil),
Bain,	Desjardins,	McGreevy,
Béchar,	Dumont,	McIntyre,
Benoit,	Fairoank,	McIsaac,
Bergeron,	Fisher,	Massue,
Bergin,	Fleming,	Méthot,
Bernier,	Forbes,	Mitchell,
Billy,	Fortin,	Montplaisir,
Blake,	Fréchette,	Mulock,
Blanchet,	Gagné,	Paterson (Brant),
Bolduc,	Geoffrion,	Patterson (Essex),
Bossé,	Gigault,	Pinsonneault,
Bourassa,	Gillmor,	Pope,
Bourbeau,	Girouard (Jac. Cartier),	Rinfret,
Brecken,	Girouard (Kent),	Riopel,
Burns,	Grandbois,	Robertson (Shelburne),
Burpee (St. John),	Guilbault,	Ross (Middlesex),
Cameron (Huron),	Hackett,	Royal,
Campbell (Renfrew),	Hall,	Somerville (Brant),
Caron,	Harley,	Somerville (Bruce),
Casey,	Holton,	Springer,
Casgrain,	Innis,	Tassé,
Catudal,	Jackson,	Thompson,
Charlton,	Keefe,	Trow,
Cimon,	Kirk,	Vail,
Cockburn,	Labrosse,	Valin,
Colby,	Larderkin,	Vanasse,
Costigan,	Landry,	Weldon,
Coughlin,	Langevin,	Wells,
Coursol,	Laurier,	Wheler,
Curran,	Lister,	Wilson,
Cuthbert,	Livingstone,	Wright,
Daly,	Mackenzie,	Yeo.—106.
Daoust,		

## NAYS :

## Messieurs

Abbott,	Hesson,	Richey,
Allison,	Hickey,	Rykert,
Baker (Victoria),	Hilliard,	Scott,
Barnard,	Homer,	Scrivner,
Beaty,	Irvine,	Shakespeare,
Bell,	Jamieson,	Small,
Benson,	Kilvert,	Sproule,
Bowell,	Kinney,	Sutherland (Oxford),
Bryson,	Kranz,	Sutherland (Selkirk),
Burnham,	Macdonald (Sir John),	Taylor,
Cameron (Victoria),	Mackintosh,	Tilley,
Campbell (Victoria),	Macmillan (Middlesex),	Tupper (Pictou),
Carling,	McCallum,	Tyrwhitt,
Cochrane,	McCarthy,	Wallace (Albert),
Davies,	McDonald,	Wallace (York),
Dickinson,	McLellan,	Watson,
Farrow,	McNeill,	White (Cardwell),
Ferguson (Leeds & Gren.),	Moffat,	White (Hastings),
Foster,	O'Brien,	White (Renfrew),
Gordon,	Paint,	Wight,
Gunn,	Pickard,	Williams,
Haggart,	Ray,	Wood (Brockville),
Hawkins,	Reid,	Woodworth—70.
Hay,		

Main motion agreed to on the same division.

## BAYFIELD, (N.S.) BREAKWATER.

Mr. McISAAC enquired, Whether it is the intention of the Government to place a sum in the Supplementary Estimates

to finish or to further extend the breakwater at Bayfield, Nova Scotia?

Sir HECTOR LANGEVIN. The Government have not yet decided this question.

## VETERANS OF 1812-15.

Mr. THOMPSON enquired, Is it the intention of the Government to propose an increase of pensions to the Veterans of 1812-15, or to propose pensions to their widows, or to propose grants of land to the Veterans of 1812-15, or their widows?

Mr. CARON. It is not the intention of the Government to increase the amount of pensions to the Veterans of 1812-15, or to propose pensions to their widows, or to propose grants of land to the Veterans of 1812-15 or their widows.

## RIVER ST. LAWRENCE CHANNEL.

Mr. RINFRET enquired, Whether it is the intention of the Government to amend Section 2 of the Act 45 Vic, chap. 43, so as to remove all restriction in the use of the channels of the River St. Lawrence by rafts and small vessels?

Mr. McLELAN. The Government has not decided to amend Section 2 of the Act 45 Vic., chap. 43, in the direction indicated.

## NEGOTIATIONS WITH THE GOVERNMENT OF BRITISH COLUMBIA.

Mr. BAKER (Victoria) enquired, Is it the intention of the Government to inform the Members representing British Columbia in this House of the results of the recent negotiations with the Government of that Province with reference to the Esquimalt Dry Dock, the Esquimalt and Nanaimo Railway, and the opening to settlement of the Railway Lands of British Columbia?

Sir JOHN A. MACDONALD. I have the honor to inform the hon. gentleman that there are as yet no results, but as soon as there are results the Members for British Columbia will be informed at once.

## PROTECTION OF FISHERIES ON GEORGIAN BAY AND LAKE HURON.

Mr. O'BRIEN moved for copies of all correspondence and petitions addressed to the Minister of Marine and Fisheries, relative to the protection of the fisheries on the Georgian Bay and Lake Huron, since the 1st of January last. He said: In moving this motion I desire to call the attention of the hon. Minister of Marine to the unprotected condition of the fisheries on Georgian Bay, and the ineffectual way in which the system of protection is carried out. I know that correspondence has taken place between the Department and persons who have had opportunities of observing how these fisheries are looked after; but I wish to call the attention of the Minister specially to this fact, that the whole system of protecting the fisheries in Georgian Bay, as well as in the inland waters generally, is altogether inefficient for the reason that the Government employ persons to look after them who never take the trouble to go on the water and look after the men who are engaged in the trade. For Georgian Bay and the whole coast extending nearly 200 miles from Collingwood towards Killarney there are, I think, three inspectors, not one of whom ever thinks it his business to go on the water or visit the grounds where fishing is carried on. The consequence is not only that a number of persons fish who have no licenses to do so, but also nets are used of illegal mesh, and fish killed at seasons when they should not be killed. I think the simple and proper manner to protect the fisheries would be for the

Government to appoint one or two persons who should make it their business during the whole season to spend their time on the water looking after those engaged in the trade. By that means we would ascertain that only persons fished who took out licenses, and also that fish were not killed at spawning season, and at other times when they should not be interfered with. I think it will strike anyone as very absurd that, on a long stretch of coast like that round Georgian Bay, where the law declares that certain persons only shall fish, and fish only at certain times of the year, yet there is no person whose business it is to enforce the law and see that it is carried out. I would suggest to the hon. Minister that he should adopt the plan urged upon him some years ago by a person acquainted with the business, that instead of having three or four men at different points, who never set a foot in a boat or go on the water, he should employ one or two vessels—even a Mackinaw boat would be better than nothing—to go up and down the lakes and visit the fishing grounds and see the law is enforced. If the hon. Minister would adopt that plan he would find that very satisfactory results would flow from it. To give a little idea of the value of the fisheries and the very small cost to the Government, I would simply mention that the fishery on Georgian Bay returns a yield on an average of over \$70,000 a year, and that is merely from the number of vessels kept under license, and of which return is made to the Government. If the matter was properly looked into it would be found that two or three times that quantity was taken, of which no return was made, and the whole sum which the Department spends in looking after this fishery is very little over one per cent. of the whole amount derived. There is another very great evil—that the saw-mill owners along the Georgian Bay, not only destroy the fish, but also the harbors and navigable waters, by saw-dust being allowed to accumulate in the streams. It is no wonder that the mill owners on the Georgian Bay should be offenders in this respect, when we know that on the Ottawa, under the very walls of this House, the mill owners commit the same offence. It is most extraordinary that the Government are not able to enforce the law with respect to a matter of this importance. The Ottawa River in many places is not navigable where large vessels formerly passed up, and this is owing to saw-dust being allowed to accumulate. Parry Sound harbor is at this moment so obstructed with saw-dust that in parts of it a vessel cannot take out a load. The same state of things prevails on the Severn and the Muskosh, with other navigable streams entering the Georgian Bay, and all owing to saw-dust being allowed to accumulate. The Government, therefore, loses in a variety of ways, one being in revenue from the number of persons engaged in fishing without paying the required license. It also loses through the illegal destruction of fish, and from the manner in which the rivers and harbors are obstructed. In fact, it seems to me that there never was a people under the sun so utterly reckless and careless about their resources as are the people of Canada; not only do they allow their timber to be wasted and taken out of the country, but they actually allow the manufacture of the lumber to kill off the fish in our lakes and streams. In Parry Sound, where formerly valuable fish were to be found, you have to go twenty miles out to find fish; and this is all due to the manner in which, under the very eyes of the inspector appointed, I believe, by the Government of hon. gentlemen opposite, mill owners are allowed to put saw-dust in the streams, and not only obstruct the harbor, but destroy the fish. If the Government, instead of paying half-a-dozen landmen to go across the Bay in open boats, employed one or two persons, competent to take a boat and go up and down, an end would be put to this state of things. I used to think that the Militia Department was the most beggarly and starved Department in the whole Government, but now I think that the Fishery

Mr. O'BRIEN.

Department is the worst. Certainly the Minister has allowed his Department to be managed on very economical principles; and, unfortunately, mischief has been done in a variety of ways that can never be remedied. While we have, in this miserable way saved money, we have lost a large portion of our natural resources. We have a very expensive establishment at Newcastle for the raising of young fish; and we are asked to send applications to the Government to send fish to various portions of the coast. Now, what an absurdity it would be for me to ask to have salmon, or trout, or whitefish fry sent to the waters and along the shores of the Georgian Bay, when I know that they will be destroyed, before they attain legitimate size, by saw-dust, and killed out of season by people who ought to pay for licenses to the Government, but who not only do not pay for licenses, but make no returns whatever. The two things are perfectly inconsistent. What is the use of having establishments to breed fish to fill up waters which will be at once depleted. In the first place, we should carry out the existing laws for the protection of fish, and I would suggest to the Minister of Marine that he should take the first opportunity to revise the fishing regulations, and especially those under which the fishery inspectors are appointed; and while doing so to get a report of the coast and ascertain where there might be a certain portion of it set aside for breeding purposes, and no one to be allowed to fish there at all. Off certain portions of the coast here and there a few miles distant, suitable localities could be set apart where no one would be allowed to fish, to the very great advantage of the whole fishing interest; but it is useless to do so, unless the hon. gentleman adopts a more rigid and effective system of inspection. The first thing to do is to appoint men—even suppose he has to pay something like a reasonable salary—who will spend their time on the waters, attend to the fisheries and inspect the nets, a matter of very considerable importance, and see that no man fishes who has not a license; and above all things see that fish are not killed out of season and that saw-dust is not allowed to be put in the lakes to destroy them. When he has accomplished all that, which it is a very easy matter to accomplish, if he will only employ the right persons to see that the law is enforced, then it will be time enough to breed fish to put into the inland waters; but until he does that, the other is a great waste of time. I hope that the hon. Minister of Marine will take this matter into consideration, and consider particularly the fact that owing to the want of an efficient system of inspection, great loss arises, not only to the Government, but also to the country. The expense of the whole thing could not be very serious, if even he takes the money he pays out now and pays one or two persons, to gain the object in view. Then, if a man were compelled to have a boat and to be on the water—if a man hires a boat now it is as much as he can do to get the money for it out of the Department of Marine, for it is the greatest difficulty in the world to get legitimate expenses paid—a different and more efficient state of affairs would exist. Now, so far from our fishery officers being encouraged to do their duty, this is actually prevented, because they know that if they go to any expense they will have the greatest possible difficulty in getting reimbursed. I say that this is not the way in which this great industry should be treated. On Georgian Bay alone 10 vessels and 107 boats are employed, valued at about \$3,000, and over 200 men are engaged in these fisheries, and this is not a way to treat an important interest like that; and yet this is but one sample of the way in which the fisheries generally are conducted. On Lake Simcoe, where I live, some years ago we had a very efficient officer, who had charge of the whole lakes, and I think this was when hon. gentlemen opposite were in power. In enforcing the law, he found it necessary to fine some individuals on the east side of the Lake, represented

then by a gentleman not now in the House. This gentleman did not like it, and thought it very hard that an officer should come into his constituency and fine his constituents: consequently he had a fishery officer appointed himself to take the east side of the Lake, and this person took very good care not to fine the friends of that member. Then the late member for South Simcoe, a Conservative, finding that his friends were being prosecuted by this zealous and efficient officer, who then had them in charge, wanted to get somebody appointed who would look after his interests and allow saw-dust to kill the trout in all the brooks; and so our fishing interests in the Lake and on those waters were allowed to a very great extent to be sacrificed, because hon. members of this House had more regard for the interests, or the feelings certainly, of their constituents than for the interests entrusted to them; and hence they adopted these means to defeat the ends of the law. It was just as bad on the one side as on the other. This is one of those things which this House and the Government should set their faces against; and although in this case it was a matter of comparatively small importance, it is a sample of the way in which the fishery inspection is carried out. It is most absurd to appoint to do these duties, landsmen who do not know one end of a boat from the other. If the Minister does his duty as he ought, he will consider the large interests involved, and employ efficient men, and not make it difficult to get a boat, but compel them to have boats, and repair in them to certain portions of the coast at certain seasons. I think that thus the Government will benefit, and a very important interest, which is also at stake in the matter, will be largely served and the fisheries protected; and then, and not until then, will it be worth while to send fry into waters which are now ready for use.

Mr. McLELAN. The correspondence will be brought down. I am glad to see the hon. gentleman attach much importance to the fisheries of Georgian Bay, and I hope that he will give the Department the benefit of his local knowledge, and that if we call upon him to recommend any overseers or inspectors in that district he will name men possessing the qualifications which he says these men should have. I think he is allowing for one man almost too much work—200 miles of the Bay or district. It seems to me that while a man is at one end of the Bay, there would be poaching at the other end, &c., and I think that more than one man must be employed to make the system efficient. I may state to the hon. gentleman that this matter is under the serious and earnest consideration of the Department. With the hope of removing the evils complained of in that district with respect to the saw-dust in the Ottawa, I may say that some years ago it was considered that the manufacturing industry was more important just here than was the fishing industry; and, therefore, Ottawa River was exempted from the operations of the Fishery Act, and this accounts for the fact that there is so much sawdust in this river.

Motion agreed to.

#### RAILWAY ACCIDENTS.

Mr. MITCHELL moved for a return of all accidents and casualties which have occurred on the several railways in Canada for the past three years, ending 31st December, 1882, involving either loss of life or injury to persons or property, with a separate statement of each railway, showing the full extent and particulars of such casualties, the point at which they occurred, the causes and nature thereof, and in cases of fatal accidents whether or not a coroner's inquest was held, with the several verdicts returned thereon, with a copy of the by-laws, rules and regulations of each of the said railway companies, as required by the 55th Section of the Railway Act of 1879. The above returns

to include similar returns of the Government Railways. He said: I ask for this return in order that I may obtain information with regard to all Government and corporation roads, for the purpose of making comparisons with returns ordered by the House giving similar information with reference to the Grand Trunk. I find that the number of fatal accident on that road last year was 57; seriously injured, 201; slight accidents, 48, or in all, 306. I find that in no less than 33 cases no inquest was held. The number of these casualties have been so great that the latter is one of vital importance to the country, and one to which our attention might probably be directed with a view of lessening these accidents.

Motion agreed to.

#### MOTIONS FOR RETURNS.

Motions for the following Returns were severally agreed to:—

Copies of all correspondence, reports, &c., in reference to the immigration of Jewish refugees from Russia into any part of Canada, and in reference to the subsequent maintenance and disposal of such immigrants; with a statement of costs, if any, connected with their immigration and maintenance.—(Mr. Casey.)

Return of any and all moneys advanced to the Government of New Brunswick, on account of and in anticipation of the subsidy, since January 1st, 1882; the date of the several advances, the rate of interest charged and the amount of interest charged.—(Mr. Weldon.)

Return showing the name and salary and duty of each officer on the Instruction Staff of the Royal Military College, with the date of his appointment. Also, a Return showing the full staff of officers of "A" and "B" Batteries respectively, with salary and date of appointment.—(Mr. Ross, Middlesex.)

Return showing the name of each officer and employé in each Military District, with salary and date of appointment.—(Mr. Ross, Middlesex.)

Return showing the cost of the Cartridge Factory at Quebec, since its first establishment, and the names and salary of all the officers and employés, with the value and quantity of the ammunition manufactured.—(Mr. Ross, Middlesex.)

Return showing the number of officers, non commissioned officers and men, who received instruction in "A" and "B" Batteries in each year since their establishment; the number awarded a certificate of qualification in each year, and the entire cost per annum of each Battery for the same time.—(Mr. Ross, Middlesex.)

Statement of duty paid by the Canadian Pacific Railway Company on articles imported by them, from the date of their contract with the Government until the 28th February, 1883, specifying the ports of entry of such goods and the amount paid at each port.—(Mr. White, Cardwell.)

Copies of all correspondence, reports and Orders in Council with reference to the claim of Mr. Dustan, of Halifax, for a remission of duty on machinery for a sugar refinery.—(Mr. Blake.)

Copies of all Orders in Council in force regulating the close season for lobster fishing and all petitions and correspondence in possession of the Government since 1879, relating to the subject.—(Mr. Kirk.)

Return showing the metes and bounds of each of the electoral divisions in Manitoba, as represented in this House; their number, their names, and their population. Also, the successful candidates, and when there was a contest, the number of votes cast for each.—(Mr. Farrow.)

Copies of all documents and correspondence between the Government and persons claiming to be proprietors of the Seigniorship of Mingan, respecting the rights of property in that Seigniorship, and in the tidal and river fisheries along its front and within its limits.—(Mr. Abbott.)

Return of the names and respective amounts of Customs duties refunded at the Port of Toronto for the last fiscal year, and the articles or commodities upon which the duties were collected and refunded.—(Mr. McMullen.)

Copies of all correspondence between the Government of Ontario and of Canada, as to the sale of La Cloche Island, near the Georgian Bay or the Duck Islands, and as to the claims of the respective Governments with reference to Islands in that neighborhood; also, of all correspondence and papers with reference to the sales of any such Islands; with a statement of the particulars of any sales made, including dates, names and prices.—(Mr. Blake.)

Return of all correspondence had from January 1st, 1877, to March 31st, 1883, between the Department of Marine and Fisheries at Ottawa, and the Inspector of Fisheries for the Province of New Brunswick, and of all reports made to the Department by the said Inspector, in reference to the claim of ex-Overseer Ames Perley, of Chatham, for services in connection with the Smelt Fishery of Miramichi, in the years 1876, 1877, and 1878.—(Mr. Weldon.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 12:5 o'clock a.m.) the House adjourned.

## HOUSE OF COMMONS,

TUESDAY, 17th April, 1883.

The SPEAKER took the Chair at Three o'clock.

### PRAYERS.

### PRIVATE BILLS.

Sir HECTOR LANGEVIN. I move that as the time for receiving the reports on Private Bills will expire to-morrow, the same be extended for a further period of eight days from such date.

Motion agreed to.

### BILL INTRODUCED.

The following Bill (from the Senate) was introduced and read the first time:—

Bill (No. 109) to amend an Act for the final settlement of claims to lands in Manitoba by occupancy under the Act 33 Vict., chap. 3.—(Mr. Royal.)

### ROADS AND ROAD ALLOWANCES IN MANITOBA.

Mr. ROYAL moved for leave to introduce Bill (No. 110) to amend the Act respecting roads and road allowances in Manitoba, (from the Senate.)

Mr. BLAKE. Explain.

Mr. ROYAL. An Act was passed by the Dominion Government some years ago at the request of the Manitoba Government to have the old trails in the Province of Manitoba surveyed by the Department. The property of those roads was vested in the Crown, and any change in those roads was to be made by the Local Government, the municipal system not being at that time fully in existence. Since that time the municipal system has been organized all over the Province, and whenever a Municipal Council wants to change the location of a trail or road they have to apply to the Governor in Council here in Ottawa. The object of this measure is to vest that authority in the Legislature of Manitoba instead of the Governor in Council.

Bill read the first time.

Mr. MITCHELL.

### WAYS AND MEANS.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole to consider the following resolutions:—

2. Resolved,—That it is expedient to amend the Act 42 Vic., chap. 15. intitled: "An Act to alter the duties of Customs and Excise," and the Acts of 1880, 1881 and 1882 amending the same:—First—By repealing so much of Schedule A of said Acts as imposes any duties of Customs upon the following goods, and making other provisions in lieu thereof, also, by changing descriptions in certain cases, and adding thereto certain articles not heretofore enumerated.

#### ACIDS:

1. Acetic, now twelve cents per Imperial Gallon to be fifteen cents. Strike out the words "Sulphuric and Nitric in a combined state, twenty per cent *ad valorem*," and substitute the following in lieu thereof:—
2. Sulphuric and Nitric combined and all mixed acids, twenty-five per cent. *ad valorem*.
3. Under the heading "Books, &c." In the item Playing Cards, strike out the words and figures "thirty per cent. *ad valorem*. 30 per cent." and insert the words "six cents per pack."
4. In the item "Printed Music, bound or in sheets," strike out the word and figure "six, 6," and insert the word and figures "ten, 10."
5. Braces or Suspenders, now 25 per cent. to be 30 per cent.

#### CARRIAGES:—

Strike out the whole of this item and substitute the following in lieu thereof:—

- 6 to 12. Carriages:—Buggies of all kinds, Farm Waggon, Farm Railway or Freight Carts, Pleasure Carts or Gigs and similar vehicles, and all other carriages not otherwise enumerated, thirty-five per cent. *ad valorem*, to take effect on and after the tenth day of May next.
13. Railway Cars, Sleighs, Cutters, Wheel-barrows and Hand-Carts, thirty per cent. *ad valorem*.
- 14 to 19. Children's Carriages of all kinds, thirty-five per cent. *ad valorem*, to take effect on and after the tenth day of May next.
20. Parts of Carriages or other manufactured articles shall be charged with the same rate of duty, on a proportionate valuation, as that chargeable upon the finished article.
21. Under the heading "Cotton, Manufactures of." In the item Cotton, Duck or Canvas of hemp or flax and sail twice when to be used for boats' and ships' sails, five per cent. *ad valorem*. Strike out the words "Cotton, Duck or," and provide that: The importer of Cotton Duck, used for sails of ships or fishing boats or other vessels, shall be entitled to a drawback equal to the duty paid thereon, less five per cent. of the value of the article, on furnishing proof that the Duck had been so used, under regulations to be made by the Minister of Customs. After the item, "All clothing made of cotton or other material, &c." insert the item:
  22. Lampwicks thirty per cent. *ad valorem*.
  - And also the following:
    23. Provided that printed or dyed cottons, except jeans, coutilles, cambrics, silicias and casbans, shall on and after the 1st day of January, 1884, be charged with a duty of twenty-seven and one-half per cent. *ad valorem*.

Strike out the items concerning "Cordage for ships' purposes," and "Cordage, all other including Manilla, Marline, &c.," and substitute therefor:

24. Cordage of all kinds, twenty per cent. *ad valorem*.
- Strike out the item "Drain tile and drain pipes and sewer pipes, &c., twenty per cent.," and substitute the following items in lieu thereof:—
  25. Drain tile not glazed, twenty per cent. *ad valorem*.
  26. Drain pipes and sewer pipes, glazed, twenty five per cent. *ad valorem*.
  27. Under the heading "Fruits Dried," in the second item, "Currants, Dates, &c.," the duty of twenty-five per cent. to be reduced to twenty per cent.
  28. In the item, "Fruits in air-tight cans," after the words, "including cans," strike out the words "three cents per pound if sweetened, and two cents per pound if not sweetened," and insert the words: "Weighing not over one pound, three cents per can, and three cents additional per can for each pound or fraction of a pound over one pound in weight."
  29. Under the heading "Furniture," after the word "Furniture," and before the word "house," insert the words, "of wood, iron, or any other material." After the words, "bolsters and pillows," and before the words, "caskets and coffins," strike out the words "Show Cases," and add the following item: Show cases, a specific duty of two dollars each, and in addition thereto, thirty-five per cent. *ad valorem*.
  30. Under the heading "Iron and Manufactures of," after the item concerning "lap-welded boiler iron tubing," and before the item concerning "bedsteads and other iron furniture," strike out the heading "Manufactures of iron or steel, or of iron and steel combined."

31. In the item "Bedsteads and other iron furniture and ornamental iron work and wire work," strike out the words "Bedsteads and other iron furniture," and include the same in the item concerning "Furniture, house, cabinet, or office," thirty-five per cent. *ad valorem*.
- After the item concerning "Sewing Machines," and before the item concerning "Ink for writing," insert the following:—
32. All articles rated as iron or manufactures of iron shall be chargeable with the same duty if imported as steel, or steel and iron combined, unless otherwise provided for.
- Under the heading "Leather" in the item "Sole and belting leather and all upper leather," after the word "Sheep," and before the words "Calf, tanned or dressed," strike out the words "Buck and Antelope," and substitute therefor the following item:
33. Glove Leathers, viz.: *Buck, Deer, Elk and Antelope, tanned or dressed, colored or not colored, ten per cent. ad valorem.*
35. Under the heading "Liquorice root, paste extract of, for manufacturing purposes," the duty of twenty per cent. to be reduced to fifteen per cent. *ad valorem.*
36. Under the heading "Marble," in the first item after the word "containing," and before the word "fifteen," insert the words "less than," and after the words "cubic feet," and before the words "ten per cent.," strike out the words "or over."
37. In the second item, after the words "two sides," and before the words "per cent.," strike out the word "fifteen," and insert the word "ten."
38. Under the heading "Oils," in the item concerning, "Carbolic or heavy Oil," after the word "Oil," and before the words "ten per cent.," strike out the words "used in making wooden block pavements, for heating, wood for building, and for railway ties," strike out the item "lubricating of all kinds, twenty-five per cent. *ad valorem* 25 per cent." and substitute the following:
39. Lubricating Oils, composed wholly or in part of Petroleum, and costing thirty cents per Imperial gallon or over, twenty-five per cent. *ad valorem.*
40. The same costing less than thirty cents per Imperial gallon, seven and one-fifth cents per Imperial gallon.
41. All other lubricating oils, twenty-five per cent. *ad valorem.*
42. In the item of "paper hangings or wall paper," after the words "wall paper" insert the words "and glazed, plated, marbled, enamelled or embossed paper, in rolls or sheets, and card-board similarly finished."
43. In the item "Union Collar Cloth Paper," after the words "not shapen" and before the words "per cent." strike out the word "ten" and insert the word "five."
44. In the item concerning "Spices," after the word "unground" and before the words "per cent" strike out the word "twenty" and insert the word "ten."
45. Under the heading "Tobacco," in the item "manufactured tobacco and snuff," after the word "twenty," strike out the word "five," also the figures "25," and insert the figures "20" to take effect on and after the first day of May next.
- In the item "Trunks, satchels, valises, &c.," after the words "Carpet-bags," insert the words "Purses and pocket-books."
46. In the item "Turpentine, spirits of," after the words "Spirits of," and before the words "per cent." strike out the word "twenty," and insert the word "ten."
47. Under the heading "Vegetables," strike out the words "Tomatoes in cans, 2 cts. per lb." and substitute the following in lieu thereof: "Tomatoes and other vegetables, including corn, in cans weighing not over one pound, 2 cts. per can.  
And 2 cts. additional per can for each pound or fraction of a pound over one pound in weight.
48. In the item concerning "Vinegar," after the word "Vinegar," and before the word "cents," strike out the word "twelve," and insert the word "fifteen."
49. Under the heading "Wools and Woollens" in the first item, after the words "Worsted Yarns," strike out the words "and figures," "under number 30," and after the word "hosiery" and before the word "seven," strike out the words "of every description," and insert the words, "not elsewhere specified"
50. In the second item concerning "Clothing ready made," after the word "including" and before the word "Cloth Caps" insert the words "Knitted goods, viz.: Socks and Stockings  
Between the second and third items insert the following item:—
51. Dress or Costume Cloths, serges and similar fabrics, under twenty-five inches wide and weighing not over three and a-half ounces per lineal yard, either or both, twenty per cent. *ad valorem.*  
Wincies to remain as they are in the present Tariff.  
By adding to Schedule A the following items, viz.:—
53. Absinthe, two dollars per Imperial gallon.
54. Agates, sapphires, emeralds, garnets and opals, polished but not set or otherwise manufactured, ten per cent. *ad valorem.*
55. Aniline dyes, not otherwise provided for, ten per cent. *ad valorem.*
- 56 to 72 AGRICULTURAL IMPLEMENTS:  
Mowing Machines, Self-binding Harvesters, Harvesters without binders, Binding attachments, Reapers, Sulky and Walking Ploughs and parts of the same, Harrows, Seythes, Horse and Hand Hay Rakes, Garden Rakes of any material, Grain Seed Drills, Spades and Shovels, Hoes, Hay, Straw, Manure, Spading and Mining Forks, and all similar articles and parts thereof, thirty-five per cent. *ad valorem*, to take effect on and after the tenth day of May next.
- 73 to 78. Portable Machines, Portable Steam Engines, Threshers and Separators, Horse Powers, Portable Saw Mills, and Fanning Mills and parts thereof, thirty-five per cent. *ad valorem*, to take effect on and after the tenth day of May next.
79. Bed Comforters, or Quilts of Cotton, twenty-seven and a-half per cent. *ad valorem.*
80. Bells, of any material, except for churches, thirty per cent. *ad valorem.*
81. Boot, Shoe and Stay Laces of any material, thirty per cent. *ad valorem.*
83. Button Covers, Grosier, ten per cent. *ad valorem.*
84. Cane or Rattan, split or otherwise manufactured, twenty-five per cent. *ad valorem.*
85. Cases—Jewel and Watch Cases, and other like articles of any material, thirty per cent. *ad valorem.*
86. Coal Dust, twenty per cent. *ad valorem.*
87. Hair Cloth, thirty per cent. *ad valorem.*
88. India Rubber Clothing, or clothing made waterproof with India rubber, thirty-five per cent. *ad valorem.*
89. Jellies and Jams, five cents per pound.
90. Jute Carpeting or Matting and Mats, twenty-five per cent. *ad valorem.*
91. Lamp-black and Ivory black, ten per cent. *ad valorem.*
92. Lead, Nitrate and Acetate of, five per cent. *ad valorem.*
93. Magic Lanterns and Optical Instruments, including Microscopes and Telescopes, twenty-five per cent. *ad valorem.*
94. Nickel Anodes, ten per cent. *ad valorem.*
96. Pumps, iron, pitcher, spout, cistern, well and force pumps, thirty-five per cent. *ad valorem.*
97. Tin Crystals, twenty per cent. *ad valorem.*
98. Vaseline, and all similar preparations of petroleum for toilet, medicinal or other purposes, in bulk, four cents per pound.  
In bottles or other packages, not over one pound in weight each, six cents per pound.  
Under the heading, "Steel and Manufactures of," strike out the first item concerning "steel in ingots, bars, sheets and coils and railway bars or rails and fish plates," and substitute the following in lieu thereof:—
99. Steel, ingots, bars, sheets and coils, not elsewhere specified, a specific duty of five dollars per ton. to take effect on and after the first of July next, and to remain free of duty until that date.
100. Spades, etc., strike out the words "including files" and add the following item:
101. Files and Rasps, thirty-five per cent. *ad valorem.*
102. After the item concerning "Proprietary Medicines," and before the item concerning "Prunella," insert the following:—  
"All medicinal preparations, whether chemical or otherwise, usually imported with the name of the manufacturer, shall have the true name of such manufacturer and the place where they are prepared permanently and legibly affixed to each parcel by stamp, label or otherwise; and all medicinal preparations imported without such names so affixed shall be forfeited."
- 3 Resolved.—That it is expedient to provide by law that the export of Deer, Wild Turkeys and Quail in the carcase, be prohibited; and that a penalty be imposed for every breach of such prohibition.
- Motion agreed to; and the House resolved itself into Committee.
- (In the Committee.)
- On item 1, acetic acid,
- Sir LEONARD TILLEY. The duty on acetic acid is now 12 cts. per Imperial gallon, and I propose to make it 15 cts. This is an article whose value entirely depends on its strength. In some cases it has been introduced very strong indeed, and being diluted with water it is brought into competition with the vinegar made in this country as well as imported vinegar. In the United States the duty is collected according to the strength, and they have instruments for testing; but as that involves a good deal of expense and the employment of men qualified for that particular duty, we thought it better to add 3 cts. per gallon without making any distinction as to strength.
- Mr. BLAKE. This is a further protection to the vinegar makers.
- Sir LEONARD TILLEY. It applies to both the home-made and the imported vinegar.
- Mr. ROSS (Middlesex). What will this duty amount to *ad valorem*?
- Sir LEONARD TILLEY. That will depend, of course, entirely on the strength.

On item 2, sulphuric, nitric acids combined, and all mixed acids,

Sir LEONARD TILLEY. The duty on sulphuric acid is specific, and as a rule the rate of duty *ad valorem* is higher than on nitric or muriatic acids, and the result has been that parties have sometimes been in the habit of importing sulphuric mixed with nitric or muriatic at the 20 per cent. duty. This, of course, interferes with the duty now imposed on sulphuric acid, and we propose to equalize the matter by putting on a duty of 25 per cent. on all mixed acids.

Mr. BLAKE. Is that for protective or revenue purposes?

Sir LEONARD TILLEY. It is to prevent fraud upon the revenue to a certain extent, because by mixing they import the article at a lower rate.

On item 3, playing cards,

Sir LEONARD TILLEY. This is not for the purpose of getting a revenue, but we think they can be manufactured in the country.

Mr. BLAKE. The hon. gentleman proposes to encourage the manufacture of playing cards. You expect the duty to be prohibitory?

Sir LEONARD TILLEY. We have no objection if it is.

Mr. BLAKE. About what rate *ad valorem* is equivalent to 6 cts. per pack?

Sir LEONARD TILLEY. Some are imported very cheap, and being merely water colors, if handled for fifteen or twenty minutes they show their inferior quality. On the better description this rate would be equal to about 35 per cent.

On item 4, printed music,

Sir LEONARD TILLEY. The present rate, 6 cts. a lb., is very low, and the manufacturers of sheet music in the country think they should have some protection, and therefore, we propose to increase the rate from 6 cts. to 10 cts. a lb. We think we might also get more revenue from this duty.

Mr. BLAKE. At what rate is it now coming in.

Sir LEONARD TILLEY. Sometimes as low as 5 per cent.

On item 5, braces or suspenders,

Sir LEONARD TILLEY. The article from which suspenders are manufactured, pays 25 per cent. duty, and the duty on the manufactured article has been also 25 per cent. It is proposed to give the manufacturer 5 per cent. protection by increasing the rate on the manufactured article to 30 per cent.

Mr. BLAKE. Is the raw material made in the country?

Sir LEONARD TILLEY. Yes. I may state that the Government not knowing that the article was made in the country, proposed to reduce the duty; but, on enquiry, we found that machinery has recently been imported, and that raw material is now being manufactured, and therefore we propose to increase the duty on the manufactured article rather than reduce that on the raw material.

Mr. BLAKE. At present the manufacturer of the raw material is taking the benefit of the whole duty.

Sir LEONARD TILLEY. The manufacturer of the raw material is taking all the benefit he can get out of it. He has to pay his proportion of the duty on the article he imports, but there is no reason why he should not be protected.

Mr. BLAKE. I am not making any suggestion, I am merely asking the operation of these various duties.

Mr. PATERSON (Brant). Will there be any perceptible difference in the revenue from those five items?

Sir LEONARD TILLEY.

Sir LEONARD TILLEY. We do not anticipate anything very perceptible; there may be a slight increase.

On items 6 to 12, carriages,

Sir LEONARD TILLEY. As I stated the other night, with reference to carriages and the other articles named in the items from 6 to 12, it is proposed to substitute a duty of 35 per cent. for the combined specific and *ad valorem* duty. On item 13, railway cars and other carriages, it is proposed to impose a duty of 30 per cent.; and on items 14 to 19, childrens' carriages of all kinds, 35 per cent.; on agricultural implements, we propose to place 35 per cent.; and I may state here, before we pass this resolution, that the Government have given very serious consideration to the representations that were made as to the effect this proposal was likely to have, especially on Manitoba and the North-West. We have had communications from the manufacturers of the Dominion, showing what they would be prepared to supply during the year, and they have assured us that there will be no increase in the price of the articles manufactured in the Dominion. We have also made the necessary enquiries to ascertain whether it is probable that the volume of these goods manufactured in Canada and ready for delivery within the next three or four months would meet the requirements of the Dominion. The Government, while anxious to give every encouragement possible to the industries of the country, do not wish to cripple or embarrass any portion of the Dominion, and therefore we propose that these resolutions, changing the duty from 25 to 35 per cent. on carriages and on agricultural implements of every kind, will not go into effect until the 10th May next. That, we think, will give ample time to the people of Manitoba and other parts of the Dominion to import such ploughs and similar articles as they cannot obtain in the Dominion. But with the protection of 35 per cent., we have no doubt that our own people will be able to manufacture for the next year, for that and every other part of the Dominion, without any necessity of going abroad for a single article, and at prices as low as have prevailed in the past.

Mr. BLAKE. What additional revenue do you expect to get on items 6 to 8?

Sir LEONARD TILLEY. We do not expect to get any. The effect, no doubt, will be to increase the manufacture at home, and leave the revenue about the same.

Mr. BLAKE. How will it increase the manufacture?

Sir LEONARD TILLEY. There will be less imported than formerly, but at a higher rate of duty.

Mr. BLAKE. Has there been much importation of carriages during the last year?

Mr. BOWELL. A good many of an inferior and some of a superior quality. There has been a considerable importation, especially of buggies from the Western States, attempted to be entered at a very low figure, and of a very inferior quality. The importation has been chiefly to Ontario.

Mr. BLAKE. What is the general price at which they have been entered for duty?

Mr. BOWELL. Low-priced buggies and one and two-seated carriages have been imported principally from Cincinnati, as low as \$45 to \$150. In every case where the entries have been made at low rates they have been appraised and the rates in all cases raised. The \$45 vehicle has been raised as high as \$65, sometimes \$75; and the \$75 ones as high as \$125. Sometimes a penalty of double duty has been imposed in addition.

On item 13, railway cars, sleighs, &c.

Mr. BLAKE. Does this apply to all kinds of railway cars?

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. Were railway cars imported to any great extent?

Mr. BOWELL. No; except by the Pacific Railway Company, when they could not get supplied in Canada.

Mr. BLAKE. I have heard of three tenders asked for, I think by the Canadian Pacific Railway, and also by another Canadian Company, from Canadian and American manufacturers, and in one or two instances the Americans obtained the contracts.

Mr. BOWELL. The company complained they could not get them made in the Dominion in time.

Mr. MITCHELL. I remember a large number of cars imported chiefly by the Canadian Pacific Railway because they could not be supplied in the country at the time—1,800 to 2,000 cars. No doubt, from the extension of the capacity of one or two of our establishments we will be able to supply all that may be required in future.

Mr. MACKENZIE. Did the Government import any?

Mr. BOWELL. I cannot say, but if any were it was because they could not be got here in time.

On items 14 to 19, children's carriages of all kinds,

In answer to Mr. Ross (Middlesex),

Mr. BOWELL. In the amended resolution a portion of these articles are now made 35 per cent., and it was necessary to repeat the words in the old Tariff, so as to state definitely what duty the other articles not mentioned in the first resolution would bear.

Mr. PATERSON (Brant). Why have the specific duties been departed from? Why has the hon. Minister changed his mind on these carriages?

Sir LEONARD TILLEY. In fixing the specific and *ad valorem* duties the Customs Department were requested to take the average rate, 35 per cent.; but when they were requested to give us different rates and different prices we found this varied so much that in some cases it gave more protection than was necessary, while, in other classes of goods, it made them a little lower than 35 per cent. Therefore, finding there were such discrepancies in it, and that that particular class of carriages was brought in here undervalued, it was considered better to adopt a uniform rate, 35 per cent.

Mr. BLAKE. I am surprised at the hon. gentleman for South Grenville (Mr. Banson), who congratulated the hon. Minister on his extensive adoption of specific duties, not now expressing his regrets that no sooner has this good come than it vanishes. It seems to me that the statement of the hon. Minister is one that he ought to have blushed at, instead of smiling, in making it. He tells us that he ordered the Customs Department to make a statement, and a whole list of specific and *ad valorem* duties was brought down, and upon the values being moved for he finds the whole thing does not work, that in point of fact the values cannot be produced to the House, and he is obliged to abandon the whole plan. He admits that it will produce the result of exorbitant protection in some cases, and too little protection in others; so he has to come back to the old defective plan, in the view of the hon. member for South Grenville, of an *ad valorem* duty.

In answer to Mr. PATERSON (Brant),

Sir LEONARD TILLEY. A man might import a thousand wheels, and he might desire to enter them as wooden manufactures; therefore, we thought best to specify that parts of furniture shall be charged at the same rate.

In answer to Mr. BURPEE (St. John),

Mr. BOWELL. There are a large number of articles that are not mentioned in the Tariff, which bear a duty of 20 per cent.; and in making the changes now proposed by the

hon. Finance Minister, it is proposed to specify certain articles which have heretofore come in as unenumerated, in order to make the protection complete to the manufacturer. Under the old Tariff that is now in operation, it says: "Carriages, railway cars and wheel-barrows, &c., 30 per cent." Now, it goes on to specify in the proposition before the House, that certain parts of carriages which have heretofore come in at a lower rate of duty, shall bear the same duty as if the article was complete in itself. This was formerly the case with steam engines. People used to bring them in in parts, and then put them together, and by that means avoided paying the full duty.

In answer to Mr. MITCHELL,

Sir LEONARD TILLEY. Hubs and wheels are not affected by this at all; they are specified in the Tariff, and we do not touch them. But what we are driving at is this: That unless parts of carriages are stated at the same duty as the carriage when brought in complete—they would bring in parts of these carriages, and desire to enter them at a lower rate of duty, and then put them up here—and this is to prevent any operation of that kind.

On item 21, cotton duck,

Sir LEONARD TILLEY. It has been found, during the last year or two, that a large portion of the cotton duck imported into Canada has been for ships' purposes, and has paid a duty of 5 per cent. The Customs authorities ascertained from the limited quantity imported for other purposes, except ships' purposes, that large importations have taken place under the latter head paying 5 per cent., whereas the material was really used for other purposes, and thus the revenue was defrauded. I think in one case 80,000 yards of duck were brought in that way, and it could not be shown that more than 10,000 yards were used for ships' purposes. It is proposed that all duck shall pay the duty now collected when imported for any other purpose than for ships' purposes. That duty varies from 17½ to 25 per cent., and it is proposed if a merchant imports a quantity of duck for ships' purposes, for the sails of vessels engaged in the fisheries, and the various purposes mentioned under the Act, that upon sufficient evidence being produced to the Customs Department that, say a 1,000 yards, had been used for ships' purposes, he shall be refunded the duty paid, less 5 per cent. It is intended that parties shall occupy the same position as before, duck for ships' purposes being charged only 5 per cent.; but it is intended to make all parties pay the duty in the first place, and to provide for the difficulties of duty being returned to parties entitled to it.

Mr. BLAKE. The intention is, that they shall pay 5 per cent. on this article?

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. The hon. gentleman will see in a moment that this wording does not at all accomplish that intention. The average duty paid on these articles is from 17½ to 25 per cent.; and we assume the duty to be 20 per cent., that would be on \$100 worth of goods, \$20. It is proposed that the whole duty should be returned less 5 per cent. thereof, which would be \$1; and, therefore, it is here proposed that of the duty of \$20, 1 per cent. should be the duty collected for revenue.

Sir LEONARD TILLEY. Oh, no. We may be wrong; but I think that the hon. gentleman is wrong.

Mr. BLAKE. It is perfectly clear.

Sir LEONARD TILLEY. Suppose they paid 17½ per cent.

Mr. BLAKE. Very well.

Sir LEONARD TILLEY. Then, on \$100 worth, we would receive back \$12 50.

Mr. BLAKE. That is what the hon. gentleman intends; but will he allow me to ask him, what 5 per cent. of the amount paid means? The amount so paid is the duty, and that means one-twentieth of that duty; and if the duty be \$20, one-twentieth of that would be \$1, or 1 per cent; so the hon. gentleman's object is not accomplished by the clause.

Sir LEONARD TILLEY. I think that the hon. gentleman is right, the wording does not cover certainly the instructions given.

Mr. BOWELL. It is right enough. If \$20 be paid and 5 per cent. be retained, the payer will be in precisely the same position in which he is now.

Mr. BLAKE. I did not know that it was necessary to repeat the explanation to convince the hon. Minister of Customs. I convinced the hon. Minister of Finance, who, perhaps, will convince his colleague.

Mr. MITCHELL. I presume that the object of the Government is merely to retain enough to pay the actual expenses to which they are put in receiving entries and looking after the business.

Mr. PATERSON (Brant). It is to collect 5 per cent. duty.

Mr. MITCHELL. I do not understand it so. Is it to collect 5 per cent. duty?

Sir LEONARD TILLEY. Yes.

Mr. MITCHELL. If so the resolution is wrong; but if it be merely to give back to the people engaged in the shipping business of the country the duty paid on canvas used on ships, retaining 5 per cent. of the duty paid, then the resolution is perfectly correct. The hon. gentleman does not want to collect duty on the articles at all. It is now free.

Mr. BLAKE. It pays 5 per cent.

Sir LEONARD TILLEY. That is the case.

Mr. MITCHELL. This then does not cover the ground.

Mr. BLAKE. As I understand it, this is only another mode of getting the 5 per cent.

Mr. MITCHELL. It is not conveyed by the resolution. I suppose that the hon. gentleman wanted to place the shipping interests, in which his constituents are engaged, on more favorable terms than to-day exist; but as there is some little doubt as to the terms of the resolution, I think it should be left as it is, and therefore give the shipping interests of the country the benefit of free canvas for their ships, less 5 per cent. to cover Government expenses in looking after the business and returning the duty. That is the way I read the resolution, and I take it that this is the intention of the Government.

Mr. PATERSON (Brant). No.

Mr. MITCHELL. Then all I can say is, that the Government is not as liberal as they ought to be. I must say that the hon. gentleman had better not alter the resolution, as it will satisfy the shipping interests of the country just as it stands, while nobody will be very much harmed by it. I wish to point out another defect in this particular resolution. My experience with the Department of Customs, during the last season, has taught me that a very strict rule has been laid down in relation to canvas for ships' purposes. One would naturally suppose that canvas for ships' purposes would be admitted free. True, this is the case for sails; but a liberal interpretation of the term, looking at the spirit that inspired its admission at a low rate of duty, would have been different to the present practice; and so certainly a great many shipmasters and owners, and collectors of Customs, construed the law, giving a low rate of duty to canvas actually entering into sails. For instance, in fitting out a new ship, a man wants a-half dozen or one dozen tarpaulins, to cover hatches, where masts enter the deck,

Sir LEONARD TILLEY.

and boats; but the Minister of Customs, under his reading of the law—and I do not say he is wrong—will not allow the reduced rate on canvas used on ships purely for sails. It seems to me that this was not the spirit in which this Protectionist Government—a system I approve of—inspired that clause; and I think that the Act ought to be amended in such a way as to allow all canvas going into ships for all purposes, as well as sails, to be free.

Mr. BOWELL. The hon. gentleman as usual reads me a lecture as to what he considers to be my duty, and the unnecessarily strict manner in which I interpret the Tariff. If the hon. gentleman will take the trouble to read the law, he will see that it is as explicit as language can make it. The hon. Minister of Customs could not by any possibility, unless he violated the law, put any other interpretation upon it. There is no such thing as latitude in the matter. It reads thus: "Cotton duck or canvas of hemp or flax and sail twine, when to be used for boats and ship sails 5 per cent." And all any Minister can do in collecting the revenue is to act in accordance with the provisions of the Act. I have never put any other construction upon this language; and the House will see at once that there is no power given to the Minister to allow duck to be imported and then manufactured into tarpaulins or put to any use other than as provided by law. I am not discussing, nor do I propose to discuss, the propriety of extending it so that it may be used for the purposes to which the hon. gentleman alludes. The difficulty we have found in carrying this out has been that merchants have imported it in large quantities at 5 per cent., and then used it for all kinds of purposes—not merely for tarpaulins, but for coverings, awnings, tents, and various other uses to which canvas of that kind can be put. If the hon. gentleman will read the Tariff he will see that no other possible construction can be put upon it other than the one I have referred to.

Mr. MITCHELL. The hon. Minister of Customs has chosen to misrepresent me in regard to the statement I have made. He said I chose to read him a lecture about his duties; I did nothing of the kind. I told the hon. gentleman that I did not know that he was wrong in doing as he had done; but I pointed out a particular difficulty in relation to this matter, for the purpose of having the Government amend the Act; and I said that, if they intended to encourage the building of new ships, or the promotion of commerce in old ships, as was originally intended, that the clause did not carry out that intention. Because there is an omission in the Act to which I called attention, I am to be snubbed by the hon. Minister of Customs, and told that I have been reading him a lecture. I want him to understand that I know what I am talking about. The words of the Act confine it strictly to ships' sails, and though I did not find fault with his interpretation of the letter of the Act, I said that its object and spirit, and the policy of the Government in bringing it into force, was to give free canvas, or canvas at a cheap rate for the purposes of shipping; and I said now, when they are consolidating and amending the Act, they should allow all canvas for ships to come in at that low rate. Does the hon. gentleman know so little of the navigation of the country as not to be aware that, in addition to having her sails complete, every vessel has to take several bales of canvas with her, for various purposes which may be required on board. A sail may be blown away or split in two, so that they require canvas for these purposes as well as for tarpaulins for covering boats, as well as for the safety and comfort of those on board. Yet, when I call attention to this omission, the hon. gentleman tells me I was reading him a lecture, when I was doing nothing of the kind.

Mr. VALIN. A ship on going out gets we will say a suit of sails, amounting to about 4,000 yards, but they require

about 2,000 yards in addition to be put on board to be used during the voyage for repairs and other purposes. I think it will be in the interest of ship-owners that drawbacks should be given on sails used on a single voyage; and I hope the Government will allow the drawback to be made for that purpose.

Mr. COCKBURN. Very considerable quantities of duck are used in our inland marine, not merely for the purpose of sails, but for other purposes, such as decks and so forth; and I hope the hon. Minister of Customs, or the hon. Minister of Finance, will see his way clear to include duck used for such purposes. I know of several cases where parties have imported this heavier duck with the expectation that they would get it in at the low rate, but they found that the high rate was charged.

Mr. VALIN. I wish to say that I intended my former remarks only to apply to cotton ducks, as I believe that there is no hemp manufactory in the country in which sails are made for sea-going vessels.

Mr. SUTHERLAND (Selkirk). I would like to ask the Government if this rule is to apply to the importation of tents to the North-West, a large number of which are brought into that country by immigrants, especially during their first year. No less than 7,000 were estimated to have been under canvas at Winnipeg last year.

Sir LEONARD TILLEY. The Government have not contemplated making any alteration in the duty, except so far as to prevent improper importation under the present Tariff. There is no desire, or intention, on the part of the Government, to interfere with the industry to which the hon. gentleman has referred. I may say, also, that the clause has been very fairly and liberally interpreted with regard to duck for sails, or repairing. I remember that a deputation composed of representatives of nearly all the Provinces asked that this duty should be reduced to 5 per cent., because it affected the boats of the fishermen and the whole shipping interest; and we said that for these purposes the duty should be reduced to 5 per cent. But the trouble is, that parties have represented the article to be for shipping purposes, and have used it in other ways. The hon. gentleman's proposition is a fair one to put before the House; but, as I said before, we have not contemplated any change, except for the purpose of seeing that the low rate of duty applies only to the branch of industry to which Parliament intended it should apply. My hon. friend says that our object was simply to take off 5 per cent. of duty, but we tell him that that was not our object. Our object was to give back all the duty paid, less 5 per cent. of the amount of duty paid in.

Mr. MITCHELL. My hon. friend has not touched the point I make. There is a large quantity of canvas for shipping purposes besides for sails, such as around the mast for awnings, &c., and I presume that your object was to give the same advantage for canvas used in that way as that used in sails; and what I propose is that the word "sails" should be altered to "shipping purposes."

Sir LEONARD TILLEY. I think the wording of that resolution was suggested by the deputation that waited on the Government on this subject, representing every Province in the Dominion interested in shipping; and they represented largely the fishing and other interests as well. This is the first time that my attention has been called to any difference of opinion as to canvas for shipping purposes. It may be a question, therefore, whether it is proper to alter the wording of the resolution; but I may mention to my hon. friend that there is a drawback given to cover any duty imposed on articles that enter into the construction of ships. I will look into the matter before we pass the resolutions.

Mr. SUTHERLAND (Selkirk). I have not yet heard what the hon. Minister has to say with reference to tents for the North-West. I think the covering of human beings is of as much importance as the shipping interest; and I hope the hon. Minister will consider the question, which is of great importance to the people of the North-West.

Sir LEONARD TILLEY. I will consider it.

Mr. HESSON. I have some knowledge of the particular interest, and I can state that the duty has not increased the price of the article in Canada. On the contrary, I am able to purchase to-day from any wholesale house in Canada at lower prices than I have been able for the last twenty-five years. Therefore, I can state, from my own experience, that the imposition of the duty has not increased the price of the article to the consumer in this country. It is the same with nearly all the cottons I could name; we are getting a better article at a lower price. Good canvas ducking, quite heavy enough for tents, which was formerly 14 cts., can now be got for 11½ cts.

Mr. BLAKE. But such is the perversity of human nature that many people have gone and purchased the foreign article and entered it low, notwithstanding the statement of the hon. gentleman. I desire to know whether, when the hon. gentleman brought forth his proposition for a drawback on the materials used in ships, he did not take into consideration all these elements in which he thought the duty would increase the price, and whether he did not consider that 20 per cent. was not a fair basis on which to place them all.

Sir LEONARD TILLEY. We did. We thought it was just possible that, under this class of ducking, we might pay back more money than we received, as the price of the article varies very materially. Therefore, the object was to pay back just 5 per cent. of the duty paid, and place it in the same position it was in before.

Mr. BLAKE. But the point I make is this: While canvas, whether cotton or duck, used for sails came in free, 5 per cent. *ad valorem* was charged on canvas required for other shipping purposes; but when the hon. gentleman brought down his proposal to give a drawback of 20 per cent. no doubt he took into account that he paid back 5 per cent. on the canvas used for sails. So the practical result of the proposal made by the hon. member for Northumberland would be to increase the bounty.

Sir LEONARD TILLEY. That may or may not be the case; but that is one reason why we should take time to consider the question of making a difference between canvas used for sails, and that for other shipping purposes.

Mr. VALIN. I understand that the drawback of 75 cts. a ton is to enable our shippers to compete with others. I do not suppose that 75 cts. per ton is a very big bounty; but in the meantime it enables ship-builders to go on building their ships, as we know the iron they import from the Old Country costs a good deal more to them than formerly.

Sir LEONARD TILLEY. That was not the object. In 1879 a duty was imposed on iron and other articles that entered into the construction of ships, and it was to leave the ship-builders in as good, if not a better, position than they were in before 1879, that the 75 cts. per ton was allowed. This, it was supposed, would cover the additional duty. We may come at the same result by giving back the 5 per cent. on the value of the article used in the ship-building. That would leave the case exactly where it is.

Mr. KIRK. The hon. Finance Minister intends to punish the fisherman. I fail to see how he benefits them. We can see how the importer may be benefited by the reduction of 5 per cent., but the fishermen do not import very large quantities of duck for the purposes of sails for their

boats. They purchase from the importers, and it is the importers this Bill will benefit—not the fishermen.

Sir LEONARD TILLEY. I do not see that at all. These men who own fishing vessels will take care to get back the duty.

Mr. WELDON. In the case of small purchases made by fishermen, such as the purchase of a fore-sail or a main-sail, it would be impossible to get back the 20 per cent.

Sir LEONARD TILLEY. If a man sells a fisherman a suit of sails, he will give them at a certain price on obtaining a certificate that the duck is to be used for fishing purposes. The same would apply in the case of a man who only buys one sail. If one importer would not allow the drawback his rival would.

Mr. KINNEY. I understand this is to leave the fisherman in the same position he was in before. The only difference is that the importer pays 20 or 25 per cent. to the Government, and leaves it there until he sells to the consumer. It is no injury to the fisherman. With regard to the remarks of the hon. member from Northumberland, every ship that fits up with new sails will have about 200 yards left to carry away for repairs, which, on a ship of 1,000 tons, would amount in duty to about one-quarter of a cent per ton. Under the present Tariff the ship-owner is left where he was before. The element of duties not being used for other things than sails was not taken into consideration the time the Government gave the 75 cts. per ton bounty. They gave it because they considered the ship was an export, and refunded the ship-builder the amount of duty he paid. I have bought and sold canvas for a number of years, and have never seen the law quoted as it has been to-day.

Mr. VALIN. An ordinary suit of sails would amount to from 4,000 to 6,000 yards. On long voyages we would require the equivalent of half of that for repairs and additional sails. Now, I could send a telegram to New York and order cotton duck there, and get 27½ per cent. discount; but I want to protect the Canadian manufacturer in this country.

Mr. PATERSON (Brant). Do I understand the hon. Minister to say that these drawbacks will be paid simply on the importer producing a certificate from the person purchasing from him, and on that certificate drawbacks will be granted? I find it a difficult matter, indeed, to get the honest drawbacks. In the case of large manufacturing firms making considerable exportation to foreign countries, I find the Customs regulations are such that they cannot comply with them, and they cannot get the drawbacks at all.

Mr. BOWELL. I think my hon. friend has been trying to get a little more than what he calls the honest drawback. In some demands he has made he has asked for a rebate of duty on pig iron manufactured in Nova Scotia; but, to my mind, that is not a rebate, or a drawback. That is one of the troubles. I do not think that any manufacturer can possibly swear that he has paid a duty upon Nova Scotia pig iron that goes into the manufacture of different implements he may be making in this country. I know there are other difficulties that have presented themselves, and which probably might be relaxed to a certain extent, providing we can arrive at some scheme by which the revenue could be protected, and I think I shall be enabled to do that. I trust, in a short time, to be able to meet the demands of my hon. friend from Brant, without going so far as to give what he calls a drawback, but which I would term a bounty, upon articles manufactured in this country, and that go into the manufacture of the article upon which he wants a drawback.

Mr. WATSON. I think it is just as necessary to allow people going to the North-West to have canvas with a re-

Mr. KIRK.

bate on it as it is for fishermen to have sails, because it is just as important to encourage people going to the North-West as it is to encourage fishermen. Immense quantities of canvas are used in the North-West, and the Government ought to include canvas used for that purpose as well as sails. In the city of Winnipeg there are several large factories making tents all the year round. In that city there are regular boarding-houses built of this canvas, and in some parts of the country there are small towns built almost entirely of canvas.

Mr. SUTHERLAND (Selkirk). A large number of tents have been imported into Manitoba that are valued as high as \$1,000 each, and the price ranges all the way downwards. I do not see why ship-builders should be singled out for this favor any more than the settlers in the North-West.

Mr. BOWELL. When this concession was made in the interest of shipping that quality of duck was not manufactured in this country. The duck that is exempt, that is mentioned here, is not the kind of canvas that is used for tent purposes; it is a different kind of material altogether. We had specimens of it the other day, and it is much heavier and more expensive than the canvas duck used for tents. More than that, sail duck has never been made in Canada until quite recently. They are just now putting up a mill for the manufacture of sail duck at Hamilton, and it was in order to protect the revenue as well as the manufacturer that a change was made in the Tariff, giving the drawback rather than permitting it to be admitted at 5 per cent. Now, the duck out of which tents are made both in the North-West and in the East, is a different kind of duck. I am quite satisfied the manufacturers of that material in this country will be able to supply the whole demand. To adopt the suggestion of my hon. friend from Selkirk would simply mean to destroy that very great industry that is now being built up in this country, and I do not believe it would be of any great advantage to the people themselves.

Mr. WATSON. Will this apply only to sails or to tarpaulin?

Mr. BOWELL. To sails. The hon. Minister of Finance has stated that he will consider the question of extending the provision.

Mr. WATSON. A great quantity of tarpaulin is used on flat boats in our country.

Mr. PICKARD. Will this apply to a vessel renewing her rigging every three or four years? Will the vessel obtain a rebate on the second suit of sails?

Sir LEONARD TILLEY. Yes; and on repairs.

On item 24, cordage,

Mr. KIRK. I desire to enquire whether this resolution is intended to apply to our ship-building and fishing industries. According to the way in which it reads, I think it does: "Cordage of all kinds, 20 per cent." I take it that that means cordage of all kinds, and for all purposes. It appears to me that this is an additional tax on the fishermen, and a very heavy one. Under the Revenue Tariff, fishermen and ship-builders were only charged 5 per cent. on the cordage used on ships, and that used by fishermen in their calling; this taxation policy, however, increased that to 10 per cent., a 100 per cent. additional; and now it is proposed to increase it another 10 per cent., being equal to a 100 per cent. more. This amounts to a heavy impost on the fishermen, who are supposed to be least able to pay of any class in the community, and the duty principally falls on the fishermen of the Maritime Provinces. I notice that, last year, when the duty was 10 per cent., they paid something like \$12,000; this year, with the duty double, the amount will reach \$24,000. That, I think, will be rather burdensome upon the fishermen of the Maritime Provinces; and I

hope the hon. Minister of Finance will see his way clear to allow the fishermen to have their cordage imported at a less rate of duty.

Mr. WELDON. There is a drawback of 10 per cent. allowed on new vessels, and I have made a calculation as to whether that will cover the amount of duty on the cordage used on a vessel. I believe it will amount to an additional tax of 5 or 6 per cent., and that only one-third of the actual duty paid will be recouped by the bounty. I will give particulars of the case of a new ship of 1,000 tons burden. The amount of manilla rope required was 31,746 lbs, valued by the Customs at 13½ cts. per lb. The extra duty of 10 per cent. would amount to \$428.57. There was also required 4,813 lbs. of hemp rope, valued at 9 cts. per lb. the extra duty on which would amount to \$52.21, making a total extra duty of \$480.88. The drawback would be only \$160, exactly one-third. The present drawback of 75 cts. is not considered sufficient, and they claim it should be \$1 or \$1.25, to repay them; and yet we find additional burdens imposed. Another important point is in regard to cordage, related to the coasting vessels trading between the Provinces and the United States. This additional duty imposed on them will cause them to become a heavier burden on ship-owners, because they will have to pay an additional amount when the ship's rigging is renewed, and they will not be entitled to any drawback. The coasting vessels require the running rigging renewed every two or three years. I am informed with respect to the sale of cordage and rope in the Maritime Provinces, and more particularly in the large cities to which the coasters mainly come, that one-half of the cordage imported is for new ships, and one-half to renew rigging. If these vessels find they can obtain rigging cheaper in foreign ports, they will make their repairs there instead of coming to the home port, the result of which will be to seriously reduce the business of the ship-chandler. We are thus affecting the ship-builder's interests by not giving him a sufficient drawback to pay him; we are imposing on the ship-owner an increased duty at the very time when it is most important that the ship-owner should receive every consideration, in view of the keen competition in which our vessels are engaged with foreign crafts, and more particularly with iron ships, and the ship-chandler is also injuriously affected. I submit to the hon. Finance Minister, who comes from a Province which is largely interested in ships, whether, under the peculiar position in which that interest is now placed, and the decline which has taken place during the last few years, owing to some extent to the heavy duties imposed, and to a large extent from the competition of iron vessels, whether we should not give the industry fair play, so that our ship-builder may continue to launch the best and cheapest craft in the world. I submit that an effort should be made to relieve, not only the ship-builders, but the ship-owners. Already the principle has been, to a certain extent, admitted with respect to canvas duck, and I submit that it should be made applicable to vessels trading with the United States and West Indies, and that such craft should be placed in the same position with respect to running rigging and cordage, as they will be in regard to canvas. The only attempt at relief is to put forward this proposition, and this is the only relief offered to the industries which, as I have pointed out, are affected by this proposed change.

Sir LEONARD TILLEY. We have had a good many discussions in this House during the last four years as to the position which the ship-builders occupy with reference to the Tariff, and the bounty given, and drawback. The hon. gentleman has called my attention to some of the arguments used on those occasions, by the remarks which have just fallen from him. I think I have answered it; but I may repeat it here, as there are a great many new members in

the House; but I have already answered the statement made by the hon member, and others on the opposite side of the House, as to the increased charge placed on our shipping by the increased duty connected with the drawback which we give. My answer is this: that the ship-building interest is in a better condition to-day than in 1878. I assert, and I give in evidence here, that this is the case; that when we put this new duty into operation, we asked the ship-builders of the Dominion of Canada to send in a statement of the duties they had paid under the new Tariff in excess of what they paid in 1877 and 1878, and out of eighteen applications—or twenty-eight, I forget which—submitted to the Minister of Customs for drawbacks on the duty paid, only one came to 75 cts. of what is now paid. Specifying the articles on which they paid an increase of duty, but one—and that was a small vessel, and it was not allowed—came to 75 cts.; but after considering the whole question, we were disposed to deal liberally with the matter, and we fixed 65 to 75 cts. I assert, however, that to day, in my opinion, and from my observation and my communication with them, the ship-builders are perfectly well satisfied that they are now in a better position than they were in 1878. The hon. gentleman takes exception to the proposition under consideration, and says, that 10 per cent. will not cover it; but in the bounty, or drawback, which we give, the hon. Minister of Customs does not ask, when a builder sends in a certificate concerning the building of a 1,000 ton ship, what duty he paid, but simply pays over \$750; and in many of these cases on 1,000 and 500 ton vessels, they have not paid a cent of duty on cordage, which is made in the Dominion and sold at prices less, in many instances, than they would be with the duty imposed—and this will be so now. Were we to give back in every case the whole of the amount of the duty paid and articles imported, then we would be giving more than the ship-builder would be contributing towards it; because a large portion of the cordage he can get in the Dominion. Many ship-builders of Nova Scotia use, and have used, entirely cordage made in the Dominion, but they still have 65 or 75 cts. drawback which covers any addition—if they have to pay any addition—that they have to pay in duties, judging from their own statements and the claims they have made, only came up to 75 cts. I will now take up the hon. gentleman's proposition. I am told by a gentleman, who knows something about this industry, that it is ample, taking all things into consideration, and that 10 cts. will cover it. We think so; but in matters of that kind, I may say—and we have thought it proper—to the House, that we considered it a fair return in consideration for the additional duty imposed. Suppose that it amounted to more, as the hon. gentleman states, and that they do not pay duty on the whole, but an increased duty, that will probably be, we think, 10 cts. a ton. Some ships are built with cordage coming from England; parties interested in them on the other side ordering the cordage there. Others say they prefer the English cordage. Very well, let them import it, and if they pay an additional duty, the idea of the Government is to give 10 cts. drawback; and if the vessels are built in Nova Scotia, &c., with cordage made in the Dominion of Canada, the hon. Minister of Customs—because it is exceedingly difficult to trace the whole thing out—does not ask what duty has been paid, but simply gives the 75 cts. a ton. The hon. gentleman says—and there is something in the statement—that old vessels and small vessels got 10 cts. a ton; but if they require renewed cordage, they take the ships out of our ports, go to sea, and proceed to Liverpool, &c., and we may never see them again; and when they reach Liverpool they get additional supplies there. Vessels sailing between St. John and Liverpool, as a rule, obtain their additional supplies of cordage and everything of that kind at the latter port. What is the fact? In the first place, we found that a large

portion of the cordage imported into the Dominion ostensibly for ships' purposes, was used for other purposes, causing a loss to the revenue and the manufacturers of this country, to whom we desired to give some protection by placing 20 per cent. duty on this article so imported. We discovered that an extensive fraud was being committed, and we found it consequently necessary to ask Parliament not to impose two rates, but to give new ships 10 cts. a ton, or whatever was fair or right in the matter, and give an addition to the drawback. I think we can show that a large portion of the cordage used by our fishermen and small vessels, and coasters, can be bought, under the operation of this law, as cheaply as was the case before. The manufacturers say that they do not want to increase the price, and will not do so; but increased manufacturing power, and an extended market, which they are prepared to supply at present prices, as long as the low material, manilla and hemp, costs the same as now. This being the case, our coasting vessels can buy this article as cheaply as before; and new ships, who bring out cordage, partly or wholly from England, will have a drawback, and the Government consider that they place them in the same position which they now occupy. The Government would gladly have left the matter as it is at present; but when we find this article imported and used for other purposes than Parliament designed, the imposition of 10 per cent. seems to be the only remedy, which means that we are to have a uniform rate of duty, and to give, as far as possible and practicable, to the shipping industries of the country, a drawback which would make an equivalent.

Mr. VALIN. As to cordage for vessels, I think that the cordage now manufactured in this country is quite sufficient for the requirements of our ship-builders. As a builder I have always bought, in my own county, most of the cordage I use, and I am glad to say that this Government, by giving 75 cts. a ton, has done a great deal to encourage the ship-building industry. I must say the contrary, however, regarding hon. gentlemen opposite. In 1875, 1876 and 1877, we applied, for the same aid which this Government has given to ship-builders. What was the consequence? We know that when we applied to hon. gentlemen opposite for similar assistance to the ship-building trade of Quebec they refused to give it, though they knew that we had to import a great many things, and pay duty on them in those days, and this is one of the reasons why the population of Quebec was reduced from 72,000 to 56,000. Last year a member of the Opposition spoke about our grumbling because we had not received a grant from this Government; and, after his long argument, I asked him what had the Government which he supported given to us when they were in power? He said he could not say. The fact was that they did not give us anything. We now get 75 cts. a ton, which enables us to keep our yards open and increase our business. When only one or two vessels are built at a certain place, the attention of ship-owners on the other side is not attracted; but if we build as many as thirty or forty vessels, we secure customers from outside and keep our own population in Canada. I speak especially of the city of Quebec, but I have now no doubt the same is true of the lower ports.

Mr. BLAKE. I am glad to learn from the hon. member for Montmorency (Mr. Valin) that the ship-building trade of Quebec is in a comparatively prosperous condition; but I cannot agree with him in the fairness of one argument he has used. He says that the unprosperous condition under the former Government was due to the circumstance that they did not grant the advantage which has been granted by the present Government. Now, there were certain slight duties on articles used in ships, and the present Government, in increasing the general Tariff, increased amongst others, the duties on articles used in ships; and they should

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—as the hon. Finance Minister has told the hon. gentleman, though he did not hear it—to the ship-builders to know the extent to which their burdens have been increased by the new duties, and they proposed a drawback which the House granted, equivalent to the increase, thus placing the ship-builders in exactly the same position they were in before.

Mr. BURNS. Under the regulations which are proposed the shipping industry gets a rebate, or bonus, of a certain amount per ton; but no such concession has been made to the fishing industry. Some hon. gentlemen have remarked that there is now manufactured in the Dominion quite enough cordage, and of a good enough quality, for the purpose of shipping, and impliedly for the purposes of fishing boats. I take exception to that remark, so far as it applies to fishing boats, because there is a certain description of hawsers called "roads" in fishing parlance, which are not made in the Dominion, so far as I know, and as they have to be imported, I would urge upon the hon. Finance Minister that he should allow a drawback upon these goods. If that cannot be done, I would suggest that the hon. Finance Minister should not have this item go into effect until the cordage I have described for the season's trade has been imported, as parties have ordered their supplies in ignorance of the proposed change.

Mr. McLELAN. I wish to point out that everything in the way of cordage and cable is now manufactured at Halifax, and of such good quality that the manufacturers are sending samples to the International Fishery Exhibition to compete with the manufacturers of the world, and with good hope of success.

Mr. BURPEE (St. John). It is manufactured in other places besides Halifax. I wish, however, to point out to hon. gentlemen that they have been arguing all afternoon, as well as on previous occasions, that the additional duty did not increase the cost—that goods are cheaper now than they were before. Now, however, we hear them contending that a drawback should be granted to offset these duties, and this shows that the amount raised on account of this duty, last year amounting to \$15,000 or \$16,000, is paid by the consumers of the country. I would like to ask the hon. Finance Minister if he has not finally settled on 10 cts. per ton as the rate, whether he does not consider that 20 cts. per ton is the figure which will make it equal to what it was before? At all events, I am advised by large ship-builders in New Brunswick that 20 cts. is nearer the proper rate. As regards the drawback of 75 cts. per ton, I know that several in the hon. gentleman's constituency do not consider this to be the full amount, and I think representations have been made to him to that effect.

Mr. WELDON. As regards the remarks of the hon. member for Montmorency (Mr. Valin), I wish to state, with regard to New Brunswick, that it was sworn to in a case in which I was professionally engaged, that ships could be repaired as cheaply in Liverpool as in Quebec in 1880. Quebec certainly has not been benefited by these increased duties. As has been pointed out already, the drawback of 75 cts. a ton was put on to cover the increased duties imposed by the new Tariff. My hon. colleague knows that the shippers of St. John do not consider that 75 cts. is sufficient; but that question is not now under discussion. The ships that are our pride wherever they sail, would, if properly protected, and not handicapped by heavy duties, be able to compete with the fleets of any country. The duty of 10 cts. a ton is put on new ships; but the hon. Finance Minister has not met the argument with regard to the repairs of vessels. If the principle of paying back part of the duty be adopted with regard to the sails of ships, why should not the same principle be applied to cordage? The hon. Finance Minister says that he fears frauds on the revenue. Is the hands of the hon. Minister of Customs

shortened? Must the honest trader be punished in order to get at the dishonest trader? I do not wish to decry our Canadian manufacturers; but it is well known that many of our ship-owners—some of them ardent supporters of the hon. gentleman—are, to-day, using American cordage, because of its superior quality, notwithstanding its higher price over the Canadian article. We know that when a man sends his ship to sea with inferior material in its construction, he runs the risk of sending its crew to eternity; and it is of the greatest importance that everything about a ship, from the keel to the truck, should be of the very best quality. Our ship-building and ship-owning industry should be placed in a position, not only to compete with the fleets of other countries, but to ensure the safety of the ships and their crews; and the use of a good article benefits the ship-owner by lowering his rate of insurance. But I wish to claim a reduction of the duties on account of repairs. I differ from the hon. Finance Minister when he contends that the duty will not increase the price. Our vessels are largely engaged in the coasting trade, and I cannot help believing that one result of this duty will be to send our coasters to foreign ports for the purpose of getting their rigging repaired. In that way it will destroy the trade of the ship-chandler, because one-half of the cordage imported is used in the repairing of the rigging of our small vessels. You either draw the ship-chandler away, or compel him to pay a higher price; and you apply a different principle to the case of cordage to what you apply to the case of canvas. If this duty must be put on, all I ask is that the same principle should be applied to cordage as to canvas. In that way, to a large extent, the shipping interest would be relieved of the burden.

Mr. VAIL. I do not object to this change so much from the ship-owner's point of view as from the fisherman's point of view. It seems to me that this is a specially hard case for the fishermen. I was under the impression, when the alteration was made, that it was for the purpose of increasing the business of this manufactory in Halifax. Perhaps it is right that it should be protected to a certain extent. I do not object to that, but I do object to the Government giving a bounty to the fishermen with one hand, and taking it away with the other, for the benefit of this particular industry; and when we consider that the fishermen use a great deal of cordage, that they anchor their vessels with manilla cordage, we must see that this duty is a wrong to them. It is true that the ship-builders get a drawback of so much per ton; but I think the same principle should be applied to the fishermen. I am surprised that the hon. member for Yarmouth (Mr. Kinney) did not refer to that when he spoke of the increase in the duty on canvas. It seems that this question is hardly to be considered from the fishermen's point of view; but I think a change should be made now which will enable the fisherman to buy his cordage wherever it is manufactured. It is all very well to say that this increase of duty will not increase the price—that the article is manufactured in the country. But why is the duty put on if that be the case? I have no objection to the manufacturer in Halifax receiving a certain amount of protection—I think he has as much right to it as any other man in the Dominion; but ship-owners, as a rule, are in a position to protect themselves, and to look after their own interests, while fishermen are not, because they buy in such small quantities that they are not considered by the sailmakers. I think the fishing interest is one which, above all others, should be protected in Nova Scotia.

Mr. DALY. I think it is the wrong position to say that this duty is put on for the benefit of a single industry in Halifax. That ropewalk has been in existence for many years, and it has been able to provide an article of cordage of the very best quality, and at a price low enough to enable it to compete with the imported article. Therefore, I must

say that the charge that this alteration has made to benefit a particular industry in the city I have the honor to represent, is not worthy of repetition. But I sympathize with the hon. member for Guysborough (Mr. Kirk), who spoke on behalf of the fishermen. We know that nets, twines, seines and other articles used by fishermen are at present on the Free List; and I think an extension of the same principle to cordage would be a very proper and just concession to that valuable industry, which is already receiving some protection in the way of a bounty. If the increased duty on cordage is insisted upon, it may perhaps increase the cost of that article to the fishermen, though I do not think it will do so to the extent hon. gentlemen opposite seem to apprehend.

Mr. MITCHELL. In reference to the remarks of several hon. gentlemen who find fault with the altered system in relation to their duties, I feel, in justice to the hon. Minister of Finance, bound to express my approval of the course taken by him in changing the system from allowing parties to enter the goods for ships' purposes at the reduced rate to that of making them pay the duty in full, receiving a rebate when proved that the goods have been used for this purpose. In the former case every dishonest trader could enter goods as for ships' purposes, and it was only by setting detectives over him that the Government could find out that the entries were false. By this law we recognize the principle of relieving our shipping industry, and avoid an indiscriminate reduction.

It being Six o'clock, the Speaker left the Chair.

#### After Recess.

Mr. BLAKE. When the hon. Minister was asked to explain why it is that he makes this particular proposal in this particular shape, it turns out that it is for somewhat the same reasons that the change is made with respect to cotton duck. But as to large ships to which the drawback applies, we learn, of course, that the drawback is necessary; that in that case, although to a large extent they are supplied with articles at a fair rate, yet the drawback is necessary in order that they may obtain the goods as cheaply as they would get them on a 10 per cent. duty. But when the hon. Minister is called upon to explain what the relief is which he proposes to give to the other classes which also bear largely of cordage, but are not relieved at all by this 10 cts. per ton arrangement, which is to be compensation in case of ships, he tells the fisherman: "Oh, you will not suffer, because you will get the article just as cheap as you would if the duty were not 20 per cent. You got your cordage at 10 per cent. duty, now you are going to get it at 20 per cent. duty, with a remission, which will take place. By virtue of the changed arrangements in the case of ships, you will get it as cheap as formerly." If so, there is no reason for the tonnage bounty which the hon. gentleman proposes in the case of ships. But the hon. gentleman does not seem to deal with these two interests on the same line of argument or reason; nor have I heard any answer from him as to the question raised by the hon. member for St. John with reference to the cost of repairs and renewals of cordage on the ships. There ought to be a drawback on these, on the same principle. In order to enable the fitting of the ships to be carried on here without disadvantage, some analogous provision should be made which would put that portion of the trade in the same position, else the result indicated by the hon. member for St. John will inevitably happen: that the refitting of trading vessels with new cordage will take place in foreign ports, so that neither the Canadian manufacturer nor the Canadian ship-chandler will be benefited.

Mr. FORTIN. The question before the House is a very important one, that of the duty on cordage used for

fishing vessels and boats. We should first enquire whether the fishing business is a very paying one just now, and whether we have any great rivals on the foreign markets, where nearly all our fish have to be sold. If you wish to foster an industry, you must see that all the tools used by the workers in that industry are bought as cheap as possible in our country, or when they come from a foreign country. What are the tools of the fisherman? They are the boat with its sails and rigging and hawser, and a very important part of the equipment of the boat is the hawser, because on its strength depends the safety of the boat and crew. Let me tell this House, that during a great tempest, in the month of August, 1853, which caused the deaths of one hundred fishermen, mostly all fathers of families, the only man of a fleet who saved himself by his boat owed his safety to his hawser, which was new and very strong, and by means of it he was able to ride during the gale on the banks. If we increase the duties on the articles we have to import, like canvas and rope, which cannot yet be made in this country cheap enough, and the hawsers which must be of the best material, Russian or French hemps, and of the best finish—and I do not believe we can make that in this country as cheap as we can buy it in a foreign country—the fish that we offer for sale on foreign markets will have cost us more than formerly; and as the Government cannot control that market as they can the Canadian market, it will follow that, if our fishermen cannot make their fish cheap enough they will not be able to sell them in foreign markets. For the last few years, on account of the competition with the Norwegians and Newfoundlanders, and the latter, in matters of trade, are foreigners to our people, our fishermen have not made so much money as formerly. Perhaps some will tell me the trade last season has been brisk and prosperous; but the reason of this is, the failure of the cod fishery in Norway, which produced, instead of about a 1,000,000 quintals in the year 1880, a little more than 600,000, or a falling of 250,000 quintals. Consequently, the market being deprived of the fish of Norway, the price rose immediately, and we could sell our fish at the highest price we have ever sold it. In ordinary times we stand in competition on foreign markets with fish from Norway and Newfoundland, countries where they have only a Revenue Tariff, and consequently where the people live cheaper than in this country, and where they can produce articles of export cheaper than we do. Now, as I told the hon. Premier last summer, I did not support Protection alone, but I went for the National Policy, which is more than Protection. The National Policy means protection to the manufacturers of this country by means of fiscal duties; but when our market is abroad you have to adopt Free Trade; you have to allow all the utensils and tools used in any particular industry to come in as cheap as possible, so that our people, being able to work as cheap as in other countries, we have the same chance as in other countries. Hon. gentlemen must not infer that I am a free-trader; I am a protectionist, and I am so because I learn, in studying the history of England, that she acquired her eminence as a manufacturing country by means of Protection, and when she had nothing more to protect she became a free-trader. We have a great deal to protect with regard to our fishing industry. Our market is chiefly foreign, and, therefore, beyond the control of the Government, except in so far as it can make reciprocal arrangements with other countries by means of which we can get the duty on fish diminished, and thereby get an advantage over competitors. That is the advantage of making treaties with other nations. When we are able to give advantages to any country to which we send our fish by admitting their goods here, either free or with a small duty, we shall be able to sell them our fish with profit to ourselves. This is a very important question. For several years our fishing trade has not been as good as

Mr. FORTIN.

it was before. There are many reasons for it. This country does not constitute as good a home market for our fish as formerly for the reason that as regards fresh fish we are supplied with American fish. All the fish that is consumed on the tables of the rich, fresh cod fish, fresh haddock, fresh halibut and oysters, come from the States. We are not yet organized to supply our own market with fresh fish, although I think that could be done. Formerly no fish but Canadian fish were consumed here. I remember the time when neither fresh fish, salt fish, nor oysters, came from the States, but that time has gone. We now receive from the States nearly \$1,000,000 worth of fresh fish and oysters. In conclusion, I wish to say that we must recognize the fact that our fishermen must have boats, sails and all appliances as cheaply as possible, otherwise they will not be able to compete with other nations. I believe the Government should find some way of protecting the rope manufacture, and still allow the cordage used by the fishermen to be free as formerly. I hope the Government will give them the same advantage as formerly.

Sir LEONARD TILLEY. The hon. leader of the Opposition thought that he had discovered an inconsistency in my statement—and he is very ready, if any hon. member on this side is inconsistent, to point it out. But I do not think he made out a case, as far as I am concerned. In the first place, he says I stated that as the price had increased on ships' cordage, it would be necessary to give them a compensation of 10 cts. a ton, but that on other vessels the duty would not be increased.

Mr. BLAKE. No; the duty was to be increased, but the price would not be increased.

Sir LEONARD TILLEY. But in the imposition of an increased duty upon cordage for ships' purposes, we would increase the price; therefore, it was to be compensated by 10 cts a ton, and that, therefore, it was a recognition that it would increase the price. I was speaking of fishing and coasting vessels, for which cordage would be supplied as cheaply as before, therefore there would be no increase. My statement was this: There are parties building ships who trade entirely in the English market, the vessels being partly owned on the other side. They may, perhaps, construct ships in a part of the Dominion where circumstances lead to a direct trade between them and the parties in the Old Country, whereby they arrange as part of the contract that the cordage shall be obtained from the other side, from a belief that a certain class of cordage is better than that made in the Dominion; though our manufacturers, in many cases, supply every pound of cordage. Still there is a probability, I think, under the increased duty, that certain builders of ships will pay an additional sum; but as a general rule cordage that is used by coasting vessels and fishermen will be supplied by the manufacturer of cordage in this country, who will supply it just as cheaply as before, and therefore, they will not pay additional duty. Under these circumstances, I think my statement is quite consistent. Now, with reference to my hon. friend from Gaspé (Mr. Fortin), who may be considered as the representative of the fishermen of the Dominion in this House. I have listened to him with great attention. I would remind him that through his instrumentality several important advantages have been given to the fishermen. Through his instrumentality fishermen have secured great advantages in protection in the St. Lawrence. In the Bay of Fundy, in the approaches to our islands and coasts, they have been given the advantage of cable and telegraph. Two or three Sessions ago that hon. member was chairman of a Committee who waited upon the Government, and asked, in the interests of the fishermen, that the duty on sail duck should be 5 per cent., and it was so ordered. Nearly every article used by the fishermen, lines, twines

and machinery, are admitted either free, or at 5 per cent., except cordage, which is 10 per cent. More than that, to show the interest the Government take in this matter, we have, during the last year or two, paid a subsidy of \$50,000 for a steamer to run to Brazil. That steamer serves the fishing interest, and we contributed that sum the more freely because we considered it would assist the fishermen to convey their products to a good market. In order to have the advantage of the Spanish market for our fishermen, the High Commissioner proposed to the Spanish Government that we would remove the duty of 30 per cent. from their wine if they would admit our fish free. Such is our interest in this question that we are proposing to give a subsidy in order to bring about direct trade between Canada and France. Every step is being taken by the Government in the direction of recognizing the importance of this particular industry, and while the circumstances were such, that the Government were obliged to levy an additional rate on cordage, I am prepared to give the assurance that the cordage usually used by the fishermen will be sold to them, of our own manufacture, at the same price as they have paid in the past. Under these circumstances, I fail to see how the fishermen will suffer from the proposition now under consideration. I was a little surprised to hear the hon. member for Gaspé (Mr. Fortin) declare that the home market is not so good as it was formerly for our fish. I cannot understand that such can be the case. The hon. gentleman states that fresh codfish is brought in from the United States. That is the case to some extent, but there is no reason why our fishermen should not supply the whole of the codfish required in Canada. It is quite true that, under the arrangement made with the United States, fishermen have the benefit of the American market, and the United States fishermen have the benefit of our market; but there is no comparison between the quantity and value of the fish that goes from Canada to the United States and that which comes from the United States here; and I was surprised at the hon. gentleman's statement—because he generally speaks with a knowledge of the subject—especially in view of the high prices received for our fish. Because our fish now enter the United States market free, my impression is that we are paying more for them than if that market was not open to us. I call attention to all that has been done and is likely to be done, for our fishing interest. I state it here, and I am anticipating a resolution which will be moved, that we are prepared to give up a large amount of duty on sugar and molasses if we can obtain a better market for our fisheries. Under these circumstances, the hon. member for Gaspé, and those who represent fishing interests, considering these facts, and considering the bounty given, amounting to \$150,000, they can have no reason to complain, because ample evidence has been afforded that the desire of the Government is to foster, protect, and encourage and develop this particular industry to its fullest extent.

On item 25, glazed and unglazed pipes,

Sir LEONARD TILLEY. The object of this change is to make a distinction as regards duty between glazed and unglazed pipes, which at present pay 20 per cent. It is now proposed that the unglazed shall be charged 20 per cent. and the glazed 25 per cent.

Mr. BLAKE. Why?

Sir LEONARD TILLEY. The latter is much more expensive. The raw material has to be imported, as it has not yet been found in Canada; and this change is in order to encourage the manufacture of the glazed description of tile here.

Mr. BLAKE. Is there any extensive manufacture of glazed tile now in Canada?

Sir LEONARD TILLEY. They are manufacturing it extensively at St. Johns.

Mr. BLAKE. Do you expect much revenue from this change?

Sir LEONARD TILLEY. No; we do not expect any revenue; perhaps there may be some loss.

On item 27, fruits, dried,

Sir LEONARD TILLEY. This is an article not manufactured in this country, and it is an item upon which we can relieve taxation. The duty is now 25 per cent., and it is proposed to reduce it to 20 per cent.

On item 28, fruits in air-tight cans,

Sir LEONARD TILLEY. I stated in my Budget Speech that it has frequently occurred, during the last year or two, that canned fruits have been entered in different parts of the Dominion as unsweetened, in order to be admitted at 2 cts. per lb.; and it has been found frequently, on examination, that it has been sweetened fruit; and, under these circumstances, it was thought desirable that canned fruit, whether sweetened or unsweetened, should be charged 3 cts. per lb.

On item 29, show cases,

Sir LEONARD TILLEY. This is an article which is now being generally manufactured in Canada. The materials of which the show cases are made are largely glass, and silvered glass, or materials that pay a pretty high rate of duty, and these form the raw material of the manufacture. Application was made for a very considerable addition to the duty, and that a specific duty of a high figure should be charged upon the more expensive show cases; but as it was found that the larger portion coming in from abroad, are valued at about \$30 or \$35 each, it was proposed to give them some little additional encouragement by adding \$2 to each show case, making the duty probably 40 per cent., and in some cases 42, owing to the larger size occasionally imported. The great bulk of them are, however, entered at about \$30 per ordinary show case; therefore it is proposed to add \$2 to each of them and 35 per cent., which is \$2 above the present duty.

Mr. McMULLEN. Do they pay full duty on the glass in the show cases?

Sir LEONARD TILLEY. Yes.

Mr. McMULLEN. The glass is imported.

Sir LEONARD TILLEY. They pay duty on the glass imported.

On item 29, furniture, &c.,

Sir LEONARD TILLEY. This is for the purpose of preparing for resolution No. 31. Furniture, wooden, now pays 35 per cent.; iron bedsteads have been classed under manufactures of iron; and, therefore, it is proposed, by section 31, to place iron bedsteads under the head of furniture.

Mr. BLAKE. Its practical relation is to get the duty on bedsteads up to 35 per cent.?

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. Are these manufactured now in this country?

Sir LEONARD TILLEY. Not very extensively; but they will be manufactured here extensively, if this proposition prevails.

Mr. BLAKE. What duty do they now pay?

Sir LEONARD TILLEY. 30 per cent.

Mr. BLAKE. Where is it that we are to have the blessing of having bedsteads made in this country, if this takes place?

Sir LEONARD TILLEY. I may state at once that they will be made in Montreal, and probably all over the country; but I know they will be made extensively in Montreal.

On item 32, iron and manufactures of iron,

Mr. BLAKE. I suppose this is because so much is brought in under the low grade of steel, which was formerly made of iron?

Sir LEONARD TILLEY. It is difficult now to tell the difference between steel and iron.

Mr. BLAKE. More steel than iron is now used.

Mr. MITCHELL. With relation to iron and steel bridges, on which the Canadian Pacific Railway Company is entitled to a drawback, has any arrangement yet been reached as to the distinction between iron and steel bridges?

Mr. BOWELL. I think the question is as to whether the Order in Council, which provides for making certain allowances on iron bridges manufactured in this country, applies to bridges made out of steel. My recollection is that the Order in Council was intended to apply to both, provided that the steel was imported and paid duty; but there are some classes of steel which are free, and difficulty has arisen in carrying out the order—departmentally I am now speaking—as to allowing the bonus—for that is really what it is—on that class of bridges, until the fact has been established that the steel out of which they were made actually paid duty. I promised my hon. friend some time ago, at the very first possible opportunity, to bring that question before the Treasury Board and have it finally settled.

On item 33, leather,

Sir LEONARD TILLEY. I do not exactly know how lamb and sheep got in here; but it is owing, perhaps, to a misunderstanding of instructions as to the framing of the resolution. It was intended to apply, however, simply to buck and antelope, a description of skins split by machinery. The demand in this country for that particular kind of leather will not warrant its manufacture here. It is a thin and soft leather—a thin leather used expressly, and solely I may say, in the manufacture of gloves; and as we are not likely, from the limited quantity manufactured, to introduce the machinery, which is very expensive in its nature, into the Dominion of Canada, it was considered desirable to give the manufacturers in this industry the benefit of a lower rate of duty by 5 per cent. than they had before on this particular class of goods. It was intended to cover lamb and sheep, and, therefore, it is proposed to be amended in the terms which have just been read, and, as will be seen, No. 34 will be dropped altogether as it will not then be necessary.

Mr. VAIL. I would like to call the hon. gentleman's attention to one industry to which I think he should do something. In 1877 there were three large tanneries in Digby, in full blast, but they were closed immediately after this Tariff went into force, and they have remained closed ever since.

Sir LEONARD TILLEY. The hon. gentleman has not told us why they were closed, but we find that there are a good many industries that flourish in some hands, but fail in others. Some men have not the same energy, the same enterprise, or the same intellect that others have, so that this will always be the case. I have heard no complaint from the tanners, except that they are asking us for an export duty of tanned bark, so that it may not be exported out of the country. My experience has been that if, as in this case, neither manufacturers nor consumers are complaining, you can come to the conclusion that the matter is pretty evenly balanced, and that all classes are well content.

Mr. VAIL. The worst of it is that the people who were formerly employed in these tanneries have all gone out of  
Sir LEONARD TILLEY.

the country, in spite of the promise of the hon. gentleman that his policy would keep Canadians in the country and bring back those who had left.

Sir LEONARD TILLEY. I would like to ask the hon. gentleman how it is if more leather is not being manufactured in the Dominion of Canada than before, that there has been such a large increase in the importation of hides.

Mr. KIRK. The country will be glad to hear that something besides protection is required to make an industry prosperous.

On item 36, marble,

Sir LEONARD TILLEY. In 1879 there were two reasons why we imposed 10 per cent. duty on large blocks of marble. One was, that it was not quite certain whether, if we encouraged manufactures largely in the Dominion we should have sufficient revenue. It was stated, on the other hand, that there were deposits of marble in different parts of the Dominion which possibly might be developed into an important industry, so we considered that it would be safe and fair on both of these considerations to impose 10 per cent. as this marble was considered a raw material by some manufacturers. After four years experience we find that we do not require this duty for revenue purposes, and as the marble quarries have not been developed it is proposed that these blocks shall be admitted free. As will be seen by the next resolution marble sawn on two sides will be reduced from 15 to 10 per cent. If these resolutions are adopted the duty will stand in this way: marble in blocks over fifteen cubic feet, free; sawn in slabs on two sides, 10 per cent.; sawn in shape for monuments, &c., 20 per cent.; finished marble, 30 per cent.

Mr. BURPEE (St. John). Why do you limit the size of the block marble?

Sir LEONARD TILLEY. They are in the habit of bringing in a very expensive article of Italian marble in small packages, and they are bringing it in in blocks sometimes undressed and sometimes shaped, in which case it pays 20 per cent. This being an expensive article, and only used by the very rich, we thought it well not to disturb that duty. Then the hon. gentleman will notice that marble is brought into this country and sawn here, in which case it pays 10 per cent.

Mr. GILLMOR. There is an industry in the village in which I live, not a marble industry, but one which enters into competition with marble, namely, red granite, which is now coming into general use. Those who are engaged in that industry are in favor of Protection; but this Tariff will allow the marble to come in and interfere with the development of this branch of manufacture. It is really a struggling industry, and a great deal of money has been lost in attempting to develop it; and as it is the hon. gentleman's policy to protect all industries, this one should receive consideration as well as the others.

Sir LEONARD TILLEY. I have listened with a good deal of attention to the remarks of the hon. gentleman, because I recollected that in his able and earnest speeches on this subject he has laid down the doctrine that a free and perfect interchange is the best policy. If it were possible for any people to get along without taxation, or the imposition of duties, this might be a desirable thing. With regard to this particular industry, I wish to point out to the hon. gentleman that it is finished marble with which this granite would compete, and that the duty upon it is the same as before, 30 per cent.

On item 38, carbolic and heavy oil,

Sir LEONARD TILLEY. By the Tariff at present carbolic oil, if used for pavements, for wood for building

or for railway ties, is admitted at a lower rate of duty; but if a man imported carbolic oil for the purpose of preparing lumber for a water-proof roof, he has to pay the full rate of duty. We saw no reason why such a distinction should be made, and the proposition is that, for whatever purpose the article is imported, it shall pay the same rate of duty.

Mr. BLAKE. The item is carbolic or heavy oil.

Sir LEONARD TILLEY. This change is merely for the purpose of fixing what has been the ruling of the Department for the last fourteen years.

Mr. BLAKE. When the phrase "carbolic or heavy oil" is accompanied with a description of the purposes for which it is used, one can understand what it means, but when the phrase is used without that description, you get a very wide idea of the meaning of heavy oil. You may be adding confusion to confusion.

Mr. BOWELL. It is the same phrase as was used in the old Tariff. The only reason for the change is that difficulties have sometimes arisen by the oil being imported for other purposes than those specified in the Tariff. It was then claimed to come under the enumerated articles at 20 per cent., and it is to prevent these difficulties that carbolic or heavy oil, for whatever purpose it may be used, is to be admitted at the uniform rate of 25 per cent.

Mr. BLAKE. I can understand "carbolic oil," but it is the phrase "heavy oil," without the addendum in the old Tariff sufficiently definite in meaning as not to be confounded with other articles.

Mr. BOWELL. I am speaking under correction, but I think so. This wording is that of the Commissioner whose duty is to look after the working of the minutiae of the Tariff.

On items 39, 40 and 41, lubricating oils,

Mr. BOWELL. Lubricating oils at present, when not otherwise specified, pay 25 per cent., and petroleum and the products of petroleum pay 7½ cts. per imperial gallon. An article which has been imported as lubricating oil has been found by the Department to be nothing more nor less than a pure petroleum of a heavy gravity, and we have ruled that it shall pay the duty of 7½ cts. a gallon, particularly as it has been entered at 3, 4 and 5 cts. per gallon. A dispute arose on the question, and a suit was threatened against the Department; but the matter was submitted to the hon. Minister of Justice, and he decided that the ruling was correct. It was thought better, however, in order that there should be no difficulty in future, that all classes of lubricating oils, composed wholly or in part of petroleum, and costing not less than 30 cts. per gallon, should pay 25 per cent. *ad valorem*, and that all costing less than that should pay 7½ cts. per gallon. Other kinds of lubricating oil, no matter how produced, or of what quality, are to pay 25 per cent. *ad valorem*.

Mr. BLAKE. According to the hon. gentleman's statement, the duty he proposes will be a duty varying from 100 to 200 per cent. It is the petroleum duty applied to the cheapest kind of lubricating oil.

Mr. BOWELL. Difficulties have arisen in insisting upon an amended entry. The importers have entered this oil at the lowest possible price, and we have had great difficulty in finding its fair value, particularly when entered for an *ad valorem* duty.

On item 42, paper hangings or wall paper, &c.,

Mr. BLAKE. Are they going to be made here?

Sir LEONARD TILLEY. They are being made here now.

Mr. BLAKE. What do they pay now?

Sir LEONARD TILLEY. 25 per cent. duty; this is 30 per cent.

On item 43, union collar cloth paper,

Sir LEONARD TILLEY. This is really the raw material not likely to be made here; and we have reduced it to the manufacturers of paper collars, 5 per cent.

Mr. BLAKE. What is the duty on paper collars?

Sir LEONARD TILLEY. 25 per cent.

Mr. BLAKE. We are making our own paper collars now?

Sir LEONARD TILLEY. Yes.

On item 44, spices,

Sir LEONARD TILLEY. This is for a two-fold object. This is one of the items on which we could reduce taxation. The change in the United States Tariff, recently made on unground spices, would result, if not met, in our receiving spices adulterated and of an inferior character.

On item 45, tobacco and snuff,

Sir LEONARD TILLEY. This is a reduction on the imports of 5 cts. a lb. leaving the manufactured tobacco and snuff in the Dominion in a better position than before by 3 cts. a lb.

Mr. PATERSON. What will be the effect on the Revenue?

Sir LEONARD TILLEY. The duty is 25 cts. now and 12½ per cent. It is proposed to reduce the specific duty to 20 cts., leaving the 12½ per cent. unchanged, or a decrease of 5 cts. a lb. \$10,000 will be about the reduction in the revenue.

Mr. BLAKE. Why the reduction from the 1st of May next?

Sir LEONARD TILLEY. Because the Excise duty is reduced from the 1st of May.

Mr. PATERSON. This is one of the items in which this line is adopted which has been very detrimental to trade. Some time ago it was said—I do not know how correctly—that the duty would be reduced, and consequently the tobacco trade was paralyzed awaiting this reduction. Not long ago the hon. Minister of Railways said that under constitutional Government changes in the Tariff should be made with the greatest secrecy, to prevent trade being disturbed. There seems to be a total departure from that principle.

Sir LEONARD TILLEY. I quite agree that it is desirable a change in duties should be first made known in Parliament, except, as in the case of 1878, when the Elections turned on the question as to whether the duties should be raised on articles made in the country or not, and after the Elections everybody knew the duties would be increased and prudent traders imported accordingly. With regard to tobacco, it was known that one of the means of reducing the revenue of the United States to be adopted by Congress was to reduce the revenue on tobacco, either to reduce it to 8 cts. a lb. or to take it off altogether, and we had to await their action so that we might reduce our duties proportionally, otherwise our manufactories would be ruined, and, besides, our revenue would not be increased through the smuggling of American tobacco. I think it would have been a hard matter, indeed, to say to those men throughout the country that the people shall not have time to consume a portion of this tobacco before we make a reduction, and that they shall lose on the whole of it. The only question was whether we should put it in force the 1st of May or the 1st of June. We know there is a stagnation in business, that men who manufacture tobacco cannot get much sale just now. It was a necessity on the part of the Government, for we would much rather have taken the duty off other things than to take 8

cts. a lb. off tobacco. We have decided to take the 1st of May, so that the tobacco that has paid duty may be consumed by that time. We put it at that period for the protection of men who have it in stock.

Mr. PATERSON (Brant). If I understand the hon. First Minister aright, he holds that this principle of secrecy is simply to be maintained when it is proposed to advance the duties, not when they are to be reduced.

Sir LEONARD TILLEY. No; I say most emphatically that in that case it is of the utmost importance. But with reference to reduction, I said nothing of the kind, because the hon. member knows that I stated the Session before last, in reference to tea, that we were going to take off the duty, because no revenue could be expected, and that was stated everywhere in the country. There are circumstances where it is right to notify the people of the reduction of duty, so that they may govern themselves accordingly, but in an increase it is just the opposite.

Mr. PATERSON. I understand the hon. Minister to say that when he proposed an increase of duty, secrecy should be maintained.

Sir LEONARD TILLEY. Yes.

Mr. PATERSON. Then how is he carrying out that principle, when nine months before the time he places in his resolutions a proposition to increase the duties on one line of goods  $7\frac{1}{2}$  per cent.? How is he maintaining this principle, which ought to be inviolable, when he proposes an increase of 10 per cent. on all agricultural implements in the way he has done?

Sir LEONARD TILLEY. If the Government had decided upon increasing the duty, it would have informed the whole Dominion. There are circumstances, as in the case of taking the duty off tea, or increasing it on any article, as in the case of printed goods next January. That is because parties commencing industries of this kind would not be ready until next January. We do not say it to one or two individuals, but to everybody. Therefore, if the term secrecy is concerned, if it is for the purpose of revenue, it would not be judicious to make that announcement; but where the revenue is not concerned, then we are in a position to give everybody the same information.

Mr. PATERSON. Then, this is not revenue?

Sir LEONARD TILLEY. No. It is not revenue for the next twelve months, nearly fifteen months.

Mr. PATERSON. The effect will evidently be largely to increase the exportation of prints prior to the 1st of July, resulting in a glutted market and an evil to the importers. It will also result in having the country so glutted with this particular line of goods that the parties to be benefited by it cannot be for months and months after the institution is opened. The hon. member now acknowledges openly that in the imposition of this extra duty he is not doing it for want of revenue at all, but simply to protect this one print manufactory.

Sir LEONARD TILLEY. I state distinctly that by this proposition I do not expect an increase of revenue for the next fiscal year, because parties are already supplied up to the 1st of June. I do not think it likely that merchants will import prints for more than one season, because the style is constantly changing and the goods become valueless if kept for more than a year or two. After considering all these circumstances the Government considered that it would be better to name a specific date.

On item 46, spirits of turpentine,

Sir LEONARD TILLEY. This is simply a reduction of the tax. The article is not produced here, but it enters very largely into use among builders, painters and others, and it

Sir LEONARD TILLEY.

is proposed to reduce the duty from 20 per cent. to 10 per cent. *ad valorem*.

On item 47, vegetables,

Sir LEONARD TILLEY. This extends the duty now imposed on tomatoes to all kinds of vegetables, and places it at 2 cts. per can not exceeding a pound. It is hoped that this will reduce the cost to the consumer, and will increase the demand for the producer.

On item 48, vinegar,

Sir LEONARD TILLEY. The change proposed is not so much for the purpose of revenue as to promote domestic manufacture. The Excise duty is 4 cts. per gallon, imperial measure, and the duty on the imported article is 12 cts. per imperial gallon, which it is proposed to increase to 15 cts. It is pretty clear that a sound, healthy article can be produced here, and this change is to enable our own manufacturers to secure, to a large extent, the Canadian market.

On item 49, wools and woollens,

Sir LEONARD TILLEY. Under the present Tariff worsted yarns under No. 30 pay 20 per cent.; over that  $7\frac{1}{2}$  cts. per lb., and 20 per cent. Now yarns of almost every description and number are made in Canada. It is said we do not manufacture them of quite so fine a quality as they do in England, but as they are now manufactured here, and the necessity for the exception has been removed, it is proposed that all worsted yarns shall pay  $7\frac{1}{2}$  cts. per lb. and 20 per cent. It is proposed that socks and stockings of the classes now knitted in Canada, shall no longer be charged  $7\frac{1}{2}$  cts. and 20 per cent., but shall pay the same duty as manufactured clothing. Woollen goods of which clothing is made pays  $7\frac{1}{2}$  cts. a lb. and 20 per cent.; the clothing when made 10 cts. a lb. and 25 per cent. This places socks and stockings in the category of clothing, which will be 10 cts. per lb. and 25 per cent. *ad valorem*. This is the object, and we place woollen yarns under a uniform duty of  $7\frac{1}{2}$  cts. per lb. and 20 per cent.

Mr. ALLEN. This is a very unfair way of dealing with these goods. The poor man, who purchases cheaper goods than the rich man, pays more duty. Take, for instance, the item of heavy beaver for workmen's overcoats and poor women's heavy coats for the winter, the specific duty on this amounts in some cases to 35 per cent.; while on the finer goods, black broadcloths and goods of that description imported for gentlemen, who are well able to pay the duty, is only 24 per cent. In many cases the poor man, however, pays from 48 to 55 per cent. Some of the heavier goods are purchased in England at from 60 to 90 cts. a yard; but, taking the average at 75 cts., these goods weigh, perhaps, from  $2\frac{1}{2}$  to  $2\frac{3}{4}$  lbs. a yard, and thus pay nearly 18 per cent. specific duty, while black broadcloths, costing \$5, or 20s. sterling, a yard, do not weigh more than 2 lbs. a yard, and only pay 14 per cent. of a specific duty on what costs \$10. This is very unfair, and the farmers and workmen of this country say that it is unfair; and I hope that the Government will consider the position of the workmen in comparison with the rich and wealthy, and place them in a position at least of equality with the latter. These are facts, I know. This is my own business. I have been in it for the last quarter of a century; I know exactly what I am speaking about; and I hope the Government will take it into consideration and do something to alleviate the position of the poor man.

Mr. HESSON. The anxiety of my hon. friend is quite uncalled for. I do not think the poor man needs his sympathy at all, in the matter of shoddy cloth brought from the Old Country. It would be a mercy to the poor men of Canada to shut it out altogether, and I can assure my hon. friend, from my own experience—and I presume that he has

had the same experience—that you cannot sell that kind of goods to the poor man, who buys good Canadian stock which does not pay one cent of duty. You can buy shoddy cloth 2½ lbs. to the yard, and keep it for two or three years; but then you cannot sell it at all; while a piece of Canadian tweed sells almost immediately. The hon. gentleman supposes that the poor man pays an extraordinary rate of duty compared with the rich man; but as a matter of fact we sell more Scotch tweeds to the rich man than to the poor, and these tweeds pay a heavy duty, which is perfectly right on the principle that we hope to encourage the manufacture in this country of an equally good class of goods, eventually. Besides, the poor man to-day is getting better and cheaper cloth—and the hon. gentleman knows it—than he did before the introduction of the National Policy, and it is home-made cloth. The same thing applies to socks. The hon. gentleman complains, and the question is raised on that issue; but what is my hon. friend's experience in this regard? Who buys home-made socks? Why, the workmen and the laboring men of Canada. Do they pay any tax? No; the raw material, which we cannot sell in a foreign market—it is shut out of the American market by a heavy duty—is manufactured at home, and no duty is paid on it. We have home made clothing which gives work to the farmer's wife and daughter, and to the poor man's wife and daughter as well; and we get the best article that can be made. I can say, that the more this policy prevents the importation of shoddy goods, so much the better. The same thing applies to socks at \$1 a dozen—laboring men's socks. No better article can be made and brought into the country. Canadian tweeds are cheaper to-day than my hon. friend ever handled them for before the National Policy was introduced, and the poor man is perfectly satisfied. Instead of cheap shoddy, 2 lbs. to the yard, double width, which falls to pieces inside of 6 months—this is my experience, and I venture to say that it is the hon. gentleman's experience—the poor man gets better goods now, and does not pay more taxes to-day than he did formerly, because he does not buy the poor shoddy goods. As to clothing made here, there is no taxation on that either. I remember that a few years ago, a large importing house in the city of Hamilton, did a large business in imported shoddy goods, until it was prevented by the trade, and the exposure of the worthlessness of this class of stock. People were compelled from time to time to refuse to accept these goods; and the result was that this house had to abandon the importation of that class of goods altogether. The sooner we get rid of the importation of shoddy cloths, for which my hon. friend pleads here to-day, the better it will be for the poor man.

Mr. ALLEN. We all agree that clothing is cheaper than it has been, but what is the reason? Before the inauguration of the National Policy wool was 35 cts. a pound, while last year thousands and thousands of pounds were sold at 18 cts.; that is the reason, and that is no excuse for the unfair duty levied on clothing. Besides, have we not shoddy cloths made in this country, and they are protected?

Mr. McMULLEN. I would say in reply to the member for North Perth, that as far as concerns my section of the country, he is mistaken; a very large percentage of the overcoats worn by the farmers and their sons in winter are there made all of the very heavy shoddy cloth imported from England, and referred to by the hon. member for North Grey. I do not know about Stratford, but I know that in the northern counties in winter almost every farmer and every farmer's son wears the heavy pilot and tweed cloth coats, of which the cloth is imported, the very same of which the member for Grey speaks. The hon. gentleman (Mr. Hesson) talks of Canadian tweeds and of their manufacture into clothing. I have no doubt that these are worn for ordinary clothing; but the heavy winter overcoats are made

out of this very shoddy cloth; and the duty imposed on it bears hard on the poor man.

Mr. HESSON. There never was a time when Canadian overcoats, made of good Canadian tweeds, were more commonly worn than is now the case, and I know this from my own experience, and the more that this becomes the custom day after day, and the more it is encouraged the better it will be for the poor man. The less of shoddy goods that are imported the better it will be for the country.

Mr. BLAKE. Does the hon. gentleman contradict the statement as to the price of wool?

Mr. HESSON. I was speaking of the shoddy industry, and of the importation of these goods into this country.

Mr. BLAKE. But as to wool?

Mr. HESSON. We are not talking about wool. As to the class of goods referred to by the leader of the Opposition he knows perfectly well that the poor man's clothing is very cheap, and if shoddy cloths were shut out altogether from the country the poor man would not be a sufferer.

On item 23, printed and dyed cottons, &c.,

Sir LEONARD TILLEY. The item as proposed to be amended will stand: Provided that printed or dyed cottons, except jeans, coutilles, cambries, silicias and casbans, shall, on and after the first day of January, 1884, be charged with a duty of 27½ per cent. *ad valorem*.

Mr. BLAKE. Will the hon. gentleman give us some further explanations, as this is one of the most important changes in the Tariff.

Sir LEONARD TILLEY. It will be remembered that, in 1879, when the Government introduced the policy which has been accepted by the House, it was stated, when we came to the article of cotton prints, it was proposed that no change should be made in the duty on that article; that while other cotton goods were placed under a specific or an *ad valorem*, or in other words, a protective duty, we asked that no change should be made in regard to them, except from 17½ to 20 per cent. As they were not made in the country, we did not ask the House to increase the duty on those articles to any greater extent. At the time that we were submitting the resolutions of 1879 to the House, we stated that there were many articles upon which we had not changed the duty except by increasing it from 17½ to 20 per cent. for the purpose of revenue, and that the policy of the Government was to protect manufactures when they were introduced into the country. We told Parliament that we would ask the House to give them that protection when the capitalists and manufacturers of the country were in a position to manufacture. Under these circumstances, down to the present time, there has been no application made to Parliament by the Government to change the duty on these prints. Two years ago, some gentlemen interested in the establishment of a cotton factory in Toronto, proposed to erect a factory with a capital of £300,000, and it was stated that English capitalists would put in £100,000, provided they ascertained that it would be a profitable investment. They communicated with the Government, and I say frankly that we had at the time grave doubts whether this article could be successfully manufactured in the Dominion of Canada. We thought that, considering the skill which is necessary in the designing of prints; considering the capital which it is necessary to introduce in an enterprise of that kind; considering the great variety of prints which is necessary to suit the tastes and wants of the people of Canada, it was doubtful whether such an enterprise would succeed, and therefore we did not give them much encouragement at that time. The result was that we did not hear any more of it for some time. A year afterwards some gentlemen put themselves in communication with members of the Government and with

myself as Finance Minister, and they stated that if we gave them some protection, the same protection as other cotton goods had, they would undertake to establish within a year an industry of this kind in Montreal. Entertaining as we did, some doubts about the success of that enterprise, we did not agree at that time to ask Parliament for any consideration in this matter. Last spring, after Parliament rose, some gentlemen who are interested in an enterprise of this kind, and who are now erecting buildings for the purpose, waited upon the Government and stated their case. They stated that they were prepared to place \$1,000,000 of capital in this enterprise to begin with. When we pointed out the difficulties they had to encounter, they said that their intentions were to use the rollers which were first used in the printing of cotton in the factories of the Old Country, and that they would bring them out and manufacture prints here in great varieties, and that they were in a position to make the enterprise pay. These gentlemen having stated this, the Government felt that they should say to them that, if they entered into this enterprise with \$1,000,000 of capital, and that others were likely to follow, they would come to Parliament and ask that they should receive the same protection, or nearly the same protection, which was given to other cotton industries. This industry has been established under those auspices. We are in hopes that before long the factory which it was proposed to proceed with in Montreal two years ago, will come into operation, and under this system, which removes the difficulty which presented itself to the minds of the Government as to the designing of these prints—one factory being in a position to turn out these cottons by the 1st of January. Under these circumstances, the Government, in accordance with their policy of 1879—the policy which they followed up since—have decided to come to Parliament and ask the consideration of the House for this industry. We believe that we have sufficient competition to keep the prices, so far as grey cottons are concerned, so that they will be as low before the end of 1883, and lower, than they ever were before.

Mr. BLAKE. Of course the considerations which apply to these two classes are very different—the consideration which applies to the possibility of establishing the manufacture of dyed or printed cottons; and any remarks which I shall address to the Committee shall be addressed to those classes to which the hon. gentleman has confined his observations, namely, printed cottons. He says that on two distinct occasions applications were made to the Government unsuccessfully, to induce them to raise the duty—to raise the duty, because they had announced that to be their policy—unsuccessfully, because they were not convinced that the enterprise was a feasible one in this country. The reason they could not be convinced was because they feared that the attempt would fail to produce a variety of patterns of prints which are required to suit the tastes of the people. They were satisfied that the people would require a vast variety of prints. I was informed the other day that one single importing house has received no less than 1,500 different patterns of prints at one time. Well, the gentlemen with the large capital, with English capital, it is true, to whom the hon. gentleman has referred, were not able, by any reasonable argument they could use, to remove this difficulty; but now, it seems, it is removed, and by what means? The hon. gentleman stated—what I was informed, but which I hardly believed—by the projectors of the new Bill. The ladies of Canada, it appears, are to be dressed in prints at least one year behind the world's fashions. The hon. gentleman stated awhile ago that the importers of prints would not buy prints more than six months in advance, because of the changes in the fashions; yet he tells us that the print factory which is established in Canada has begun with the used up print patterns of the world.

Sir LEONARD TILLEY.

Sir LEONARD TILLEY. Immediately after they have used them.

Mr. BLAKE. Immediately after the production is going on, and our ladies are to be, as it is said they used to be, with reference to the Paris fashions, a year behindhand. The hon. gentleman must not forget that he is making these ladies a more important factor than they have been. He must remember that he is little likely to get the votes of ladies whom he is compelling to wear the cast-off patterns of last year. It is the print pattern which makes it attractive, but I think it will be found that the same circumstances which will limit the patterns will largely enhance the cost of the article. What was the difficulty with our cotton factories in their early condition? It was that they were attempting to make too great a variety of goods; it was that they had not mastered the great secret of running for a long time on one line; and you must have a large consumption to do that. The hon. gentleman says that the over-importation, which, he thinks, will take place, will only last until the middle of next year. Will he tell us what revenue he expects to derive in 1883-84 under the operation of the enhanced duties?

Sir LEONARD TILLEY. I do not expect any increase. I stated that before. The hon. gentleman is, of course, very anxious to alarm us—

Mr. BLAKE. No; I do not wish to alarm you.

Sir LEONARD TILLEY. As to the effect the increase is to have on the ladies, especially under the change in the Election Law. It is very remarkable, notwithstanding the appeals made during the last three years to the poor man and to the farmers, with reference to the taxes imposed on the coarse goods they use, that when the time came in June last we did not find them condemning this policy, but sustaining it; and the ladies will vote for this policy, because I believe they are patriotic, and will vote to sustain the industries of the country, even if it costs them a cent or two more, in a cotton dress.

Mr. COLBY. I have no doubt the ladies of Canada would have been more grateful to the hon. leader of the Opposition had he manifested his solicitude for them at a time when such solicitude would have seemed disinterested, but after the announcement that they are to be included in the Franchise Bill, they will hardly give him credit for disinterestedness. I do not share the apprehension which the hon. leader of the Opposition has expressed, and which it seems the hon. Finance Minister himself at some time entertained, with regard to the success of dyeing and printing cotton cloths in Canada. I think we have all been a little too timid with regard to the future. Every hon. gentleman in this House must recollect the time when capitalists looked with a good deal of apprehension upon the establishment of an ordinary cotton manufactory. Doubts were expressed as to whether our people were sufficiently numerous to sustain it, and yet to-day we have 400,000 spindles operating, and, I believe, they are not sufficient for the requirements of the country. We all recollect the time when it was doubtful whether woollen mills could be sustained in Canada. It was urged that it would be impossible for Canada to compete with the skill, and the cheap labor, and the capital of Europe; and yet, to-day, it is the proud boast of our manufacturers that Canadian woollen goods are not surpassed by any goods of their kind in the world. We have succeeded, notwithstanding these misgivings regarding cotton and woollen goods, beyond our most sanguine hopes and expectations. A few years ago it was thought that we clumsy Canadians could not manufacture agricultural implements that would compare with those manufactured in the United States, and yet to-day Canadian agricultural implements are unsurpassed in quality and are cheaper than the same class of goods could

be obtained from the United States, if there was no duty upon them at all. So, I say that, as success has crowned every effort we have made to establish manufactures, we have reason to infer from the experience of the past that we have been unduly timid—that we have not properly appreciated the possibilities of our industrial growth. Now, with regard to the establishment of a successful dyeing and print works in Canada, I believe all that is required to make it a success is the requisite capital and skill. I have some knowledge of the enterprise to which the hon. Finance Minister has referred, and I can assure this House that I have the best reason for believing that, so far as capital is concerned, there will be no difficulty whatever, after having read such a magnificent subscription list as that which I saw the other day, containing the names of prominent financial men in Canada, such as Mr. Allan Gilmour, Mr. J. G. Ross, and a number of the prominent manufacturing men in Montreal—men who will carry out anything they undertake. I maintain that in Canada we can build a cotton mill as cheap, if not cheaper, than it can be built elsewhere on this continent. The material for the construction of the mill is cheaper here than it is in the United States; the labor for the construction is cheaper here; the labor for operating the mill is as cheap, if not cheaper, than in the United States, and we have here abundant water power, and you cannot over-estimate the importance of water power as an economical factor. In the very mill it is proposed to establish here, to which reference has been made by the hon. Finance Minister, it has been estimated that a saving of \$50,000 per annum would be made by the use of the immense water power at our disposal as compared with the cost of steam. With these favorable conditions we have every reason to anticipate success, provided ordinary prudent business management is brought to bear; and I may say this enterprise has associated with it the name of Mr. Ward, of Montreal, one of its promoters, a gentleman who has been connected with every successful cotton enterprise started in Canada, and who is as sound politically from the standpoint of the hon. gentlemen opposite as he is sound financially, and who will be of great use to us in carrying out this important enterprise. We have the capital, and with the capital we can purchase, for skill is a purchasable commodity, the best skill in Europe or the United States; we can purchase the best machinery, and we can lay the foundation of a successful enterprise. Now, what stands in the way of our doing so? It is said a large variety of patterns are required. We know there are no limits to the demands of taste and wealth in any direction, whether in the direction of cottons or silks. But we know that those staple articles which are used by the masses of the people of this country, are not those changeable fashions which vary every year. We know that certain lines of staple goods, for instance, regatta shirtings, common prints and durable cloths, are worn, with very little change of pattern, year after year by the farmers and working people of this country. These staple articles which are mostly used, can be produced in this manufactory from the ordinary plates, which are stereotyped, and can be purchased at cheap rates. The reference made by the hon. Finance Minister is simply to another class of patterns that are transient. These patterns can be obtained from other factories, for it must be remembered that in the United States the markets and seasons are earlier than ours, and it is but a trifling matter to remove from some factory in the United States or England, rollers which have served their purpose there and may be used here. This is the exception, not the rule. Now, I believe that if print manufactories can be carried on successfully in Mexico—and there are six print establishments in Mexico—if they can be carried on successfully in Switzerland with half our population, and in Norway and Sweden, as I believe it is in all these countries, with a lesser population than ours, it may be carried on by

the enterprise and skill of the people of Canada, with our increasing population and bright prospects for the future. The enterprise adverted to is of no insignificant character. It is estimated the production of the mill would be one-sixth of the entire present production of cotton goods in the Dominion. It will contain 60,000 spindles, give employment to 1,000 or 1,200 operatives, and turn out at least \$1,500,000 worth of goods annually, while the production will be capable of being expanded to meet the increasing demands of the country. Now, I can quite understand how this enterprise can be criticized from a Free Trade stand-point, as well as the whole protective policy which has been twice sanctioned by the people, and which this Government has been sent here with instructions to carry out. I can understand hon. gentlemen opposite criticizing it honestly from their standpoint, but from our standpoint, that of the majority of the people, as declared at two recent elections, no fault can be found with the policy proposed by the hon. Finance Minister, which is simply the complement of the policy he has been carrying out since he came into office. I believe we ought not to be too timid in these matters. I believe that as a great and a growing people, we should not content ourselves with remaining in the old ruts and working on the lowest plane, but should aspire to do something higher and better, and encourage as far as we can that species of manufacturing which involves four processes, such as manufacturing cotton goods, and bleaching, and dyeing and printing, and not limit ourselves to the one process of manufacturing plain cotton. I believe we should strive to make within ourselves, in carrying out this policy upon which the country is launched, all those things which can be properly manufactured here. I have no misgivings with regard to the future of this enterprise. I will say, moreover, that the gentlemen who are risking their large capital in this enterprise have done so with full deliberation. They are experienced men of business; they are men experienced in the manufacture of cotton goods; who have realized their fortunes by their industry; they have studied this problem with more care and forethought than it is possible for us to give it; they are willing to risk their capital in the enterprise, and they say to the Government of the day: "We ask for no special protection, and we are willing to embark our means in this enterprise, if protected to the extent of 27½ per cent., which is less than the average protection given to the manufacturers of plain cottons. We laid the proposition before the Government—a proposition by men who mean business when they come to the Government—and the Government had no alternative from its stand-point. Having reference to their pledges to the people to carry out a policy which would encourage new enterprises, the Government could not go back upon its record without stultifying itself, without confessing that their policy was a delusion; they could not do otherwise, than to grant the reasonable request made by these capitalists, and to come down with the proposition laid before you to-day. An hon. gentleman sitting opposite me, speaking on this matter the other evening, said that nothing would make the National Policy so unpopular, as to show these worthless Canadian goods to the people. Now, I am sorry that hon. gentleman cannot discuss these questions without condemning in advance the products of the industry and skill of the Canadian people. If a person uniformly makes that presentation of the case, perhaps some few people may be deluded by the fallacy. But that hon. gentleman, who I believe is a trader, should honestly say to his lady customers, as he displays a stylish piece of imported print: "There is a particular article which is not manufactured in Canada, a peculiarly nice article which is to be imported from some other country, paying a duty of 27½ per cent., instead of a duty of 20 per cent. It is true you pay a higher duty, but you are assisting to build up an important industry in this

country, you are assisting in giving employment to a great many people who otherwise would be obliged to leave this country to find employment elsewhere. More than that, the very money you pay into the Treasury enables the Finance Minister to relieve you from duties upon other things which are equally necessities of life—upon your tea, your coffee, and other articles which are as much necessities of life, and enter as much into common consumption as the prints and the calicoes." The good lady who has to purchase these articles, if she be an intelligent and patriotic lady, and if she have a proper appreciation of her indebtedness to that party who have invested her with the franchise, will purchase the goods cheerfully, and vote for the National Policy.

Mr. BLAKE. I see the hon. gentleman finds it necessary to increase the duty on dyed goods as well as prints. I was told by one of the proprietors of the Hochelaga mills that 25 per cent. would be ample.

Sir LEONARD TILLEY. When this subject was under the consideration of the Government last spring they came to the Government in reference to printed goods, and it was then stated that if the Government asked Parliament to impose a duty of 27½ per cent. on the printed goods, a like duty would be imposed upon the dyed goods, but as it does not cover the whole of them they will not get over 20 per cent upon those that are named in this list.

Mr. PATERSON. Perhaps the hon. member for Stanstead, being interested in this project, could give us some idea as to how many mills, like the one he has described to us, our market might find employment for.

Mr. COLBY. I will give the hon. gentleman the benefit of all the information I have on the subject. I heard the opinion expressed by a gentleman well informed on this subject that this particular mill, as projected now, that will be in operation on the 1st of May next, would furnish about one-fourth of the goods that will be needed in this country. Provisions are made for a great enlargement of the mill at a future time.

Mr. BLAKE. How many yards is it calculated to manufacture.

Mr. COLBY. I could not say how many yards. 60,000 spindles will be running which will turn out \$1,500,000 worth per year.

Mr. BOWELL. If that statement be correct, this mill will be able to supply the demand. The hon. gentleman will understand that it would be impossible, unless we printed a couple of volumes of Trade and Navigation Reports to indicate the quantity of every particular article; but I find that, of white or dyed cotton, jeans, coutilles, cambrics, silicias, casbans and printed calicoes paying 20 per cent., there were imported \$1,431,381 worth (the number of yards is not given) on which a duty was paid of \$283,730. There are a number of other articles under cotton manufactures, but I take the articles which are intended to be included in the proposition now before the House as coming within these classes.

Mr. BLAKE. The information I have, which, I believe, came from a gentleman interested in this very mill, is, that he thought the estimate for this class of goods, that is the printed and dyed goods, had been very much underrated, and, if I remember correctly, but I will not speak with positiveness, he spoke of 40,000,000 or 45,000,000 of yards as being the consumption. This mill would, at that rate, supply about one-third of the consumption.

Mr. COLBY. It would supply about one-third or one-fourth at the close of this year. But as I have stated the whole establishment is arranged with a view to a very large extension, and provision has been made for a great excess of water power over what will be originally required.

Mr. COLBY.

Mr. PATERSON (Brant). If there is only going to be one mill how are we going to get cheap goods? If there were half a dozen mills I could understand how home competition would ultimately bring down the price, but the fact that one mill is going to supply the whole country is to create a monopoly at once.

Mr. COLBY. The hon. gentlemen might have accepted the statements made by the leader of the Opposition and myself as being derived from gentlemen who profess to have some knowledge of the subject, and who have investigated, and their information has not been obtained through the Trade and Navigation Returns, but through business channels. I do not think those Returns give any information with respect to the quantity imported. I believe 60,000 spindles will produce one-half, one-third, or one-quarter of the estimated consumption.

Mr. SUTHERLAND (Oxford). I desire to draw the attention of the Minister to a matter of very considerable importance. In a former Session the duty on cheese cloth was increased, and it was also provided that a drawback should be allowed upon all cotton used by cheese makers in the Dominion and exported. The regulations in connection with this drawback are such that they cannot possibly be complied with. No doubt the Minister of Customs knows the difficulty experienced in trying to obtain the drawback on this cotton after it has been exported. A large quantity was exported and sold by the proprietors of three factories, it having been announced that the drawback would be allowed. I should like to know whether it is the intention of the Government to make regulations whereby the manufacturers would receive what I consider to be only justice to them, now that the cheese makers have used the cotton expecting a drawback to be allowed.

Mr. BOWELL. I do not think the regulations are such as to preclude the possibility of makers receiving the drawback if they would only take a little trouble when they import to keep an account of the amount of duty paid. They have been repeatedly told that if they would establish the fact that the cheese cloth has been imported and duty paid, and had been used for the purpose intended, and had been exported, the drawback would be allowed. It seems to me that it would be easy enough if the parties importing would take the trouble to keep an entry in a book, and when they sold it for cheese purposes they should obtain from the cheese maker the fact that it was sold for exportation and had been exported. With a business so enormous as the cheese industry has grown to be in this country, not only for home consumption but for export, unless there were some prescribed rule which should guide the Department in making the rebate, it would be found that a large amount of the cheese cloth consumed in this country would receive the drawback. That is not the principle on which drawback is paid.

Mr. SUTHERLAND (Oxford). I quite agree that if the drawback were allowed on the information stated by the hon. Minister, the makers would be perfectly satisfied. But the authorities had demanded more, and had required the export entry for every piece of cotton exported with every particular cheese. The hon. Minister knows it is impossible that this can be furnished. But to say that they can provide a separate export entry for every cheese exported from the country, he knows is simply impossible.

Mr. BOWELL. I can assure my hon. friend that no such demand was ever made on any cheese-maker or importer of cheese cloth. They are asked to do nothing more and nothing less than what I have already stated. We have asked them for a statement of the export entry of the whole, but not for every cheese. If a factory makes 1,000 boxes of cheese during the year, they know exactly how much cloth has been consumed in putting up this cheese, and if

they show an export entry for the 1,000 boxes of cheese, then the requirements of the Department are complied with; but the difficulty has been, that those who demand a drawback have asked the Department, in too many cases, simply to take their word that they imported so many yards of cloth and exported it, without producing any evidence of either fact; and I am sure that the hon. gentleman would not expect any Department to pay away the public funds unless it had some evidence to justify the payment.

Mr. SUTHERLAND (Oxford). I am perfectly satisfied that such evidence should be furnished, and I know that the parties in my own part of the country who are asking for a drawback, will be perfectly willing to supply the evidence which he has stated will be required; and I hope that when the matter comes up for discussion before him and the Department again, he will take the same liberal view which he has announced to this House.

Mr. BOWELL. I always did take that view.

Mr. McMULLEN. I would like to ask the hon. Finance Minister what percentage of profit he anticipates that the owners of this mill will make out of this investment. I fancy that this must have been calculated in order to arrive at 27½ per cent. protection, and in order to ascertain whether this is just between the manufacturer and the consumer, I hope that the hon. Finance Minister has carefully estimated the cost of the mill, and of manufacturing of this kind, so as to hold the balance fairly between the classes mentioned. The hon. gentleman who has just sat down has stated that there are great advantages to be got in the way of water power, and of bringing old machinery from England, etc., but we want to know what percentage of profit is likely to be realized out of the investment. The hon. gentleman did say that he intended to give them about the same profit which other cotton factories now operated here secure; and if so, the stock of this mill will increase very rapidly in value. There is no stock in cotton mills in this country which has not increased 100 per cent. during the last two or three years, besides paying very large dividends. If this mill is to reap the same profit, I think it is very little wonder that gentlemen are found willing to invest their money in it; and I hope that the Finance Minister has given this matter his careful consideration, because it is his duty, while these people are pressing upon him for advantages in the way of protective duties, to see that too heavy a burden is not laid on the consumers. I know that a man largely interested in a cotton factory in Canada told me, prior to the introduction of the National Policy, that if the Government of the hon. Alexander Mackenzie, then in power, would grant him ¼ cent a yard additional duty on the cotton manufactured in his mill, this would be worth \$25,000 a year to him in additional profit. I know that under the operation of the National Policy, he is getting 13 cts. a yard; and if a quarter of a yard was worth \$25,000 a year, one cent a yard will be worth \$100,000 a year. Under these circumstances, it is no wonder that the gentleman who has addressed the Committee, has advocated that this mill should receive the protection asked. He says, that they are going to manufacture about one-fourth of the entire cotton used in this country; and in this event the owners of this mill will pocket 25 per cent. of the 7½ cts. increased duty imposed on cotton; the hon. Finance Minister will get 75 per cent. of additional duty, and this is the division which will take place. I hope that the hon. Finance Minister has looked into the matter carefully in order to protect the interests of the consumer.

Mr. COLBY. I would say for the hon. gentleman's information, and of every other member of the House, that I think there is at present some stock to be obtained at par. I do not think the stock book is entirely closed.

Mr. WALLACE (York). The hon. member for North Perth has repeated here the statement, which a good many hon. members have spread throughout the country, that the stocks of cotton companies pay very high profits. I read in to-day's paper, that the Dundas Cotton Mill stock is quoted at from 90 to 95; and the Canada Cotton Company at from 110 to 115.

Mr. CHARLTON. How much is it watered?

Mr. BOWELL. Has it been watered?

Mr. BLAKE. The Dundas mill stock has been watered enormously.

Mr. WALLACE. I would also ask these gentlemen to look at loan companies, which run very little risk, and loan money on real estate to the extent of one-third of its value, so that by no possible combination of circumstances can they lose on their investments if they exercise any kind of care at all. We find that the Canada Farm and Loan Company is quoted in the same paper at 225½ bid, or 2¼ or 2½ times more than the cotton mill stock in which investors run great risks.

An hon. MEMBER. Is it watered?

Mr. WALLACE. And probably, as an hon. gentleman says, the loan company's stock is watered too. I think myself, that if great profits are made out of these investments, the matter will speedily correct itself. If that hon. gentleman can make so much more money by investing in cotton mills than in other enterprises, he will do so; and the thing will eventually be brought to its proper level; but we find that to-day cotton mill stock and stock in various manufacturing enterprises are not nearly so high as loan company stock.

Mr. BENSON. I had no intention of speaking this evening, but perhaps I shall be able to add my little mite to this discussion. I believe we cannot be too thankful to any party or parties who establish a new manufactory in this country. Pioneers always have a very hard road to travel, and no one but those who have gone through the ordeal can form any conception of the troubles, vexations and disappointments which surrounded the path of those who begin a new industry. As to the sugar refineries, I remember that old Mr. Redpath told me that for years and years he made no money except what he made by judicious purchases. I can say the same thing, and I know of no industry which at the onset paid those who began it. For years and years they yield no profit at all. There is one other important point which we ought to bear in mind with respect to manufacturers: that they have a greater stake in the country than almost any other member of the community. A manufacturer is anchored here; he cannot get away. I remember that a very wealthy old manufacturer—a calico printer—in England, who was advised by his friends to go out of business, said: "There is no escape for the manufacturer but bankruptcy or the grave." In his case it came true in both respects, for hard times came upon him, he lost his money, and the loss of his money brought down his grey hairs in sorrow to the grave. But the important point is, that his works go on and do good to thousands. Though the Reform press has often pointed to Peter Redpath, because he lives in the Old Country, the works go on here, and are doing good for hundreds of miles around. Perhaps here I may be allowed to digress. It has often been stated in the Reform press that Mr. Peter Redpath lived in the Old Country. So he does; though not at Camden House, the old home of the Empress of the French, but at Manor House, and care has always been taken by these newspapers to conceal the fact, that out of five partners in the Redpath firm four live in this country and spend their money here. Mrs. John Redpath lives in Montreal; so does Mr. G. A. Drummond; so does Mr. John James Redpath; so does Mr. Frank Redpath; and

though Mr. Peter Redpath lives in England, he is a better Canadian than ninety-nine out of a hundred of those usurers and money-lenders who used to flood the country before the National Policy. He interests himself in the Montreal General Hospital; he has spent more than \$100,000 in building a wing to McGill College; he has given that College a library, and every one of his contributions to charitable purposes—and their number is legion—is still continued as though he lived amongst us. There is another thing which I wish to point out, and that is, that everything which is manufactured in the country is cheaper to the consumer—that is, after it begins to be manufactured in a large way. We all know that when the sugar factory was stopped we had worse sugar and dearer than before. I do not wish to speak egotistically, but illustratively, when I say that in 1858, when I came to Canada, I paid 50 cts. a bushel for corn while starch cost the consumer 25 cts. per lb. This year corn costs 90 cts., and the price of starch to the consumer is only 12½ cts. In other words, the raw material has nearly doubled, while the manufactured article is only one-half what it was before. So it is with every branch of manufacture; if we only encourage manufacturers to settle in the country the price of their goods will be cheaper to the consumer.

Mr. McNEILL. I wish to make one observation, and that is, that I think there is great exaggeration as to the profits which are obtained by the manufacturers in this industry. In the next place, I say that if there are profits to be obtained from such an industry, I for one should prefer to see those profits go into the pockets of the Canadian manufacturers rather than into the pockets of the American manufacturers, and I think the sentiment of the country is with me in that respect. I shall relate to the House one incident which fell under my own observation. I was going from Toronto last year, and while in the train I was conversing with a gentleman sitting beside me as to the prospects of the approaching General Elections. This gentleman mentioned that a number of leading Reformers in the country were likely to join the Conservative party. There was a gentleman sitting immediately behind us who at this point struck into the conversation, and said he wished it to be understood that he was not one of that number, though his name had been mentioned as one Reformer who was likely to leave his party. I turned round and entered into conversation with him. I found that he was a cotton manufacturer, and, though I am not authorized to give his name, I think my own bare statement will be accepted by the House. I asked him to give me some information with regard to his own industry, and he said he would be glad to answer any reasonable question. I asked if he had been benefitted by the National Policy, and he said he had; and I asked him further, whether the price of cottons which he manufactured were to-day any greater to the consumer than before the introduction of the National Policy. He said they were not. He said they were not only not dearer, but that to the extent of the difference between 25 and 24 cts. they were cheaper—that is to say, that cotton which was sold at 25 cts. before the introduction of the National Policy, he was then selling at 24 cts. I said: "Tell me whether the cotton you are manufacturing to-day, if it were in competition with American cotton under Sir Richard Cartwright's Tariff, would be cheaper than the cotton they supplied from America would be to-day." He said it was as cheap or cheaper. I asked him why? He said there were two reasons: first, that labor was cheaper, and the second, that he had peculiar facilities for manufacturing. Those were the facts which he gave me with regard to his own industry. I will give the remainder of the conversation as it occurred. I asked what was the effect of this Tariff upon his coal? He said he considered that the National Policy had injured him so far as coal was concerned; the price was greater than before the introduction of the National Policy. These are the facts which

Mr. BANNON.

were mentioned to me by this gentleman, who was, and so far as I know, is to-day a supporter of the Reform party, and a friend of the Government of Mr. Mackenzie. I wish to call attention at this moment to what I have observed with regard to discussions of the National Policy, ever since I came into this House, and that is, that there is a cool assumption on the part of hon. gentlemen opposite that the imposition of a duty on goods means simply an increase of price to that extent to the consumer. I have listened attentively to the speeches of hon. gentlemen in the hope that they might attempt to substantiate that proposition by argument, but I have observed nothing but a calm assumption of that position. The facts that I have mentioned with regard to this matter show that this is not the case. I may mention another circumstance which fell under my own observation and which bears out the same statement. I was desirous of purchasing some fruit trees, and a gentleman came to me representing a nursery in Ontario, and offered me some fruit trees for sale. I found that these fruit trees were cheaper than they had ever been offered to me before. This was two years ago. I remarked that I was surprised to find that although there was a Tariff of 30 per cent. on trees he was offering to sell me fruit trees cheaper than they had ever been offered to me before. The man was the representative of one of the most respectable nurserymen in Ontario, Mr. Caldwell, of Galt. He told me I might go down to his nursery and select my own trees. There was a duty, I think, of 30 per cent. on fruit trees, and yet these fruit trees were being supplied at a cheaper rate than they had been before the duty was put on. According to hon. gentlemen opposite they ought to have been dearer. There are trees still imported from the United States that have to pay 30 per cent., and then to be sold as cheaply as those grown in Canada. This 30 per cent., therefore, goes to swell the surplus.

Mr. PATERSON (Brant). I do not wish to dispute the hon. gentleman's statement, but I would ask him, when he next meets that importer, who bought his cottons prior to the introduction of the National Policy, and paid 25 cts. a yard for them, and is now paying 24 cts., what kind of cotton it was.

Mr. McNEILL. He said the cotton he formerly sold for 25 cts., he was now supplying for 24 cts. I do not know whether he sold it by the yard or by the thread, or how it was.

Mr. HESSON. I have no doubt it was cotton warp.

Mr. McMILLAN (Huron). I would like to say a single word. We have heard a good deal about the pioneer manufacturers; but I want to say that there has been another class of pioneers that have suffered hardships that the pioneer manufacturers know nothing of. Forty years ago I went up the Ottawa. At that time we had to carry all our flour and our goods on our backs; we had not money enough to buy teams and we endured privations and hardships that manufacturers have never endured. After we got started, the manufacturers came in and prospered. I was surprised to hear an hon. gentleman state that there was a time when we could hardly expect to establish manufactories in Canada. My mind went back to the Centennial at Philadelphia, when we had not the policy that we have now, and if I am not mistaken, our agricultural implement manufacturers carried off the prize at that exhibition for the best collection of agricultural implements exhibited there. It has been stated time and again that goods are sold as cheap as they were before the National policy was in existence. If that is so, where has the hon. Finance Minister obtained his large surplus of \$6,300,000? Did it come out of the pockets of the manufacturer or merchant? I was in the Old Country last summer, with a friend of mine who bought varieties of almost all the cotton and woollen goods consumed in

Canada; and after he came home he showed me his invoice and the returns from the Custom House, and the woollen goods paid an average duty of 34 per cent., sometimes as high as 46 and 47 per cent., and the cotton goods 30 per cent. on some classes and 20 per cent. on other classes. Now, I ask, is not this 20 per cent. a sufficient bonus to enable any manufacturer to establish any industry in Canada? And when I say 20 per cent. it really amounts to 25 or 26 per cent. of advantage to the individual who manufactures in Canada, because he saves carriage, insurance and the merchant's profit. Now, I would like the hon. Minister of Finance to inform me whether this large surplus has come out of the pockets of the consumers of Canada or out of the pockets of the manufacturers of the Old Country. This is a question which I would like him to answer fairly and honestly. There is another question which occurs to me at present. Is every industry that has been started in Canada to get an increased duty under the present Tariff? As yet, we see no signs of any reduction on duty for the benefit of the consumer. I heard it stated the other night that the farmer manufactured his own cloth. There was a time when he did so; there was a time when you would find a spinning wheel in every farmer's house you entered. But that time has passed; improvements have been going on in all classes of machinery for the production of cloth; female labor has become scarce, and it will no longer pay the farmer to manufacture his own goods, and he goes into the market and purchases all he wants. It is he and the great consuming public on whom is being imposed this increase of duty. I would ask if all the industries in the country are to obtain increases in the Tariff and there are to be no reductions?

Mr. HAY. I think I can tell as much about cotton tickings and duckings as any other gentleman in the House. I can assure hon. gentlemen that cotton goods of all kinds are cheaper now than they were in 1878. They are all cheaper.

Mr. CAMERON (Inverness). I have listened with a good deal of interest to the discussion on the Tariff, and I have been a good deal amused at the statements of those who oppose the National Policy. I observe that they invariably hold that when goods are exported from Canada, the producer or the manufacturer pays the duty. They complain of the difficulty of exporting goods from Canada to the United States in the face of a hostile Tariff, and the conclusion to my mind is irresistible, that the producer or the manufacturer, who exports to the United States, bears at least a share of the taxation imposed on goods going into that country. Hon. gentlemen opposite assume that the poor man always pays the duty when the article is imported into Canada. If the Canadian manufacturer and producer must pay duties imposed by foreign countries on goods manufactured and produced here, why cannot they perceive, by the same reasoning, that the producer and manufacturer of other countries, who have to find a market in Canada, must also contribute a portion of the duty on the articles consumed in this country. In the eastern part of the Dominion we have realized this fact in our transactions with a colony not very far distant, where we are obliged to seek a market for our products. I have in my hand an account sales of farm products sent from that part of the Dominion to Newfoundland, which is, in fact, the only market we have for the products of the soil. It is the account sales of shipment ex H. H. McCurdy from Cape Breton, on account of Mr. McNeil, on 27th August, 1875:

	£. s. d.	£. s. d.
W. H. Mare, 15 tubs butter, 569 lbs., 1s.		
Id., 4 mos. ....		30 16 5
Charges—Freight .....	11 3	
Duty 28s. 6d., discount 12s. 4d. ....	2 00 10	
Advertg., etc. ....	3 9	
Commission .....	1 10 10	
Net proceeds. ....	26 9 9	
		30 16 5

That is what is the fact, that the poor farmers in Nova Scotia, in this instance at least, has to pay the duty imposed on his goods in Newfoundland. I might cite dozens of such account sales which prove this conclusively, and in the same way there are many staple articles manufactured in England and the United States, which sell in Nova Scotia, at least, at the exact figure to-day at which they were sold there under our 10 per cent. duty, notwithstanding this increase of Tariff. In such cases I would ask any hon. gentleman who understands business, whether it is not the manufacturer rather than the consumer, who pays the duty. A few years ago we were greatly alarmed in the eastern part of Nova Scotia, lest, on account of the encouragement given to the refining of sugar in Canada, we should have to pay an enormous price for our sugar. We were willing to believe that a poor man in the eastern part of Nova Scotia could not use sugar at all; but under the fostering care of the National Policy, increasing the number of sugar refineries, we find we can purchase refined sugar at a lower figure than the ordinary raw sugar could have been purchased at ten years ago, and at a lower figure than we paid for it under the 10 per cent. tariff. And this is owing to the encouragement given to sugar refining in this country by the National Policy. This brings us down to the question under discussion. A few years ago the same objection was made to the protection of cotton manufactures in the Dominion, and hon. gentlemen asked how could that tend to cheapen the products of the factories, because they would exact enormous profits. But a large increase took place in the number of factories, and as competition always lessens prices, we are able, I am happy to say, to obtain, in the eastern counties of this Dominion, cotton cheaper now than we ever could since the country was settled. Then with reference to prints, the same results will follow for the same reason, and I have no doubt a number of print factories will be established, once this one is fairly under way, and we will have cheaper prints both in Cape Breton and British Columbia, than we ever had before. So it is with all lines of goods, by increasing the supply you reduce the price. While hon. gentlemen opposite proclaimed the enormous profits which will be made by the manufacturers in all lines of goods in Canada, so surely will they encourage the manufacture of these articles in the Dominion, and in increasing the supply, a reduced price must inevitably follow.

Mr. TAYLOR. I would like to ask the hon. member for South Huron, to whom this \$6,000,000 or \$8,000,000 surplus, which is in the hands of the Finance Minister, belongs? Is it to the manufacturer? or is it to the Finance Minister? or is it to the people of this country? I claim that it belongs to the people of this country. That is the practical way to look at it. If this Tariff has produced more revenue than is required to carry on the Government, the excess belongs to the people, and we have to raise so much less next year. It is immaterial which political party may be in power, they will require so much money to run the Government with, and that amount has got to be collected by revenue. So long as that amount is equally distributed, it is immaterial to the farmers or any other class of the community on what articles they pay it. If we have a surplus it is better than having a deficit; if we raise less taxes than we require to spend in a year, we must in some way make up the deficiency in the following year.

Mr. FARROW. The hon. member for South Huron comes from the same county that I do, and I find it very strange that when we both buy our goods almost at the same stores, they should charge him more than they charge me. I would like to ask the hon. member a square question. When he bought goods during the Mackenzie regime, did he not have to pay more for a pair of boots than he has had to pay during the last three years just past? Did he or his wife

pay more for a yard of factory cotton? or for a yard of ticking? or for a yard of coarse cloth or flannel? The other night the hon. gentleman said there was no duty on agricultural implements during the Mackenzie regime, whereas every person in this House knows that there was a duty of 17½ per cent. His speech is in the *Globe* and in the *Hansard*, that there was no duty at all on agricultural implements under the Mackenzie Government.

Mr. McMILLAN. I examined the Tariff and I found that American manufacturers could send their implements into Canada free of duty.

Mr. FARROW. I trust the hon. gentleman will look again. Now, I will tell him where the surplus comes from. During the time that his beau ideal of a Government was in power, they lost about \$700,000 a year in managing the Intercolonial, while our people saved that money. Does he not know—if he does not, I do—that throughout Canada, during those years of gloom, of blackness, of darkness, of despair almost, that even people who were very well off were not able to buy those fancy articles of luxury? How many silk dresses were purchased then? How many gold watches were purchased then? Scarcely any at all, compared to what have been bought during these late years. The people had not the means to buy these luxuries. But during the last three or four years, they have had their pockets so full of money, and they have gone largely into these luxuries, and they have yielded a handsome revenue. Are we to be sorry about that? I say it is a matter for us all to rejoice about. But there is another thing. Did not that starvation policy of the Mackenzie Government encourage the Yankees to bring in their grain to compete with our grain? We put a duty on their grain, and that is where another part of the surplus comes from. If I had time I could go on and show you pretty near the whole of it in savings in economies. Does he want to know now where the surplus comes from? It comes from good management; it comes from the exercise of economy; it comes from a good Government in contrast with that Government. The Oppositionists are unpatriotic; they were most patriotic when they were on this side of the House; they could lavish money in every direction; but ever since they have gone into Opposition they have been unpatriotic. Oh! they say, these manufacturers in Canada are making fortunes. Look at that cotton mill that is making 50 or 60 per cent. profits—whereas the par value of the stocks do not rank as high as bank stocks. They are low compared with bank stocks; they are low compared with other stocks in this country, but still they say: Oh! look at these men who are pocketing your money. They want us to send those profits over into a foreign country, preferring that the shekels should go to the Yankees rather than to our own people. By the action the Opposition are taking, they are placing themselves still lower in the estimation of the people.

Mr. AUGER. I do not rise to make a long speech, but simply to say that I have learned a good deal during the progress of this debate, and I have almost become a convert to the National Policy. If the National Policy has brought into the Treasury \$6,000,000, if it has made the goods which the people buy cheaper, and at the same time benefits the manufacturer, as the hon. Finance Minister has said, I would advise the hon. gentleman to stick the duty on. At the same time I would ask him not to stick on the duties quite so much on what the farmers and the poor people buy, but on what the rich people purchase. If it is a benefit to poor people to tax what they have to buy, I think the honorable gentleman has done them good enough, and I think he had better now turn his attention to the rich and give them some benefit.

On item 51, dress or costume cloths,

Sir LEONARD TILLEY. This change has been made with a view of obviating the difficulty which has occurred  
Mr. FARROW.

in the past in collecting the duty on costume cloths and woollen cloths, of which costume cloths form a very large part. It has been the practice in some ports to charge 20 per cent., while in other ports 7½ cts. per lb. and 20 per cent. was collected by the Customs officer. We therefore consulted the importers who had great experience in the matter with a view to devising some means by which a uniformity could be obtained. It was considered that by naming the width less than 25 inches, and the weight as not over 3½ ounces per square yard, the difficulty would be obviated for the future, leaving the class of goods manufactured in Canada paying a duty of 7½ cts. per lb. and 20 per cent., and goods, not including winceys, under 25 inches wide, and weighing not over three and a half ounces at 20 per cent.

On items 56 to 72, agricultural implements,

Mr. ROYAL. I was very glad to hear this afternoon a statement made by the hon. Finance Minister to the effect that this resolution, and other resolutions bearing on the same subject, would only go into effect on 10th May next. I would submit that, if the extension was to the month of June, say the first week or the 10th, this measure would be complete. As the House is aware, great delays take place, especially in the spring time, on the railway entering Manitoba. Last year, freight was delayed on that road as much as three months, and, no doubt, if orders were sent from Winnipeg, and other places in the Province, to the United States, the freight might, by floods or freight blockade, such as took place last year, be so long delayed as to render inoperative the measure announced by the hon. Finance Minister. I hope, in view of this fact, and the circumstance that the Board of Trade of Winnipeg have made additional representations, that the Finance Minister will take the matter into further consideration, and consent to give a fuller measure of justice than the one he has announced.

Sir LEONARD TILLEY. The Government have considered the matter very carefully, looking to the interests of Manitoba and the important industry for which we desire to procure a market. We have not arrived at the duty named without having given the matter considerable thought. I may say that a party who is somewhat interested in the matter, but still a gentleman well able to judge as to what would be necessary to give parties a reasonable time to bring in the foreign articles, named thirty days as being the time to enable them to introduce a sufficient quantity of American implements with our own, to supply the demand. The hon. member has referred to the difficulties experienced last year. That arose, in a great measure, from the overflowing of the country, which was very exceptional in its character. I know that more than a week ago twenty cars of agricultural implements were entered. Now, some delay must take place, and the result shows that they have taken advantage of it—and very properly—and imported very largely. They have been making hay while the sun shines, and, therefore, they have already a pretty good supply, and if we give them until the 10th of May I have no doubt that they will be found to have very largely imported, which will be sufficient with the implements manufactured and ready to be sent there now by our own manufacturers. The Massie Manufacturing Company, of Toronto, inform me that they will be able this season alone to send there 3,000 mowing machines, 2,200 reapers and 1,000 binders and 4,000 horse rakes, valued at over \$1,000,000, which they have either now on hand or ready finished. Then A. Harris, Son & Co., known to hon. gentleman opposite, I think, will have 1,000 binders, 1,500 mowers and 1,500 reapers, besides other implements, and three or four establishments in other localities will be able to place there, before they are required, 4,000 binders, while the London companies will supply 700 self-binders, 500 mowers, 500 hay rakes, 700 waggons and 75 threshing machines, besides ploughs and

portable threshing engines. Taking the data we have, and estimating what the requirements there will be, the Government is satisfied, that by the 10th of May, with the facilities of which they have already availed themselves, and are doing so to-day, our friends the agriculturists of Manitoba and the North-West will have no difficulty in securing a sufficient supply during the present year. Under these circumstances, having examined the matter carefully and obtained information from all quarters, and especially from those interested in foreign implements, we thought that the 10th of May would be a liberal arrangement for our friends in the North-West. We will go back to resolutions six to twelve, which will be made to take effect on the 10th of May; resolutions fourteen to nineteen will also take effect on the 10th of May.

Mr. GORDON. I would like to draw the attention of the hon. Minister of Finance to the fact that British Columbia cannot avail herself of the time limit and benefit of the low Tariff. It would be impossible, with present communications, for dealers in that line to communicate with manufacturers and obtain their supplies. While I have had the honor of being in this House I have had letters eighteen days *en route* to this point; and I can assure you that if Manitoba feels the pressure of this advance in the duty, the people of the Pacific Province feel it in a greater degree, because they cannot fully avail themselves of Canadian manufactures at present. Efforts, it is true, were made in this direction during the past year, and quite a number of Canadian machines have been taken in there; but the facilities are not yet complete. The people there, however, desire to cultivate the trade with the old Provinces to the greatest possible degree; they are bearing every burden placed upon them—and you are aware that the burdens put on our people have been very heavy during the past three or four years. They are submitting patiently, in view of the early construction of the trans-continental railway. The burden with respect to tin has been removed, but the burden with respect to blasting powder bears very heavily on our people. I have letters by the last mail with respect to agricultural implements, asking whether there is to be no reduction from the late Tariff; and I do not know how they will feel when they learn that that Tariff has been increased 10 per cent. I am sure, however, that they will consider it very oppressive under the circumstances; but they would not complain had they easy access to the manufactures of Canada. They are endeavoring by every possible means to trade with Canada in clothing and all other articles manufactured in Canada. I hope that the hon. Minister of Finance will see some mode of enabling the people of British Columbia to have time enough to obtain their machinery for the present year before this Tariff goes into effect.

Sir LEONARD TILLEY. With reference to powder we made exceptional legislation for British Columbia. We reduced the duty, when it was imported into that Province; but I am happy to know that a large quantity of Canadian powder has, nevertheless, been sent to that country; and as far as the returns are concerned, I should be very sorry if the agricultural implement duty bore very heavily upon the people there; but I find that the whole duty collected on the implements last year—and this shows that they brought a good many from Canada, which number, I hope, will be increased this year—was only \$239, and the total value of machinery \$1,000. I cannot quite see, however, why by telegraph, if they want foreign implements, they cannot secure them by the 10th of May. I trust that, as a very large number of Canadian agricultural implements will be made this year, they will be able to supply British Columbia without increased cost during the coming year.

Mr. TAYLOR. I would like, if the Finance Minister could see his way clear, to add to this item the words "carriage harness." We have an industry in Gananoque employing

between 80 and 100 hands, manufacturing those goods which in the United States are manufactured altogether by prison labor with which we have to compete. The goods of American manufacture are now being imported to our detriment.

Sir LEONARD TILLEY. I am afraid that if we include this article we would have the harness makers coming to us and saying that we gave 35 per cent. to the hames and only 30 per cent. to the harness. The hon. gentleman has called our attention to this matter and we have had it under consideration, but we have not thought it advisable to include this article.

Mr. TAYLOR. I may say that the value of these hames is only \$1 per set of harness.

Mr. SUTHERLAND (Selkirk). I have already spoken on the subject of the duty on agricultural implements, and will therefore be brief in my remarks. I regret, as I am sure the people of Manitoba and the North-West will regret, that the hon. Finance Minister has not changed his views in regard to that duty. I had hoped that he would have come to the conclusion that he had made a mistake in increasing the duty. I am satisfied that neither he nor any other man can justify this duty to the people of the North-West. The fact that he has admitted that he did not investigate this matter, but that he consented to the wish of agricultural implement makers, is evidence that he did not consider the matter as he should have done. It is stated that these men have pledged themselves that if the duty is increased, the prices will remain the same. I would like to ask any business man, if he supposes that the price of agricultural implements in the North-West, or any other implements, will be regulated by anything else than the law of supply and demand? If these articles are scarce, the price is bound to go up. I do not care what representations have been made to the hon. Finance Minister. He has given sufficient time to these implement dealers to import these articles, and why should he now put on the duty?

Sir LEONARD TILLEY. So that our own people may be in time for next year.

Mr. SUTHERLAND (Selkirk). The hon. gentleman seems to take the position of good lord, good devil. He says that the implement makers will be able to get ready for next year. We are perfectly satisfied to pay our share, but to increase that duty by 10 per cent. I consider a great hardship to the settlers of that country. I was surprised to find the hon. member for Provencher (Mr. Royal), who must know that the feeling of every man in the country is opposed to the duty being increased, has not ventured to raise his voice against it. It is said that no less than twenty car loads of American goods have come into the country within the last few days, and that is an evidence of the hardship which this entails. I am informed that one firm will have to pay no less than \$100,000 in duties which would not have been required but for the increase, and that they have been obliged to raise this money at 12 per cent., and of course they will have to levy this on the consumers. It is all very fine to say that the consumers will not have to pay the duty, but I am satisfied as the people are, that they will have to pay the duty, and I say it is unfair in the face of the statement made by the Finance Minister, that he is able to reduce the taxation by \$1,500,000 that he should now proceed to increase the taxation of the people of the North-West. There is not a single newspaper in the North-West, irrespective of party, but what demands that this duty should not be increased, and I say that when the people are so unanimous in their opinions they are entitled to more consideration than they are receiving at the hands of the Finance Minister. I would like to ask him one question, and that is, if the list of articles he has received from the

manufacturers of implements in Ontario is for the North-West trade or the whole Dominion?

Sir LEONARD TILLEY. The whole Dominion.

Mr. SUTHERLAND (Selkirk). I would like to know what proportion is expected to be sent to the North-West, for I know that, in the one article of ploughs, not more than one-third of the number required in Manitoba can, by any possibility, be manufactured in Canada.

Mr. FERGUSON (Leeds). How many are required in the North-West?

Mr. SUTHERLAND (Selkirk). 12,000 or 15,000.

Mr. FERGUSON. One firm that I know of makes 12,000 or 15,000 of all kinds, breakers included.

Mr. SUTHERLAND (Selkirk). What is the name of the firm?

Mr. FERGUSON. Crosson & Wood.

Mr. SUTHERLAND (Selkirk). All that they were prepared to furnish was 800 ploughs.

Mr. FERGUSON. One firm?

Mr. SUTHERLAND (Selkirk). One firm would take all they could supply. The firm required 5,000 ploughs, and the factory the hon. gentleman mentions would only agree to furnish 800, and the balance had to be purchased in the United States. Consequently we are obliged to pay the extra duty of 10 per cent. on what cannot be manufactured in Ontario the present year. I say, it is manifestly unfair and unjust to the people of that country. Let the hon. Finance Minister pile on the agony on the people of the North-West; but a cloud is now forming, and when it bursts, there will be a voice from across Lake Superior that will make the dry bones of the Government rattle. The people of the North-West have stood this thing long enough. During the excitement in real estate, every man was making money trading in lots, and had little time to look into these questions; but now, when they have to turn their attention to the tilling of the soil, a dollar looks larger than it formerly did. The Government, before putting on a duty of this kind, should have consulted the representatives of the people from Manitoba. I can assure the hon. Finance Minister that the Government never did a more unpopular thing than to increase the duty on agricultural implements. At the present rate of duties, a settler will have to pay on a small outfit from \$150 to \$200 of duty; that is to say, he will have to pay that much more on implements in Manitoba than he would on the other side of the line. These arguments are being used against us by Americans every day, and they will be intensified by the additional duty which the hon. Finance Minister intends to put on.

Sir LEONARD TILLEY. In the argument that took place the other day, a contrast was drawn between the position of the people of Manitoba and those in the United States, and the hon. gentlemen, made a violent speech on that occasion, as he has done this evening, and put into the mouths of the people on the other side statements calculated to induce them to remain there rather than to come to this side. Would it not have been well for the hon. gentleman to point out that the people of Manitoba are not assessed \$1 for the railways constructed for them, while in the United States the people are assessed by local rates. He might have stated that there the State taxation is very heavy, while we contribute very largely from the Dominion Treasury for the support of Manitoba and other Provinces. It is very well to make a great outcry, and great dissatisfaction. If I recollect rightly the hon. gentleman wanted the duty taken off duck.

Mr. SUTHERLAND (Selkirk). I did not say anything of the kind. I wished to have the same drawback on canvas used for tents as given on canvas used for ships.

Mr. SUTHERLAND (Selkirk).

Sir LEONARD TILLEY. I would like to know if the hon. gentleman would have the same drawback allowed on the lumber used to cover the settlers.

Mr. SUTHERLAND (Selkirk). I am quite willing, if you take the duty off everything else.

Sir LEONARD TILLEY. Well, I have a telegram here from A. Harris, Son & Co. (limited), of Brantford, which is as follows:—

"We are building for this season, 1,000 binders, 1,500 mowers, and 1,500 reapers. We are importing none. We did import 40 binders last season, but can now meet the demand. We guarantee our machines better than American, and prices as low. Have bought 2,000 Canadian ploughs for Manitoba trade. Canadian manufactures in all lines can meet the demand in the North-West, but if driven out now will lose that trade. Aurora produces 5,000 ploughs; Smith's Falls, 2,000; Brantford, 2,000; and 4,000 binders are being built in Canada for next season."

Notwithstanding this the Government came to the conclusion that it was the safest plan to allow ploughs to be imported from the United States, until the 10th of May, to make up any deficiency that might exist. But it is impossible to do anything that will please the hon. member. Notwithstanding all we have heard about the ruin and destitution that would occur, the country is prosperous, and the same thing will occur in Manitoba. At the present moment there may be excitement. It is easy to get up an excitement, and make people alarmed; but, inasmuch as we have proved, and the electors have said that we were right, so in Manitoba, when next year we shall be able to manufacture these implements for them as cheaply as they can get them from the United States, the people will be satisfied, and the hon. gentleman will be able to make no political capital out of the matter. Time will cure the present excitement, and the hon. gentleman will find that instead of creating a feeling against the Government—a Government that has assumed towards Manitoba and the North-West, a paternal attitude, that has made sacrifices and is prepared to make more sacrifices for that country—the hon. gentleman will fail, as the attempt failed a few months ago, to create rebellion in that country against the Administration. When the people come to their sober senses, it will be found that the excitement and the dread that exists is without foundation; then we shall find doubt and difficulty removed, and we shall find the same contentment prevailing there as we found prevailing last June in all the Provinces of the Dominion.

Mr. ROYAL. The hon. Finance Minister has answered very fully the harangue of the hon. member for Selkirk. When the hon. member stated that the people were too busy buying and selling lots to take an interest in the political issues of the day, I supposed that was the reason why the hon. member was returned, because I remember that in his long address to his constituents, not a single word can be found with reference to the Reform party. It is true, he and the hon. member for Marquette, are the only two members from Manitoba who were sent here as Oppositionists. The hon. member for Selkirk ran on the railway ticket. He was then a Vice-President of the Manitoba South-Western Railway, and it was because he promised every farmer there that he would have a small branch built to his door, that he was returned. With regard to the sound the electors of Manitoba gave during the last campaign, I say that out of the five members elected two were elected out-and-out Conservatives in favor of the National Policy, and of the two so returned one was elected by acclamation, a Conservative, the only election by acclamation in Manitoba, and that in one of the oldest counties. The other was the hon. member for Selkirk, where there was a triangular contest, and my hon. friend, Capt. Scott, had to fight against a half-breed Conservative and a Reformer. My hon. friend defeated them both, and the fight was squarely upon party issues. So much for Winnipeg. The hon. member for Lisgar (Mr. Ross) never

said a word about politics. Mr. Ross was simply returned for Mr. Ross. He sits here, and if he has any political sympathies, I believe he has shown this Session that he is entirely with us. So much for the Dominion Elections. The people then had some time to reflect. They had finished buying and selling lots. The local elections came on, and what was the result? The issues were entirely Dominion issues, yet the Premier of Manitoba was supported by two-thirds of the members then returned, and if that is to be taken as the opinion of the country I do not see how the hon. gentleman can take upon himself to speak here on behalf, not only of Manitoba, but of the North-West Territories as well. This question has, of course, created a little excitement in Manitoba, as the hon. Finance Minister stated a moment ago. It is very easy to get up an excitement, especially in this matter, but I believe the people of Manitoba are just as patriotic and conservative, and just as much in favor of the National Policy as the people of the other Provinces. When the statement of the hon. Finance Minister will have been discussed and read in the Province of Manitoba, I believe there will be but one voice to argue that this policy is the right one, and even the taxation contemplated by the hon. Finance Minister will meet with the favor of public opinion in Manitoba, notwithstanding what the hon. gentleman may say. The object of the increased taxation is to keep the western market for the eastern products. If the hon. gentleman had been able to show that this increase was increasing the price of agricultural implements, he would, perhaps, have made a point, but in that he failed. Where he succeeded least was in his predictions in regard to the future. While I believe it to be easy to be a prophet, especially now, and the hon. gentleman is a Wiggins in a political sense, I do not believe the hon. gentleman has succeeded. He has failed and always will fail to show that the National Policy has had the result of increasing the prices of agricultural implements in Manitoba. The hon. gentleman has run down—and in that he is an adept—our own manufactures. Some other gentlemen ran down our own country a year or two ago, in favor of Texas or some other lost State, but now I have to regret that one of my colleagues from Manitoba says here that the manufactures of the Eastern Provinces are not the articles a Western consumer will buy. Supposing that were true, he should have patriotism enough not to say it publicly. Our factories have had enough to contend with from the start, without having to meet the statement throughout the country that their goods are inferior to those of the Americans, while the contrary proposition is true. The opinion of Manitoba is entirely that the policy of the Government is a good one. From the National Policy and the establishment of the Canadian Pacific Railway she has derived great benefit. We have increased wonderfully in the space of only one year. And that the people of Manitoba will be so blind as to adopt the hon. gentleman's policy I cannot for a moment imagine, and I have as much authority to speak for that country as the hon. member for Lisgar.

Mr. FERGUSON (Leeds). With reference to this plough question, I have an interest—not a pecuniary one—in it. I have my information from the officers of the establishment that the sale of 800 ploughs was a wholesale transaction, and this firm has branches at Emerson, Winnipeg, Rat Portage and Regina. They are also prepared to ship a large number of rakes and mowing machines, a number of which they sent last year, and they had to refuse many orders as the demands of the home market were beyond what they could supply. As to the report in that country that one of the difficulties felt by the implement makers was to find shelter for them during the winter, as to the effect of the increase of 10 per cent. in price of the manufactured machine, I will give you the evidence of Mr. Frost himself, the largest manufacturer, I think, east of Toronto. The figures are taken from his own books and are to the effect that, in 1875, he

employed 136 hands; in 1878 they were reduced to 82; in February, 1882, he employed 230. In 1875 the wages averaged from \$1.25 to \$2; in 1878, from 85 cts. to \$1; in February, 1882, from \$1.25 to \$2.50, and a few special hands \$3. The output was treble, and he stated in my presence, and in the presence of 500 electors, that he produced a better machine and had not taxed the consumers one cent.

Mr. CASEY. The hon. Minister seems quite satisfied in his own mind that there is no real excitement in Manitoba or anywhere else in regard to the tax on agricultural implements—at least, he said the excitement did not amount to anything, and he felt perfectly safe in regard to it. But I have seldom seen him so excited in regard to the criticism on any measure he has proposed to the House, as he was by the criticisms of the hon. member for Selkirk. If the agitation is so hollow as he seems to think it is, strange that he should have got so excited about it. Now, with regard to the remedy that is proposed. There must have been some excitement, there must have been some pressure brought to bear upon him, or he would not have changed his original propositions. He has postponed bringing the tax into operation; it is clear that in the first instance he must have consulted with the producers of those articles and accepted their views and proposed the tax. In the second instance, he says himself that he consulted with the importers and dealers of these articles and accepted their suggestions, and has consequently postponed the date; and he proposes that as a remedy for the evils complained of. Now, we are compelled to think that it might have been a good idea if he had gone a step further and called in a third class of advisers, and tried to obtain the opinions of those who bought those machines. This does not seem to have occurred to him; it seldom does seem to occur to him to consult the consumer when he is arranging the Tariff. But the change he has proposed is an arrangement proposed after consultation with, and in the interest of, the importer and dealer of the machines, and not in the interest of the buyer. It first gives them that much time to import their machines under the old Tariff, and then they have the rest of the summer to dispose of them for the price that will be obtained under the new Tariff; while the farmer who uses that machine will have to pay just as much for it after the 10th May as if the postponement were not made. The hon. Minister has taken great pains to prove that there is a sufficient supply of implements made in Ontario to fill the whole market.

Sir LEONARD TILLEY. No. I said it was doubtful about that. It was the result of inquiry from all quarters.

Mr. CASEY. He says there will be enough in another year, and he points to the large number of machines made this year as a mitigation of the tax on farmers. It does not seem to occur to him that it makes no difference to the consumer of this article with regard to the price, whether it comes from Ontario or from the States. The hon. Minister knows business men too well to suppose that an Ontario manufacturer will sell reaping machines for less in Manitoba than the price at which they could be imported from the United States, with the duty added. It will make no difference to the consumer whether the machine comes from Ontario or the States. Therefore, it does not relieve the consumer in the slightest degree to prove that sufficient machines will be made in Ontario this year to supply the Manitoba demand. The burthen of the Manitoba farmers will be the same; the grievance will remain the same. In regard to the quality of the implements, my hon. friend from Provencher has struck upon a new vein of patriotism. He says that even if the Canadian machines were not as good as those imported from abroad, it is wrong to say so in public.

Mr. ROYAL. I beg the hon. gentleman's pardon. I said he was wrong in running down the manufacturers of

our own country in favor of American manufacturers; that the Canadian manufacturers had a good deal to contend with, and that it was not befitting any hon. gentleman to stand up here and denounce our own manufacturers.

Mr. CASEY. If I misunderstood the hon. gentleman I am sorry. I know that line of argument is very common amongst the supporters of the Tariff now in force, and I certainly understood him to use it; that it is unpatriotic to point out that the purchaser is fleeced by anybody but himself; that even if it were so, it is a shame to tell outsiders of it. If there is anything rotten in the State of Denmark we should not tell anybody of it, but keep dark, and grin and bear it as long as we can. The hon. gentleman, on a former occasion, objected to the high duty on lumber, which he spoke of as a grievance to the settlers of Manitoba. It does seem strange that he considers the duty on lumber a burthen, and does not consider the duty on ploughs a burthen. The hon. member for Selkirk is more consistent. He considers the duty on ploughs and reaping machines a burthen, but he does not refuse to admit that the same rules should be applied all round. Since I began to speak my attention has been called to an article in the *Winnipeg Daily Times*, the Conservative organ, which hardly goes to bear out the hon. Finance Minister's idea that there is no excitement on the subject.

Sir LEONARD TILLEY. I did not say there is no excitement. I said the excitement might exist to day, as it did on former occasions, but that it did not continue when the facts were known.

Mr. CASEY. The organ of the Government in Winnipeg seems to have a different idea. Under date of April 12th, that paper says:—

"The Finance Minister has among other things placed upon the free list pearls, rubies, attar of roses, sausage skins (not cleaned) and sawdust. The free admission of these articles, notably of sawdust, will no doubt tend to extend old, and build up new industries in eastern Canada. But the North-West is not deeply interested in these changes. It would have been much more satisfactory to us if Sir Leonard had taken off the duty on provisions, lumber, coal and agricultural implements."

The hon. Finance Minister may feel quite comfortable over the agitation at the present time, but the views held by his representative in the press at Winnipeg are more likely to prevail in that country than those which the hon. Minister holds. Although the hon. member for Provencher believes he speaks the opinion of the people of Manitoba as much as does the hon. member for Selkirk, the people did not say so at the last election, when they did not return a majority of members in sympathy with the former, but a majority in sympathy with the latter. But we cannot consider this question as affecting Manitoba alone, but as also affecting the other Provinces. As a representative of an agricultural constituency which contains a large implement factory, and speaking not only for the farmers but for the manufacturers, I have to protest against this tax which, although it must bear most severely on Manitoba, will be felt least also in Ontario, Quebec and the Maritime Provinces. I believe that the persistent attempts of the Government to lay burdens on farmers while they remove them from other classes of the community, will be resented in a very short time in a manner distasteful to hon. gentlemen opposite.

Mr. SUTHERLAND (Selkirk). I must ask permission to answer one or two personal remarks. The hon. Finance Minister has acknowledged there is excitement in Manitoba.

Sir LEONARD TILLEY. I say there may be.

Mr. SUTHERLAND. I am sure if the hon. gentleman was in my place, and received daily the telegrams and letters I receive respecting this question, he would conceive it to be his duty, as it is mine, to enter his protest against the increased duty. I have said nothing about the National Policy; I did not speak on the Tariff in general terms; I simply confined myself to the duty on agricultural imple-

Mr. ROYAL.

ments. The hon. member for Provencher (Mr. Royal), instead of replying to my remarks on this question, travelled outside of the record and made a personal attack on myself. I do not know what he expects to gain by that. He certainly has not proved to his constituents and his friends that he has been true to their interests on the present occasion. He has been, as I understand, in the corridors and outside of the House, talking against the increased duty as much as I have been, and I also understand he has gone with deputations to induce the hon. Minister to change his opinions in this respect; but he has not the moral courage to stand up on the floor of the house and to utter the same sentiments. He is muzzled in his speech in this House, and I am glad I have, at all events, forced him to acknowledge that he is afraid, because not one word has been uttered by him to-night against the increased duty on agricultural implements, although out of the House he has been loud in his protestations against it.

Mr. ROYAL. This is a statement which I deny flatly.

Mr. SUTHERLAND. Is it not true that you called on the hon. Minister of Finance in company with Mr. Westbourne to protest against it?

Mr. ROYAL. I am not going to be cathechised. Whatever I state out of the House is a private conversation and not to be used here.

Mr. SUTHERLAND. I am perfectly willing to leave the hon. gentleman to a reconciliation of these statements. They do not concern me. I simply mention them to show the inconsistency of the hon. gentleman in making one statement in the corridors and another on the floor of the House. The hon. gentleman travelled outside of the record to show that my position is not in harmony with the views of the people of the North West, that I assumed too much when I said that I voiced the opinion of the people of the North-West when I opposed the Government's proposition. I refer, in confirmation of my position, to the entire press of Manitoba, and to nearly every person who has come down from that country. I am here to do my duty, and so far as the interests of Manitoba are concerned, I will do my duty and seek to carry out the instructions of my constituents, and in view of the strong feeling existing in that country, I earnestly protest against an increased duty on agricultural implements. The hon. member for Provencher went on to show that, notwithstanding the election in June, when the people calmed down, they sustained the Norquay Government at the local elections. All I can say is that the hon. member opposed Mr. Norquay to my certain knowledge, and how he can bring the result of the local elections to bear in favor of his argument is very strange. I know for a fact also that he opposed the Provincial Secretary—

Mr. ROYAL. I am very sorry to have again to say that the hon. gentleman's statement is not exactly in accordance with the truth. There was an election in St. Boniface when Mr. La Rivière, to whom the hon. gentleman makes reference, was a candidate. His opponent was an old Reformer, and I worked for Mr. La Rivière and voted for him.

Mr. SUTHERLAND. I do not wish to say anything more about the matter. I have got him down now to a denial of my statement, which is all I want. Those who worked in the contest, know as well as I do, what the hon. gentleman did. I regret very much that the hon. member for Provencher has seen fit to go back on his professions in regard to the duty on agricultural implements. If he has done what he conceives to be right no fault can be found with him. I have adopted the course which I think is correct; I have entered my protest; although I do not suppose what I have said will have any effect, it is my duty to do what I conceive to be right.

Mr. BOWELL. You stirred up the dry bones.

Mr. SUTHERLAND. As you did at Brandon. When the hon. gentleman wishes to stir up the dry bones he is at liberty to come to my constituency at any time, as his last visit was successful in electing me by 450 majority.

Mr. McMILLAN. I am considerably interested in the manufacture and also in the sending to the North-West of farming implements, and the only thing I regret in connection with this matter is that the hon. Finance Minister has seen proper to delay the receiving of these articles into the North-West from the United States until the 10th of May. Almost every dealer in these articles in the North-West at present has gone from the immediate locality or neighborhood of my constituency, and the persons or agents who have the most to do with the opinions of the hon. member for Selkirk, were sent up there from the immediate neighborhood of London three or four years ago, and through the instrumentality of the manufacturers of London and its neighborhood, they have been enabled to realize a very considerable amount of money; but within the last year or two so great was the competition among Canadian manufacturers in that country that they do not seem to have been able to make such large profits as they had heretofore done, and therefore they made up their minds to take a new departure. I speak of what I know when I say that there is no agricultural implements of any kind, that goes from this part of Ontario into the Province of Manitoba, but what is sold for less to-day and for a less price, than has been the case during the last three or four years. I furthermore say that even if not one solitary article goes from the United States into Manitoba, during the next year, I have not a doubt that the competition will be so great from the Province of Ontario, that the farmers of that country will not have cause to complain, but will have cause to be delighted owing to the fact that the duties will reduce prices from 5 to 10 per cent. compared with what they are to-day. With reference to these gentlemen, I will name them—because I am positive that they are the parties who have coached my hon. friend from Selkirk, and given him the principal portion of the information that he possesses—they are the firm of Westbrook & Fairchild—Westbrook came down here a few days ago and made certain representations, which were misrepresentations. He announced to the people of this locality, I do not mean the Finance Minister, but those of us who are interested in the manufacture of these articles, that certain manufacturers and importers had bought large quantities of these articles, having an idea that this duty was going to be increased; and brought them in from the United States, preparatory to receiving the benefits of the increased duty. He was asked to name the parties, but the only persons who imported, or were importing, to any very considerable extent, were Westbrook & Fairchild themselves. It has been said, that we in Ontario, could not manufacture sufficiently for the use of the Province of Manitoba. I can say this, that that very firm came down at the time when importers in that country usually give their orders and make their purchases; they came to the Fair at the city of London, and they could have got every article they wanted manufactured there, and in certain other localities in Ontario; but they thought they would try to injure the manufacturers of the Province of Ontario, by putting into competition with them such manufacturers as John Deer of Chicago, Thompson & Son, the South Bay Chilled Iron Works, and establishments of that kind; and they being an old and established firm in that part of the country, trusted that they could induce the farming community to believe that the American manufacturers were so much better than the Canadian, that they could introduce those articles and keep them there.

Mr. SUTHERLAND (Selkirk). Will the hon. gentleman name the firm who offered to supply Westbrook & Fairchild, in London, with all they wanted.

Mr. McMILLAN. Yes; I may say it was not one firm solely, but John Elliott & Co., the Globe Foundry, Stuart & McPherson, and a dozen others. This fact must not be forgotten, that at that very time, while the Fair was in progress, there were there Haggert & Co., of St. Thomas, Harris & Co., and others from all over the country, and he could have got every article he wanted to supply the whole North-West in the city of London.

Mr. SUTHERLAND. What firm offered to make harvesters?

Mr. McMILLAN. If he had given his order at that time, John Elliott & Co. would have done so, but he chose to delay it for a considerable time later, when Elliott & Co. had made other arrangements, and when he came back Elliott stated: "I am not prepared to do it now; I have made other arrangements; but if you had given your order at the proper time they would have been prepared."

Mr. SUTHERLAND. What about the Globe Foundry offer?

Mr. McMILLAN. I am thoroughly conversant with that, and I know that they are making self-binders, and a very considerable number of them. They did not send any to the North-West until last year, but I know that they made contracts to send some to the North-West this year.

Mr. SUTHERLAND. Was not that offer based on the condition that Westbrook & Fairchild would take \$30,000 stock in the Globe Company?

Mr. McMILLAN. I am not Westbrook & Fairchild's solicitor, or the solicitor for the Globe Foundry; but if it is from Westbrook that you get your information on this point, and it is as credible as the other remarks he made, I would have very considerable doubt as to whether that proposition was made to him or not, because I have known that gentleman for many years myself. Apart from that it is stated that our agricultural implements are very considerably inferior to the American; and yet the hon. member for South Huron, who has taken such a very considerable interest in the manufacturing interests of this country, and also in the Tariff, announced to us that when he went to the Centennial our articles beat everything else there, and yet we are told by the hon. member for Selkirk that they are inferior articles; and I cannot allow that remark to pass. I think that Brandon is in the hon. gentleman's constituency, and when he announced that these articles were inferior, the other night, amongst others which he particularized was the article of ploughs, and I would just ask the hon. gentleman whether he happens to know these names: Robert Brant, Adam Switzer, John Chittick, Joseph Brant, James Stevens and many others, because I know that they live in his constituency.

Mr. SUTHERLAND. I do not know them.

Mr. McMILLAN. I dare say not; and I am quite certain he does not know they voted for him; but, be that as it may, these gentlemen reside in the immediate neighborhood of Brandon, and have been there for a very considerable period, and this is what they state in reference to ploughs:

"We, the undersigned, after a fair and impartial trial of different ploughs, have come to the conclusion that the Norwegian, manufactured by Geo. Jackson, of London, Ont., is the best, and have taken them in preference to any other we have tried.

"(Signed) ROBERT BRANT, ADAM SWITZER, JOHN CHITTIK, JOSEPH BRANT, JAMES STEVENS, ROBERT STEVENS, NELSON ORR, ALEX. MCKENZIE, AND MANY OTHERS."

This was given at Brandon on the 2nd of June, 1882, and I may say to the hon. gentleman, for his information, that within the last few days several of these men have called at

the establishment in the city of London, renewed their orders, and taken their ploughs with them. Now, Sir, at the same time I cannot be very harsh with hon. gentleman opposite, when we consider that the Ministry which I have the honor of supporting not only last year but this year took a good deal of trouble in advertising the manufacture of John Deer & Co. I called the attention of the Minister of Finance to it last year when the Indian supplies were being advertised. I was perfectly aware at the time that we were as capable of manufacturing these articles as Deer's establishment, but notwithstanding this it was stated that these ploughs must be as good as Deer's. I then thought that this would not be repeated, but the other day, on taking up the list of Indian supplies, I found that not only must they be as good as Deer's manufacture, but that they must actually be of the manufacture of John Deer & Co. of Chicago. I dare say that this is an oversight on the part of the Finance Minister, but I hope it will not occur again. The Finance Minister has come to the conclusion that it is desirable to extend this to the tenth day of May. No doubt his information is better than mine, or he would not have arrived at that conclusion. I am glad that the duty has been increased, not that the farmer of Manitoba will pay one cent more for his goods, but that it will prevent the manufacturers who have been sending in their goods there at prices less than those at which they sell them in their own country—prices which they have entered at the Customs at Emerson at from \$2.50 to \$3 less than their own price list. I know this to be a fact, and I sent it to the Customs Department. I had hopes that at the time this state of things would be remedied to a certain extent, and now, at all events, I hope things will be put in such a shape that no such advantage will be taken again.

Mr. BOWELL. I have one or two facts which I would like to offer to the Committee. I can only say to my hon. friend from East Middlesex (Mr. McMillan) that what he has said is quite true, and that this is only another mode by which the American manufacturers attempted by fraud, and in other ways to get their goods into the country without paying the proper duty. It is true that some of them entered ploughs at Winnipeg, and Emerson, at \$6 each, when the price they received in Wisconsin was from \$9 to \$9.50. I now speak of cases which came under my own notice by the manufacturers coming to Ottawa, in the endeavor to induce the Department to prevent the confiscation and fines which we had imposed on them. All that could be done was done, and that was to raise the value to \$9 per plough, and add the 50 per cent. of the duty to the 25, making in all 37½ per cent. This same thing is continually being done. One word in reply to my hon. friend from Selkirk (Mr. Sutherland). I do not desire, nor do I intend to enter into the causes which led to his election for the division of the Province which he represents. He intimated that my presence in Brandon resulted in getting him a certain number of votes. I am inclined to think that the reasons which induced the people to vote for him were those which were laid before the Committee by the hon. member for Provencher (Mr. Royal). He had the advantage of having a certain railway and all its interests at his command at that time, with a Yankee General dispensing that which he knows so well how to dispense, riding from one man's door to another, and displaying little maps showing a line of railway to each man's farm; were it not for this kind of influence, it is not likely that the hon. gentleman would have been here to-night, or telling us as he told the people of Brandon that he would stir us up with a forty-foot pole. He commenced to-night by stating that there was a great war cloud coming down over Lake Superior and that it would rattle up the old bones of the older Provinces. While I admire a man for speaking up for the place from which he gets his living, and where he gets his wealth; yet the hon. gentleman should remember that while attempting

**Mr. McMillan (Huron).**

to decy the interests of the manufacturers of this section of the country, he is doing a wrong to the Dominion and a wrong to himself individually, and a wrong to his own Province. I have a statement in my hands, made not, I believe, by a member of the Conservative party, but by a gentleman whom the hon. member from South Brant (Mr. Paterson) knows better than I do, but a gentleman who is a very responsible person, and who knows of what he speaks. This estimate is with regard to this question of binders. He writes me that Harris & Son of Brantford are making 1,000 binders this year, 500 of which are to go to the North-West. The Massey Manufacturing Company are also making 1,000, of which 500 will go to the North-West. Elliot is making 500; the Globe Company, 400; Watson, of Ayr, 200; Gurney, of Dundas, 200; and the Chatham Company, of Chatham, 200. These are the firms manufacturing this one article. What I desire more particularly to bring before the Committee, is this one fact, that this writer says that the makers will supply the North-West first, as they will be more likely to require a larger number, and he adds that they can increase the number to be sent to Manitoba to 2,000 if required. He adds further that the Canadian binders are equal in every respect to the American, and that they are in some cases better. Harris & Son of Brantford, sold for \$1,600 all their patterns in 1883, to one of the largest American makers, and they are making 5,000 of these machines. It strikes me that the American manufacturers with their large territory, and with the inventive genius of their people, would not come to Canada and buy the patterns of these binders and take them to the United States and manufacture them there, if they were inferior to those which we have been manufacturing and sending to Manitoba.

Mr. SUTHERLAND (Selkirk). What kind were they?

Mr. BOWELL. They were the Harris self-binder. The Canadian makers, in 1882, imported some American binders after their own were sold, but the Canadian machine invariably pleased the farmer best. Now, here is another fact showing what encouraging the establishment of these manufactures in this country has done for other factories. He says:

"The Canadian makers of self-binders are already keeping two factories, one at Montreal and one at Halifax, running on making binder twine. The value of this article made in Canada this season will exceed \$150,000. They have thus established a new industry, employing largely, labor and capital."

This shows how, by the encouragement of one class of manufactures, it bring other industries in its train. The statements made with regard to other manufactures are of a similar character. The hon. gentleman also says that he is willing that the duty should be taken off lumber; but he did not volunteer that statement, it was only drawn out of him when he was asked if he would include lumber with the articles from which he wanted the duties to be removed. I tell him that is not the opinion of lumbermen in Winnipeg. I hold in my hand a letter on this question, written by a gentleman in Winnipeg. He says:

"It is very hard to find out the exact amount of money invested in this industry; but the total amount must run away up into the millions, saying nothing of the numerous manufactures on Lake Winnipeg and elsewhere in the North-West. This is also a very difficult matter to estimate. It is, moreover, a matter of no consequence now, as the previous years are no criterion as to the quantity that could be manufactured in our own Province. This year's produce will be ample to supply the demand. Therefore there will be no necessity for our people to import lumber from Minnesota."

Now, here is a statement in which, I am quite satisfied, the hon. member for Selkirk would place as much credence as I do.

Mr. SUTHERLAND. That is quite correct.

Mr. BOWELL. This statement is from a gentleman who is deeply interested in the lumber trade, and he is not a friend of the Government; he is not what is called a Con-

servative; he is a gentleman in whom, I think, the hon. member for Selkirk would have as much confidence as I. And I think the hon. member himself would be one of the very first, if he spoke his honest sentiments, to object to the removal of the duty on lumber, for the simple reason that large sums of money have been invested in the purchase of logs in the American market to supply the settlers of the North-West; and also because, as this gentleman says, there will be ample supply in Manitoba for the wants of that country this year.

Mr. SUTHERLAND. Quite true.

Mr. BOWELL. I am glad to see that the hon. gentleman assents, and, if that is true with reference to lumber, why is it not true with reference to other manufactured articles in Canada, or which may be established in that country.

Mr. SUTHERLAND. There are no others.

Mr. BOWELL. There may not have been in the past; but, as the hon. member for Middlesex (Mr. McMillan) says, the manufacturers of agricultural implements are not only prepared to supply the market this year, but are prepared to supply them as cheap or cheaper than they have been supplied in that country in the past. With the experience we have had of the result of the National Policy with reference to other articles, and with such testimonials as we are able to adduce, we may conclude that there is no cause for the fear that the people of Manitoba are going to be over-taxed. Nor do I believe that the temporary excitement which bubbles up on every occasion in that country will last for a long time. We know that we had an incipient rebellion there for a short time recently, and that the present Premier was momentarily led away by the excitement. I am not surprised that the hon. member for Provencher should have set his face against the course pursued by Mr. Norquay at the outset, and that after the Premier adopted a more reasonable course, he should have assisted him in the election. If I had been there and Mr. Norquay advocating the views he first held I would have done precisely as many others did, denounce the position he took and his speech in Emerson. But when he got as far north as Selkirk and became more reasonable and made a more statesmanlike speech the people began to rally around him, and those who were anxious to see the country prosperous, those who believed that the policy of the Dominion Government was not only advantageous in its character but would result in the more rapid development of that country, gave him their support. The railway policy of the Government will tend to this end more than anything else. I was rather pleased to hear the remark—I do not know anything of that matter personally—of the hon. gentleman. It struck me if he had given the true reasons why the hon. member for Provencher had said anything against the Premier of Manitoba at that time, he would have justified that hon. gentleman's course; and when the hon. Premier came back into line the hon. member for Provencher gave him his consistent support in his constituency—a border constituency—thus acting in accord with the principles which have always actuated him here as well as at home. From my experience in the North-West—although I think the speech I made availed but very little to defeat my hon. friend opposite—I had good reasons for believing that the National Policy was not objectionable to the people there, and my hon. friend from Marquette was not elected on the question of the National Policy at all. At a meeting held at Portage la Prairie, his spokesman, Mr. Martin—a gentleman subsequently elected to a seat in the Local Legislature—said the National Policy was accepted by the people of Manitoba, but that the hon. gentleman was running the election on the sole question of disallowance, and as Mr. Martin was the spokesman of the hon. gentleman I took it for granted that he knew what he was talking about. The people of that constituency had their eyes open and saw the

results that would flow from continuing the trade over our own road, and had the hon. gentleman opposed that policy he would have stood very little chance of being elected.

Mr. SPROULE. The hon. member for Lisgar has entered into a calculation to show how much the poor farmer of Manitoba must lose by the operation of this Tariff, and calculates the loss at \$150 to \$175. I have now a hand-book got out by the Government for the purpose of giving information to immigrants, and in this the calculation is made that only \$600 is required to supply the immigrant with all that is necessary to carry on his operations. Only two or three of these articles would be affected by this additional Tariff. A wagon, \$80, and a plough and harrow, \$45, yet the hon. gentleman states that 10 per cent. would impose a tax of \$150 to \$175. If 10 per cent. were imposed on \$150 and if every outfit would cost \$1,500—

Mr. SUTHERLAND. The entire 35 per cent.

Mr. SPROULE. I understand the hon. gentleman to refer only to the increased Tariff, but even at the entire rate of 35 per cent. the farmer would be very rich who would require to pay \$150 duty.

Mr. FISHER. I waited until the Manitoba side of this question had been freely discussed before I attempted to draw the attention of the Finance Minister to another portion of this Province of equal consequence to other sections of the country. In the general resolutions are included the articles sixty-nine to seventy-two, which comprise the ordinary hand tools used by the farmers throughout the country. In these items the old Tariff imposed a duty of 30 per cent. *ad valorem*, which is now increased to 35 per cent. This is a matter which affect my own constituency and the other constituencies in the Eastern Townships of Quebec adjoining mine, and I believe it also affects materially the constituencies in the Lower Provinces. As I understand the hon. Finance Minister, he has increased these duties on agricultural implements at the demand of the manufacturers so that they may obtain control of the Manitoba market, and also of the other markets of the country to which they have not yet had access. As a matter of fact, in the Eastern Townships from which I come, the farmers, as a rule, obtain about half of the farm tools they use from the United States. If the hon. Finance Minister will look at the Trade and Navigation Returns for the last year, he will find that the Province of Quebec has imported under this item goods to the extent of \$18,000; Nova Scotia, \$9,000; New Brunswick, \$4,700; Prince Edward Island, \$1,100; in all, I think, about \$32,000 worth of this class of implements. From the tone of the hon. Finance Minister's remarks, it is evident the prices of these articles will be increased to the extent of the increase in duty. I think that though this may be in the interest of agricultural implement makers, by enabling them to obtain entire control of the manufacturing market, it is an injustice to the farmers of the Eastern Townships and of the Lower Provinces generally. I allude particularly to the hand tools because, as a general rule, we do obtain our larger tools such as mowing machines, from Ontario. But I find that what hand tools we had used, which were brought from Ontario, cost us as much extra as the duties imposed on American tools. This being the case I have no hesitation in believing that since the increase of 5 per cent. on this class of implements, the farmers of the Eastern Provinces will, within a short time from the date when this new resolution takes effect, have to pay just so much more for the tools we use. This is a view of the question which, perhaps, has escaped the Finance Minister. It may be that he has not taken into consideration the interest of the farming community generally, but simply representations from the agricultural implement makers upon which he has based his new resolutions. What those representations are we do not know, but, judging from the tenure of his remarks, they are to the effect that those manufacturers wish to obtain entire

control of the market so as to be able to charge just so much more for the tools they make. I think the farming interests are quite as important as those of manufacturers, and ought to be considered. I would like the Finance Minister to state the reasons for including these hand tools in the item, as well as the larger tools about which the discussion has entirely turned.

Mr. COCHRANE. As a farmer I have been very much surprised in listening to the arguments offered here to-night, and on previous occasions, against the Tariff. One would think we were listening to members of a Local Legislature discussing the National Policy from a Provincial point of view. Now, the reason the National Policy recommends itself to the intelligence of the country is that it is not narrow in its scope but embraces the whole Dominion. This whole Tariff policy was fully laid before the electors of my constituency, and they pronounced in its favor. I think the National Policy has been a benefit to the farmer, and I can show from a farmer's point of view the reason why. I consider it a fact that when we can raise or produce anything in this country as cheap as they can in any other country, then if it is introduced into this country the producer pays the duty; but if we cannot produce it as cheaply then we pay the duty. I do not think, in discussing the National Policy from a Manitoba point of view, that ploughs and lumber are parallel cases. We can produce ploughs, harrows and machinery as cheap in this country as in any other country, and therefore when they come into this country the producer pays the duty, but we cannot produce lumber and take it into Manitoba as cheap as they can take it in from the States, therefore the people of Manitoba pay the duty on lumber. But I look forward to a time when we are going to manufacture lumber as cheap as they do in the United States, and supply it to Manitoba. The hon. member for West Elgin sympathizes with the farming community, as did also the hon. gentleman who has just taken his seat. Now, I do not think either of them are farmers.

Mr. BLAKE. They are both farmers.

Mr. COCHRANE. Will either of these gentlemen tell me that machinery is higher because a duty is placed on it? They know very well it is not. If there is a duty of \$20 on a waggon, would that make any difference to the price of the waggon in Ontario? No; from the fact that our manufacturers can produce it as cheap as they can in any other country, therefore, it is the producer that pays the duty and not the consumer. So with machines. I know that we can buy machinery cheaper in Ontario to-day than we ever could before, although the duty is higher. It has been said that the duty on iron and steel would have the effect of raising the prices of machinery; that is not the case, for we can get better machines to-day for the same money than ever before. So with reference to small hand machines—the fact that we can produce them as cheap as in the United States proves that the producer pays the duty and not the consumer. As this is the first time I have spoken in this House, I may be excused for digressing to another subject. The question has been asked, What is the reason that there is a surplus of \$6,000,000 in the Treasury? Now, the opinion has got abroad among the electors of this country that the hon. Finance Minister has got \$6,000,000 locked up in the treasury at Ottawa, and they say it is not right. I understand, not that he has got \$6,000,000 locked up in a chest, but that he has that sum over and above the ordinary expenses of the country, and which he can use to carry on the public works of the country. I think it is hardly fair for hon. gentlemen opposite to put the matter before the country in such a shape. One hon. gentleman claimed that the 17½ per cent. Tariff of the late Administration, if it had been continued, would have produced as much money as the present Tariff, and he proved to his own

Mr. FISHER.

satisfaction that if the same rate of taxation had been continued we would have had the same amount of money and the same result. I cannot see it in the same light. I might pay as a consumer the same amount of money under a 17½ per cent. Tariff, but I would lose the benefit, and the country would lose the benefit of having manufactures in our midst which a higher Tariff has secured us. I would have to pay just as much money in a year as at present, but I would have to send all that money out of the country for foreign goods, and we would have no manufactures in this country. That is just the reason why we have this \$6,000,000 of surplus—not because we pay more on everything we consume, but because we consume a great deal more. We have a greater population to consume what we produce, and to consume the dutiable goods that yield a revenue. Take, for instance, the article of furniture which the Tariff prohibits to a large extent from coming into the country. I obtained this information from a manufacturer, because he was taking four loads of furniture to a house in that riding. He said he was employing about 100 hands more than before the National Policy was introduced; the reason given being the fact that dealers imported a class of goods before that time which they could not buy now, and bring them in profitably. He said that the goods would not cost the consumers any more, and at the same time employment was given to about 100 men in Belleville; his name was Tickle. That is the reason the hon. Minister of Finance had six million dollars of surplus. These men were formerly employed in the United States, while now they are employed in Belleville and are using dutiable goods; and so it is with respect to the cotton mills and other industries throughout the country. There is, however, a larger question before us. When Mr. Tickle employed 100 men, he, at the same time, used the raw material in this country. "What," I asked him "would be the value of 1,000 feet of basswood manufactured into furniture and brought into Canada—would the value be \$500?" This gentleman replies: "In some cases it would be a great deal more." Thus when the Americans purchased for \$10 a thousand feet of basswood and they put labor on it—and labor is wealth—they sold the product for \$50, and the lowest estimate of the American profit was \$10. If we had not established manufactures, the Americans would have been manufacturing our raw material, and we would have been compelled to pay, not for the raw material, but for the manufactured goods. That affords the reason why we have surpluses at the present time. I am here because the farmers of East Northumberland thought the policy of the present Government was a wise policy, and all the arguments of hon. gentlemen opposite have failed to convince the farmers that the National Policy has been ruinous to their interest, and so long as they continue to pursue that line of argument they will remain in Opposition.

Mr. FISHER. The hon. gentleman has stated that I am not a farmer. I represent an agricultural constituency, and I was elected largely because I was a farmer. My hon. friend says I am a gentleman farmer. I hope I am a gentleman, and I know I am a farmer; but the term gentleman farmer hardly applies to me in the sense in which the hon. gentleman has used it. Leaving the personal question alone, the hon. gentleman has stated that the farmers were not interested in this particular item. Does he not know that the farmers of Quebec and the other Provinces have to use their tools, and that they will be called on to pay the increased duty. Is it not true that they will have to pay so much more in consequence of that increased duty.

Some hon. MEMBERS. No.

Mr. FISHER. Then what advantage will the agricultural implement and tool maker of Ontario derive from this increase of duty? If they do not require increased protec-

tion to enable them to obtain control of the market, why do they ask protection?

Sir LEONARD TILLEY. To give them the market.

Mr. FISHER. I can tell the hon. Finance Minister that the agricultural implement makers of the United States will continue to send those same tools into Canada, and the agricultural implement makers of Ontario will charge just as much as the duty will allow them to charge. When the duty is increased the agricultural implement makers will keep up the price just to the point when we cannot import tools from abroad cheaper. Notwithstanding the fact that the duty on tools will be increased to 30 per cent., the farmers of the Eastern Townships will still prefer to obtain them from the United States instead of Ontario. They have done so, and will continue to do so, because they prefer American tools. I do not in any way desire to reflect on the agricultural implement makers of Ontario, but I tell the hon. Minister that the effect of his policy has been to make manufacturing more difficult. They have not a very large market to supply, and consequently they have to use the materials which the hon. Minister has taxed; and if the hon. gentleman wishes to enable the Ontario implement makers to obtain more control what he should do should be to reduce the duty on material used in manufacturing and not on the tools which the farmers import. That is the true way in which the industry can be developed—and I am as much interested in the prosperity of the tool business as hon. gentlemen opposite, for our manufacturers will then be able to control the market more effectively than by increasing the duty placed on the imported articles. The hon. Minister of Finance introduced his Tariff in 1879, and gave implement makers a protective duty of 30 per cent., which was going to secure for them the whole market. However, to-day Ontario manufacturers ask for an increased protection. The whole difficulty in regard to the National Policy is that when you create a manufacturing industry by protection, in a short time the makers will ask for increased protection. They will now obtain 30 per cent., in a year they will obtain 40 per cent., in a few years 50 per cent., and the farmers will be called upon to pay increased prices.

Mr. TAYLOR. The hon. member for Brome has referred to spades, shovels, &c. In Gananoque we have, perhaps, the largest industry in Canada engaged in the manufacture of these goods. It has been in existence there about thirty years. I have resided there during that time and during the greater proportion of the time I have been a purchaser of these goods from the manufacturer, having been in the retail business, and since I went out of business my brothers are in it. I know, as a fact, that these goods to which I have referred are selling cheaper to-day than during the last twenty-five or thirty years, and a great deal cheaper than from 1873 to 1878. I know that a great many more are being manufactured, that a great many are being shipped to Australia, and that this line of goods manufactured in Gananoque will compare favorably, and is preferable to some lines of goods manufactured in the United States, where a great many are manufactured by prison labor and are inferior to our Gananoque goods.

Mr. BLAKE. Plough makers use steel plates to cut the pattern, mould boards and land sides, etc., and these hitherto were admitted free of duty, and plates of steel for saw makers and imported steel for saws are admitted free. I observe that in the hon. member's amendment of the free list, to which I only refer to exemplify my enquiry, he inserts, expressly, plates cut for the use of saw makers; but I do not observe any such position with reference to plates of steel for the use of the makers of ploughs, and I am at a loss to know at what duty and under what provision these portions of ploughs will be admitted, unless they are admitted as parts of ploughs.

Sir LEONARD TILLEY. As far as that is concerned, it will come under the head of \$5 a ton, not being a finished article or part of the plough sent in in parts. It is really in its raw state; it was admitted free in the past, but now it comes under the head of \$5 a ton.

Mr. BLAKE. Will the hon. gentleman explain why that particular thing to be made part of a plough, which seems to me to be as nearly as possible analogous to the plate of steel used by the saw maker, which is expressly admitted free—is not put on the same category?

Sir LEONARD TILLEY. Sheet steel is not made, and is not likely to be made here; but as that article was placed on the free list before, it can be done by Order-in-Council, if it is considered desirable under the General Act; but at the same time it is not contemplated to insert it in this at all.

Mr. BLAKE. This is so far satisfactory. That duty will not be onerous.

Sir LEONARD TILLEY. No.

Mr. BLAKE. But the hon. gentleman knows that there is a very large importation of these commodities.

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. And this is the importation of the raw material of the plough makers of the country.

Mr. WATSON. I would like to see the hon. Finance Minister extend the time, with regard to agricultural implements, beyond the 10th of May.

Sir LEONARD TILLEY. That is disposed of.

Mr. WATSON. I may say that this night has been well spent in arguing the *pros* and *cons* of this question. With regard to Mr. Sutherland, of Selkirk, I believe that the Manitoba market has got a boom on it to-night, and besides all the statements made, and the information received as to the number of implements which Canadian manufacturers can ship this season, it is admitted that they cannot supply the demand, but I think that this augurs well for the North-West this season. We had the Ministers of Militia and Customs in Marquette as well as in Selkirk. I was not present when they spoke, but I do not think that they said a great deal in my favor in Marquette, but the Minister of Customs has stated that the question of the Tariff was not one of the important questions in our election, but I do not presume he understands that I was sent here to represent the feelings of a class of people who are perfectly satisfied with this Government. We had certain grievances, we have them yet, and if that hon. gentleman did Mr. Sutherland no harm in Selkirk, I think that he did me a little good in Portage la Prairie. I do not think that the Minister of Customs enlightened the electors there very greatly on that occasion. I was not present, but judging from all the reports, he occupied three-quarters of his speech in personal abuse of Mr. Martin. If the grievances of Manitoba had been ventilated in this House some time ago, so many would not still exist, in my opinion; it has been represented that everything is all right in the North-West; but at all events, the facts should be stated. We are not here for the purpose of being blind-folded. We want merely to get at the facts. If the Canada manufacturers can manufacture enough machinery for the North-West, all right; but why, then, do they want protection? and if they can supply them as cheaply as before, why, then, do they want the duty increased? and if the Canada machines are better than the American, why are they afraid of competition, especially in view of the fact, that the American have sold at a higher rate than the Canada machines? I would like to have seen the hon. Finance Minister give this matter more consideration. We have certain grievances which I think we will see ventilated. An hon. gentleman opposite says he believes that

four-fifths of our people are Conservatives; then why did they not send four-fifths of their representation in this House Conservatives?

An hon. MEMBER. Owing to side issues.

Mr. WATSON. It may be said that this was due to side issues; and a great many it may be added, have been introduced here to-night; but something has been stated by the hon. Minister of Customs here to-night, which, as far as our country is concerned, in the future he may wish to have been unsaid.

On item 85, coal dust,

Mr. PATERSON (Brant). My attention has been called to this matter by a dealer in coal. He suggested that it would be necessary to define this coal dust more closely, else great difficulty would be experienced in dealing with it. In the American tariff it is limited to such as would pass through a half-inch screen.

Sir LEONARD TILLEY. That is a matter which the Department will arrange, if necessary.

Mr. BLAKE. Will the hon. gentleman state at what point he expects this coal dust to be imported, and for what manufacturers?

Sir LEONARD TILLEY. Largely by the salt manufacturers in the west, who use it as their fuel. They pay about \$1 or \$1.20 per ton, and they find that the 50 or 60 per cent. is really 50 or 60 per cent. on the cost of the article.

Mr. BLAKE. They found that the duty was added to the cost?

Sir LEONARD TILLEY. There is no competition in this case, as our coal does not go up there at all.

On item 88, India rubber clothing,

Mr. BLAKE. What is the object of this increase?

Sir LEONARD TILLEY. Sometimes an India rubber coat is made of two materials with the rubber between by which it becomes water proof, and the question has arisen whether it should pay duty as India rubber, or cotton goods, or woollen goods, and this rate has been fixed to avoid these difficulties.

Mr. BLAKE. Are these goods manufactured here?

Sir LEONARD TILLEY. They are, though it is desirable to make this change even if they were not.

On item 89, jellies and jams,

Sir LEONARD TILLEY. The average duty now paid on these goods is 5½ cts. per lb., and it is proposed to make it 5 cts. per lb. on account of the difficulty which is experienced in valuing these articles in different parts of the country.

On item 96, pumps, iron, &c.,

Sir LEONARD TILLEY. This is in the direction squarely of protection. The pump makers have now 25 per cent., and they will now have practically about 25 per cent.

Mr. BLAKE. I am sorry that the hon. gentleman has not prosecuted enquiries with regard to the duties on this article such as he has made in regard to others, for he would have found that he has been grossly misinformed about them. I have a statement in my hands with an invoice showing that these goods pay under this specific and *ad valorem* duty as follows: No. 0, which is a well known number, pays 63 per cent.; No. 1, 60 per cent.; No. 2, 55 per cent. No. 02, 2-inch bore, pays 83 cts. as they cost \$1.26. No. 1, 2½-inch bore, net price \$1.44 at the 50 and 25 rate, 86 cts. No. 2, net \$1.62, at the 50 and 25 rate, 90 cts., or 55 per cent. These figures show that in this regard the hon. gentleman has been misled, and that what is apparently 35 per cent. is nearly 63 to 65 per cent.

Mr. WATSON.

Sir LEONARD TILLEY. I am willing to meet the hon. gentleman's wishes in this respect, and amend the resolution by making it an *ad valorem* duty of 35 per cent.

On item 99, steel,

Sir LEONARD TILLEY. Under the Tariff, as it stands now, steel is free until the first of July next, and it is to remain free until that time. But as it will shortly be manufactured both in Glasgow, N.S., and in London, Ont., it is proposed to impose a duty of \$5.00 a ton on the class of steel which they will be able to manufacture.

Resolutions to be reported.

Sir LEONARD TILLEY moved the adjournment of the House.

Motion agreed to; (and at 2:05 a.m.) the House adjourned.

## HOUSE OF COMMONS,

WEDNESDAY, 18th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

### PRIVATE BILLS.

Mr. BEATY moved that the notice required by the 60th Rule of the House to be given prior to the consideration of Private Bills be reduced to twenty-four hours for the remainder of the Session, in accordance with the recommendation of the Select Standing Committee on Standing Orders.

Motion agreed to.

### GRAND TRUNK RAILWAY COMPANY OF CANADA.

Mr. COLBY moved that the 51st Rule of the House be suspended so far as regards the petition of the Grand Trunk Railway Company of Canada, in accordance with the recommendation of the Select Standing Committee on Standing Orders.

Motion agreed to.

Mr. COLBY moved for leave to introduce Bill (No. 113) to authorize the Grand Trunk Railway Company of Canada to extend their traffic arrangements with the North Shore Railway to fifty years from the date thereof.

Mr. MITCHELL. I would like to ask the hon. gentleman if this Bill is in accordance with the General Railway Act, or if it is a new policy; also if the Government has consented to the adoption of this policy.

Mr. COLBY. In reply to the question of the hon. gentleman, I would say that if the General Railway Act had made this provision, it would not have been necessary to introduce this Bill. As to the views of the Government, I am not in a position to inform the hon. gentleman.

Mr. MITCHELL. The hon. gentleman has not answered my question. I asked if this Bill was in accordance with the General Railway Act. If the hon. gentleman is not in a position to answer on behalf of the Government, I suppose I have only anticipated history a little, because I have no doubt, from his ability, his cleverness, and his well-known devotion and fidelity to the party he will shortly be a member of the Cabinet, and I am sure this House will be pleased if he is.

Mr. COLBY moved that Rule No. 43 be suspended, and that the Bill be now read the first time.

Bill read the first time.

Mr. COLBY, in moving that Rule No. 43 be suspended, and that the Bill be now read the second time, said: I do this simply for the convenience of the Railway Committee. The business is now somewhat slight before that Committee, and in order that it may not be necessary to call the Committee specially together for this Bill, I would ask that the Bill be read the second time, that it may go before the Committee on Friday.

Bill read the second time.

NORTH WESTERN BANK.

Mr. BEATY in introducing Bill (No. 112) to amend the Act to incorporate the North-Western Bank (from the Senate) moved that Rule 43 be suspended.

Bill read the first and the second times.

THE PENITENTIARIES BILL.

Sir JOHN A. MACDONALD introduced Bill (No. 111) to amend and consolidate the laws relating to Penitentiaries.

Bill read the first time.

COMMITTEE ON PRIVILEGES AND ELECTIONS.

Sir JOHN A. MACDONALD. Perhaps it would be convenient to discuss the report of the Committee on Privileges and Elections on Friday.

Mr. CAMERON (Huron). Perhaps the hon. gentleman would allow it to stand until Monday, as it involves an important question.

Sir JOHN A. MACDONALD Monday, then.

BOUNTY ON PIG IRON.

Sir LEONARD TILLEY moved that the House, on Thursday next, resolve itself into Committee of the Whole to consider the following resolution:—

*Resolved*, That it is expedient to provide by law that a bounty of \$1.50 per ton be paid on all pig iron manufactured in Canada from Canad an ore, between the first day of July, 1883, and the thirteenth day of June, 1886, inclusive, and that a bounty of \$1 per ton be paid in like manner on the same manufactured between the first day of July, 1886, and the thirteenth day of June, 1889, inclusive.

He said: The assent of the Crown has been given to this resolution.

Motion agreed to.

PAY OF OFFICERS AND MEN OF THE ACTIVE MILITIA.

Mr. CARON moved that the House, to-morrow, resolve itself into Committee of the Whole to consider the following resolutions:—

1. That it is expedient to provide that the pay of the officers and men of the Active Militia, land force, for each day's drill of three hours, under section 45 of the Bill now before the House, shall be as in the following Schedule:

<i>Officers.</i>	
Lieutenant-Colonel .....	\$4 87
Major .....	3 90
Paymaster .....	3 05
Adjutant, with rank of Lieutenant.....	2 44
Adjutant, with rank of 2nd Lieutenant .....	2 13
Surgeon .....	3 65
Assistant Surgeon .....	2 43
Quartermaster .....	1 94
Captain .....	2 82
Lieutenant .....	1 58
2nd Lieutenant.....	1 28
<i>Non-Commissioned Officers and Men.</i>	
Sergeant Major.....	1 00
Quartermaster Sergeant.....	90
Paymaster's Clerk.....	90

Orderly Room Clerk.....	90
Hospital Sergeant.....	90
Pay Sergeant.....	80
Sergeant.....	75
Corporal.....	60
Bugler.....	50
Private.....	50
For each horse taking part in such drill.....	1 00

2. That the pay of the Quartermaster General at Headquarters, shall be at the rate of \$2,600 per annum.

3. That the officers and men of the Marine Militia, and the officers of the Reserve Militia, when called out and drilled, under sections forty-six and forty-seven of the said Bill (No. 31) shall receive for each day's drill the pay of their respective ranks according to the foregoing schedule.

4. That all sums of money required to defray any expense under these Resolutions may be paid out of the Consolidated Revenue Fund, upon warrant directed by the Governor to the Receiver General; but no sum of money shall be so paid unless it be included in some appropriation made by Parliament; and a detailed account of moneys so expended shall be laid before Parliament during the then next Session thereof.

Motion agreed to.

OFFICIAL REPORT OF THE DEBATES.

Mr. CASGRAIN. Before the Orders of the Day are called, I desire to call the attention of the House to our Debates. It is very proper that our Debates should be reported, but it is also proper that they should be reported correctly. In the discussion which took place the day before yesterday, which I followed closely, one of the speakers—whom I am sorry not to see in his seat at the present moment, the hon. member for South Simcoe (Mr. Tyrwhitt)—said, in the course of his speech, and in fact it was the most salient part of his speech, that a certain class of immigrants were coming here that he did not want to see here. Now, Sir, this part of his speech ought to go to the country as it went to this House, especially as his words created at the time rather a sensation in this House. I read carefully the report of the hon. member's speech on page 14 of the Debates of the 16th of April, and I do not find that that passage of his speech is reported at all, although, strange to say, I find that it is reported in the *Mail*, the *Citizen*, the *Globe*, and other newspapers. In order to give the House the very words used, I shall read them as they are reported in these papers. The *Citizen's* report is as follows:—

"The hon. member considered that the Bill would do good in preventing the immigration to this country, of a class he did not desire to see here."

The report of the *Globe* says:—

"It will keep out a large class of immigrants, whom I, for one, do not wish to see here."

The *Mail* reports:—

"And will prevent a class of immigrants coming to this country, which I, for one, do not wish to see here."

I would not have attached any importance to this omission from the hon. member's speech, if the words omitted did not bear practically and exactly upon the point at issue, by showing the animus of the feeling of the discussion, and that is the reason why I desire to draw your attention to it, in order that this part of the speech of the hon. gentleman should be inserted in the Debates. I am sorry the hon. gentleman is not here. I tried to find him out, because I never like to speak of any person when he is not present; but as this is the only occasion I have to bring the matter before the House, I am obliged to do so during the hon. gentleman's absence. In conclusion, I will not go further than to give caution to the hon. members of this House, that their utterances must be reported in the *Hansard* as they are uttered in this House; and that each hon. member is responsible for what he says on the floor of this House.

Mr. BOWELL. I am sorry that the hon. member for South Simcoe is not in the House. But I know he came to

me and pointed out the language attributed to him in the press, and said it was not strictly correct—that if he had used such language it was not his intention to do so. He explained to me what he did say, and I trust the opportunity will be given the hon. gentleman, when present, to make his own explanation. I merely make this statement, not in justification of anything he did say, but simply that the House may know he came to myself and had a conversation with me in reference to the matter, in which he said the language attributed to him was not strictly correct.

Mr. IVES. I believe it is generally understood that the class the hon. member referred to, were the Chinese, and I believe there are other hon. members who agree with the hon. member for Simcoe, in not desiring that a very large number of Chinese should come in.

Mr. TYRWHITT. In regard to the omission of that portion of my speech, which does not appear in the *Hansard*, the only portion which does not appear, was a retort to a remark of the hon. member for Montreal Centre. As well as I can remember, the remark was that should the Orange banner be hoisted in this city it would prevent immigration. My retort was, it would prevent a class of immigration which I, for one, did not wish to see here. As what I said has been misconstrued, as I was evidently misunderstood by the hon. member for Prince County, (Mr. Hackett), I took the earliest opportunity of explaining to that hon. member my meaning, which was that I made reference to political offenders and fugitives from justice.

Mr. BLAKE. The difficulty in this case is, that the hon. member who introduced this subject has called attention to the fact of the omission from what he supposed to be a correct report of our Debates, of an important statement in the speech of the hon. member for South Simcoe. It is remarked on all hands that that omission has taken place. I think the attention of the House has been properly directed to that circumstance, and the attention of the Committee on the publication of the Debates ought forthwith to be directed to it. It is worse than useless we should have a publication, bearing the stamp of authority, issued as a correct report of our Debates, from which important passages in the speeches of hon. members are either deliberately or accidentally omitted.

Mr. PICKARD. I would ask the hon. member for L'Islet, whether he believed the document he read here was strictly true, which was said to be published in Belfast, and whether it was not read here on the floor of this House for an effect politically in the Dominion of Canada.

Mr. WHITE (Cardwell). I have just asked the hon. member for South Simcoe, whether he had any communication with the reporters in regard to the withdrawal of the words referred to, and the hon. gentleman states he had not. The rule is that everything said on the floor of this House shall go into the reports next day, and hon. members are permitted to revise, but not alter their speeches, with a view of correcting what is manifestly a misinterpretation. Since the debate has occurred, I have received a note from the chief reporter, and it may be as well to let the House know the explanation he gives in regard to this omission. He explains that at times the reporters fail to hear, and rather than insert what is erroneous, omit the passage altogether.

Mr. BLAKE. We all heard it.

Mr. WHITE. I am not at this moment excusing the reporter. His duty is to report every word uttered; and the object in adopting the present system, under which the printed copy comes to us without revision, is that hon. members may not have an opportunity to change their speeches before the first publication. I think, on the whole, we have no reason to complain of the conduct of the reporters

Mr. BOWELL.

in this regard; the only drawback being that occasionally a reporter may misunderstand an argument, either from over-fatigue, or any other cause, and report it, therefore, incorrectly. That does not often occur, and when it does, the speaker has an opportunity of setting it right in the revised edition; but he has not the right to suppose anything he may have said.

Mr. RYKERT. I may draw attention to another very important omission made a few nights ago, in the case of the hon. member for Middlesex, who made the stupid blunder of confusing the names of Xerxes and Canute, in an absurd remark about whipping the sea—a blunder which was noticed by the whole House. But instead of the remark appearing in the *Hansard* as uttered, as I supposed it would, it was changed, and the absurd blunder which nobody could justify, more especially when committed by the hon. member for Middlesex, who was a school-teacher, does not appear in the *Hansard*, as it should. That was altered the next day in the *Hansard*, and the proper correction was made in the first copy that was brought down to the House. Now, if that had been reported as it ought to have been reported, the country could have seen exactly how correct the hon. gentleman was in his quotation.

Mr. ROSS (Middlesex). I would like simply to say—as attention has been called to me—that I am exceedingly obliged to the reporter who corrected what was a slip of my own at the time; and I am exceedingly thankful to learn that there are literary gentlemen in the House of the high culture and attainments of my hon. friend from Lincoln (Mr. Rykert), who can detect those literary blunders. It is unfortunate for me; but, perhaps, it is something that other hon. gentlemen have not found out, in their own experience. I do make mistakes. There are other hon. gentlemen who, though they make mistakes, have not the penetration nor the perception to discover them until they had been pointed out across the floor of the House. I acknowledge my ignorance, and I confess to the hon. member for Lincoln that for once, in my experience, he knows as much about these literary matters as I do, and as every other hon. member in the House does, and as the reporters at the desk do. I stand corrected, and I hope not to deserve another such rebuke from him for a long time to come.

Mr. WHITE (Hastings). I think the hon. gentleman who brought this matter before the House need not fear if there is any reference at all to Irish Roman Catholics. I do not think, Sir, from my knowledge of that class of the community, that they are at all afraid of an Orange flag. They see lots of them, they know what they are; and I can tell the hon. gentleman another thing: that, so far as Irish Roman Catholics are concerned, they would rather have an Irish Orangeman for a neighbor than a Frenchman—it looks much better. The Irish Roman Catholics can take care of themselves, and Irishmen generally can take care of themselves, and the hon. members for Quebec need give themselves no trouble about us.

#### CUSTOMS ACTS AMENDMENT BILL.

Mr. BOWELL moved that the House again resolve itself into Committee of the Whole on Bill (No. 34) to amend and consolidate the Acts respecting the Customs.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On section 81,

Mr. BOWELL. It does not read correctly. I desire to have it read in this way:

“Except only in case where it is otherwise provided herein, or by regulation of the Governor in Council, no entry shall be deemed perfect unless an invoice of the goods entered, duly certified in writing thereon as correct by the person, firm or corporation from whom they are

purchased, has been produced to the collector, and duly attested as required by this Act."

It is only a change of the reading.

On section 82,

Mr. BOWELL. We have left out the form of oaths, and simply retain that portion of the old law which gave power to the Governor in Council to amend and substitute any new affirmation that may be required in order to carry out the law.

On section 86,

Mr. MITCHELL. This seems to me an extraordinary clause, it reads as follows:—

"No evidence of the value of any goods imported into Canada, or taken out of warehouses for consumption therein, at the place whence and the time when they are to be deemed to have been exported to Canada, contradictory to or at variance with the value stated in the invoice produced to the Collector, with the additions (if any) made to such value by the Bill of entry, shall be received in any court in Canada, on the part of any party except the Crown."

It appears to me that if the matter goes to court, evidence should be received on both sides. I suppose this clause is from the old Act, nevertheless it is of an extraordinary character.

Mr. BOWELL. It is from the old law exactly. It makes the invoice the evidence of the value of the goods.

Mr. MITCHELL. It is a very extraordinary provision to be in any law. If a case was taken into court by the Crown, evidence as to the value of the goods shall be given simply at the option of the Crown.

Mr. BOWELL. The meaning of the clause is very clear. It prevents the giving of evidence of the value of goods at the time of exportation other than that which is contained in the invoice, except on the part of the Crown. That would be quite consistent with the law as it existed prior to the change in 1851, which prevented the possibility of reducing the face of the invoice for duty; but as we have amended that law by allowing deductions to be made from the face of the invoice in case of reduction in the value of the article at the time of exportation, there is no reason why evidence should not be produced to show that fact as well as evidence on the part of the Crown that the goods have risen in value. I quite agree with the remarks of the hon. member for Northumberland, and will consider his suggestion.

Mr. VALIN. Trouble has arisen in Quebec in regard to appraisers. There is one officer there who has been there for many years, and is efficient. But there is now an officer who does not understand the value of goods. Much complaint arises from that fact. The Government should see to it that they have proper appraisers appointed at the Port of Quebec.

Mr. BURPEE (St. John). If the goods remain in warehouse, and the value of the goods should rise, it is not exactly fair to keep the value the same as when warehoused.

Mr. BOWELL. If the hon. member for St. John will look at the clause, he will see that it does not propose to change the value of the goods for duty when in warehouse, the clause reads that:

"No evidence of the value of any goods, at the time they are exported to Canada, though they may be warehoused, shall be considered when he makes the entry on which he has to pay duty."

However, the law provided that if an article was purchased six months before it is exported from any country, and if its value should go up, the value for duty should be considered as the value at the time of exportation. The clause is quite consistent with the old law; but as that law has been amended, it strikes me that the objection taken by the hon. member for Northumberland is a good one.

On section 89,

Mr. BOWELL. This is a change to meet the difficulty we have found when importers of goods, who desire to have them improperly entered, handing certificates over to brokers who know nothing of the transaction. Those brokers would make the necessary affidavits or affirmations, as the case may be, and there was no provision in the law to reach cases when such entries had been improperly made. This clause will meet, to a very great extent, the cases to which I have referred.

On section 90,

Mr. BOWELL. This carries out more clearly the points to which I have referred:

"Such declaration—"

This is the declaration made for entry.

"Shall be kept by the collector, &c. And if there be any—"

This is added:

"Wilfully false statement in such declaration."

The next five or six lines are new.

"The goods shall be liable to seizure and forfeiture in the same manner and with the same effect as if such false statement were contained in the oath, and in the person making such false statement shall be subject to the same penalties, forfeitures and criminal punishments as if he had himself taken the oath and had made such false statement therein; but such written declaration may be dispensed with under the order of the Governor in Council, where it may be deemed advisable, in the interests of commerce, to dispense therewith."

The House will see the object of making this addition to the clause, which is to provide for the very case to which I have called the attention of the Committee: that where a merchant deliberately makes and signs a false certificate, and hands it to an agent or broker, on which the entry is made, he shall be deemed as guilty as if he made the entry himself and had taken the obligations. I will give an illustration: A short time ago an importation of what purported to be vinegar from Germany was entered at the Custom House at Montreal, the importer signed a certificate as to the correctness of the invoice, the broker made the necessary affidavit, and the entry was made. On examination, however, we found that some 400 of these demijohns contained spirits, about £5 above proof. We consulted the law officers of the Crown, and found that it was doubtful whether we had power to punish the importers for signing a false certificate; and in this event we now make the importer just as guilty as if he had gone to the Custom House himself and made the declaration.

On section 91,

Mr. BOWELL. We simply give to the Governor in Council power to prescribe the forms of oath at various times. The same power was contained in the late law; but, as I explained a few moments ago, we have omitted the obligations from the Act, and given the general power to the Governor in Council to adopt any form of declaration.

On section 93,

Mr. BOWELL. The only addition is the word "any" added in the second line, and "the next preceding section" in the thirteenth line.

On section 95,

Mr. BOWELL. The last four lines are new. The Committee will see, I think, the justice and propriety of making this addition. It is often complained that some officers in the Customs exhibit the invoices of one merchant to another; and in order to prevent this—although there is a general order against it, there was no law—we have therefore added these words:

"But in no case shall an invoice be shown to or a copy thereof given to any person other than the said importer, or an officer of Customs, except upon the order or subpoena of a proper court."

To prevent the possibility of a merchant's business being shown or exhibited to competitors, or to any one else in the same line.

Mr. BURPEE. Does this apply to the appraiser's room, as well as to the Custom House itself. Invoices lie day after day in the appraiser's office quite open and exposed, if anyone is disposed to see them.

Mr. BOWELL. The object is to prevent particularly the appraiser, under whose supervision all these invoices come, from exhibiting them or showing them to rival importers, or to any importer, or to any one outside of the Custom House. The collector, or any person assisting him, is of course entitled to examine them, as he very often does; but the only application it will have, is to prevent any Customs officer, or those in the Customs Department here, when the invoices are put on record, from showing these invoices to any person outside of the Customs Department, except on the subpoena of any court.

Mr. PATERSON (Brant). The fee—50 cts.—is too large, I think; it was in the old law, and I think it might well be reduced.

Mr. BOWELL. That depends in a great measure on the length of the invoice.

On section 99,

Mr. BOWELL. This is section three of the amendment of 1831, and the only addition is, to the word "experienced," "persons" are added.

Mr. BURPEE. Instead of "merchants?"

Mr. BOWELL. Yes; very often intricate pieces of machinery have to be appraised, and merchants really are not the men best qualified to judge of their value, or of their mechanism.

On section 102,

Mr. BOWELL. The old Act read somewhat in this way:

"If in any case the true value of the goods is finally determined to exceed by 20 per cent."

To the words: "Value for duty of any goods as finally determined," we have added: "Under this Act as determined in any action or proceeding to recover unpaid duties." Making it plainer and giving it a wider scope; there is no real material change.

On section 105,

Mr. MITCHELL. It appears to me that the question as to the policy of this 105th section, is what ought to be considered by this House. I suppose it is a copy of the old Act; but yet it is a question whether the policy of giving to the officers of Customs a share in the seizures is really sound policy or not. My own mind has been very much changed on that point of late years, and I am rather inclined to think that the tendency of Customs officers, as far as my observation has gone of late years, has been rather to place difficulties in the way of commercial men with a view of getting benefit out of it for themselves. I might say that instances have come under my own notice where such a suspicion has been excited, but whether it was in reality the motive for the seizures, or whether it was simply a desire to perform their duty as public officers, I am not prepared to say. I think, however, it may well be a question for consideration whether the policy of encouraging officers to make seizures by giving them a share of the results of those seizures does not lead to greater abuses than all the losses which might occur by allowing them to do their work simply as a matter of duty.

Mr. BOWELL. The point raised by the hon. gentleman is one which is worthy of a good deal of consideration, though it does not properly come up under this clause,

Mr. BOWELL.

which only applies to cases where the goods have been taken by the Customs Department, on the ground of under valuation. There is a clause which enables the Government to take any goods which may be imported, and which may be considered under-valued by paying 10 per cent. in addition to the value and the costs.

Mr. MITCHELL. The principle is the same. The principle is that of allowing a public servant, who is paid a salary for the work he is required to do, to receive any portion of any fines or surpluses, whether they result from under-valuation, or attempts to defraud by a false entry.

Mr. BURPEE (St. John). I agree with the hon. gentleman for Northumberland, and although the matter is one which does not really come up in this clause, the principle is involved here. I think it would be well for the hon. Minister to consider whether it would not be well to abolish this system. There is no doubt the system was adopted for a good purpose, but at the same time, it sometimes works badly and unfairly. If any officer gets his salary, and it is sufficient to keep him, I think that is all he should have.

Mr. MITCHELL. I would suggest to the hon. Minister, that he should consider whether it would not be better to place these surplus fines into a general fund, from which such officers as show special diligence and fidelity in the performance of their duty, should receive rewards at certain periods. I think that would remove any inducement to make special seizures for the purpose of obtaining rewards, and would enable the authorities in the Customs Department to reward officers who display special vigilance.

Mr. SCRIVER. I do not agree with the hon. member for Northumberland as to the propriety of putting in the hands of the Minister of Customs any such discretionary power. I do not think it would be a prudent or proper thing to do. With regard to the principle involved in that clause, I may say that I also differ with the hon. gentleman. I believe this provision is a great incentive to energy and activity on the part of Collectors of Customs, especially in the rural districts. Unless some incentive of this kind is held out, the great majority of these officers will content themselves with attending to the duties of their offices during prescribed hours. They will not go out of their way, as it is very desirable they should do, to endeavor to try to put a stop to illegal traffic. Many instances have fallen under my own observation in which I have no doubt the belief on the part of the officer that he was to receive some reward for the extra services he performed, such as being out at night watching the roads on the opposite side of the frontier, had a great deal to do with his vigilance, and from which the best results have been attained. I think it would be a great mistake for the Department to do away with that regulation.

Mr. VALIN. I know that, in Quebec, some of these men often make these seizures as a matter of speculation, because they get their share of the profits. I know also that there are some cases in which the appraisers are to blame. There is one case in particular which I referred to the hon. Minister in which some old onion seed was bought at a price much less than new seed could be purchased for, but the appraiser did not know the difference. The question was reported to the Customs Department, and we had a great deal of trouble settling it. This shows the necessity for the appraisers being competent men. I know of cases where people go into the country and buy one-quarter of a pound of tobacco from an honest farmer, simply for the purpose of having him fined, so as to get their share.

Mr. BOWELL. My own opinion, after two or three years' experience, is exactly in accord with the sentiments which have just been uttered by the hon. member for Hunt- ington (Mr. Scriver). If there be no incentive given to the officer to look sharply after improper importations which are

taking place, you may depend upon it, he will simply remain in his office, do his duty, and not go beyond it. He knows that he is put on a permanent list, as it is called, and so long as he performs his duty in his office you cannot find fault with him. There are many of these officers, particularly on the frontier, who will go out half a night when they think any smuggling is going on, and we have reason to believe that they do it on account of the prospect of reward if they make any seizures. Then as to under-valuation in the Customs Department, by collectors and appraisers, we have found that when the divisions of fines and penalties, which have been imposed by the Department for infractions of the law, have been distributed at once, they have acted as an incentive to the officer to be much more vigilant than he otherwise would have been. It is true that in some cases they will overstep the mark, as in the case mentioned by the hon. member for Montmorency (Mr. Valin), in which the officer did not draw a distinction between new onion seed and old seed, the party purchasing running the risk of their being of no value at all. The same thing probably occurs in other branches of trade; but, on the whole, I think it would be a blow at the efficiency of the service, if you were to deprive them of the rewards which follow diligence in the performance of business. I am also strongly in accord with the hon. member for Huntingdon (Mr. Scriver) on the question of making a general fund and placing it at the disposal of any Minister for what might be termed meritorious reward. I am afraid that the pressure which would be brought upon a Minister, and particularly on one like myself who has no great strength of mind, no power of resistance when political pressure is brought to bear, or pressure which is not political, would be such that we would be apt to give way, and perhaps distribute the money improperly. That is what I fear. My hon. friend behind me says he does not think I would; but perhaps there are others who would.

Mr. PATERSON (Brant). No one ever accused you of that yet.

Mr. BOWELL. I am very glad of that; but there might be others less tender-hearted than I am, who would not yield to the pressure to which I have referred. If the hon. member for Northumberland weighs this matter well, he will come to the conclusion that, though there may be abuses and hardships, yet, to remove this provision would not only cause the revenue to suffer, but there would be no check on the dishonest importer, and the honest trader would suffer in proportion.

Mr. MITCHELL. I do not wish to make any question of it. I merely call the attention of the House to the matter of policy that is worth consideration. I admit that the objection taken by the hon. member for Huntingdon (Mr. Scriver), has a great deal in it. The case is entirely different along an extended portion where the facilities of smuggling are very great, and where men will not lie out all night under the bushes, and watch persons smuggling, unless they have some inducement. But I refer particularly to the cities and towns, and I trust that the hon. Minister will take the matter into consideration.

On section 107,

Mr. BOWELL. Clauses 107, 108 and 109, are the same as clause 50 of the old law.

Mr. MITCHELL. I wish to call the hon. Minister's attention to the fact that peculiar hardships to importers may arise under clause 107. It says:

"If any goods are found in any package which are not mentioned in the invoice or entry, such goods shall be seized and absolutely forfeited."

Now, I can easily imagine a case in which a small package of goods may accidentally, without any intention of defrauding the revenue, be brought in, and not included in the

invoice. If it is discovered by the officer, the goods are absolutely forfeited. You go to a hard, cast-iron Minister, who says: "There is the law, Mr. Mitchell; I am administering the law; I have got no discretion in this matter; I am bound to carry out the law; I can receive no affidavit or evidence of any extenuating or explanatory circumstances; these goods are in the package; it is immaterial whether they were put there accidentally or not; and the law says I shall forfeit them absolutely." I would suggest to the hon. Minister whether he should not take discretionary power to relieve the importer when he thinks the circumstances of the case warrant it.

Mr. WOODWORTH. I think that the hon. Minister should have a certain discretion in a matter of this kind, and not merely point to the law, and say: "I am bound to carry out this law no matter how innocently these enclosures got into the packages of goods." I can hardly agree, however, with the remarks of my hon. friend with regard to the hon. Minister, whom I do not look upon as a sort of Custom House griffin, who puts over his door the words: "Who enters here leaves hope behind." I think he wishes to carry out the law strictly; but I do think, when a case arises in which the parties manifestly do not intend to smuggle, but bring the goods in by mistake or inadvertence, that he is prepared to give the fullest consideration to the circumstances. But I think the law might be amended with a great deal of benefit to everybody, by giving the Ministry not only the implied power, but the direct power under the law to look into the affidavits, instead of taking the report of the officers and saying: "under that report I must carry out the letter of the law."

Mr. BURPEE. I can understand very well the objection raised to that section by the two hon. gentlemen who have spoken, and I think that the hon. Minister of Customs has power at present to consider all these hard cases. But if you leave these open for reconsideration, I am afraid there will be a vast amount of enclosure which will give a great deal of trouble. This is one of the sections which requires to be worked very strictly, and I am not satisfied in my own mind whether it should be altered or not.

Mr. BOWELL. I confess that when I first undertook to administer this law the provision of this clause seemed very hard, and I thought that some discretion might be given to the Minister in cases of the kind mentioned. But when you reflect that the 106th clause provides for the examination of only one package in every ten, that to leave it optional with the Minister to give up these enclosures, would be opening the door to a great deal of fraud. If a man desires to be dishonest, he, by having only one package in every ten examined, has nine chances to one of getting clear; and in order to prevent that kind of fraud on the revenue, I have no doubt the original framers of the law found it necessary to provide for an absolute forfeiture. The clause provides only for the forfeiture of the goods enclosed, but a subsequent clause provides that if there is evidence to show that there was an intention on the part of the importer, or those who sent the goods, to defraud the revenue, the whole package shall be forfeited. In order to warn packers, particularly in Europe, I instructed the Commissioner to have some hundreds of clause 50 printed, with a circular, calling the attention of every importer and every exporter to the provisions of the law. That Act was denounced by some of the Opposition press as an inquisitorial interference by the Customs Department with the importers. I was under the impression that I was doing a kindness to those who might accidentally put an enclosure in a package, without the intention of committing a fraud. In all cases of enclosures, some kind of an excuse is given. I am bound to say that in many cases the excuses are very plausible, but if you desire to stop the practice altogether

you must make the forfeiture absolute. In cases where we have found merchants who, upon the discovery of enclosures in packages that have not been examined, reporting the fact to the Customs Department, and paying the duty, there has been a relaxation in the enforcement of the law, although I am not sure the Minister has the power to do so; but in the administration of the law that has been the principle on which we have acted. In cases where enclosures have been found, and no evidence to show that the enclosures were unintentional, other than the statement made by the person who sent or received it, the law is imperative. I would much rather that no discretion of this kind be left to any hon. Minister any more than that there should be discretion in the distribution of the fines and penalties, as suggested. I am satisfied that while there may be a few cases of what might be called hardship, it would be opening the door for a fearful amount of wrong which might be perpetrated by those who desire to take advantage of it.

On section 108,

Mr. BOWELL. Change "and" to "or."

On section 111,

Mr. BOWELL. This provides that if there are reasons to believe that there are any improper enclosures, or anything else, in packages delivered without examination, the Collector of Customs may require such package to be returned to the Custom House and be examined.

On section 112,

Mr. BOWELL. This is sub-section fifty-one with the words in the two next preceding sections added to make it applicable to 110 and 111.

On section 115,

Mr. BOWELL. We leave out the language in the old clause declaring what are warehousing ports; and simply use the words warehousing ports already established, and give power to establish others.

On section 121,

Mr. BOWELL. That is a new clause, providing for the requirements as to the transfer of goods in bond. The Committee will find that while the clause is new it is in substance a part of sub-section two of section fifty-six and makes no material change.

On section 122,

Mr. BOWELL. This is a part of sub-section three of clause sixty one of the old law with the few words added in the first six lines: "When any such transfer being made of goods in warehouse legally affected as before provided the proper officer may admit new security." We had no power under the old law to do this.

On section 124,

Mr. BOWELL. If you will look at sub-section four, of section fifty-six of the old law, you will find this is nearly the same, changing the words which provides that in cases where packages have to be sold and the duties are not paid, the goods, if they do not bring their value and the duty, shall be destroyed. The principle is this: That if a person imports goods and refuses to take them out of the warehouse, and they have to be sold, they shall not be placed in the market at less value than the same goods upon which the duty has been paid, and thus come into competition with the regularly imported goods. It is provided, as in the old law, that in such cases the goods shall be destroyed.

On section 130,

Mr. BOWELL. There are one or two verbal changes in the four last lines which are of some importance, as the question of grinding in bond is one that has somewhat agitated the country in the past. Doubtless many hon. gentlemen will remember that in former discussions on this

Mr. BOWELL.

subject the permission to substitute other grain for that imported for exportation, was strongly objected to in the carrying out of the system of grinding in bond. The old law provides that not only can there be an equivalent to wheat exported, but an equivalent of corn. You could import American hogs, slaughter and sell them in Canada, and export Canadian pork, equivalent to that which was imported, and clear your bond. That was objected to on the part of the farming community, and there was no little comment and condemnation in reference to this matter. In changing the Order in Council we omitted the word "equivalent" and made it the product of the article which was brought into the country. I have so changed this law, and I point it out to the Committee so that they may know what they are called upon to approve; that we make it absolutely necessary, without any discretion on the part of the Governor in Council, or the Minister, to permit the equivalent of any article which may be imported into Canada for manufacture and for export. You will find that on reading the last four lines, it says: "But the said regulations should not extend to the substitution of other beef, pork, flour or meal, for the produce of such imported cattle or swine, wheat, maize or other grain." It is taking power from the Governor in Council to permit an equivalent of the articles which have been exported, to be exported and clear the bond.

Mr. BURPEE. Formerly there were regulations by the Governor in Council allowing so much to be exported at the time the hog was imported as equivalent—I forget the exact weight, but it was not the full weight of the hog imported that was allowed to be exported. This, of course, takes it out of the hands of the Governor in Council.

Mr. BOWELL. No; quite the contrary. It only takes out of the hands of the Governor in Council, and of the Minister, the power of saying that you may export an equivalent of Canadian pork for American, which had been imported for slaughter and for exportation. If my recollection serves me aright, if they exported 70 per cent. of the live weight—or 63 $\frac{1}{2}$ , somewhere between the two, the bond would be cancelled.

Mr. WHITE (Cardwell). The object of this is simply to take away from the Governor in Council a power which he has hitherto exercised, of allowing the export to be an equivalent instead of the actual product. I think it is a mistake to make that a statutory enactment. I can understand how cases may arise in the transportation business, when it might be desirable and sound policy to permit the exportation of the equivalent instead of the actual product. As we have it now, it is left to the Governor in Council, and I am not aware that there is any agitation outside in favor of a change. I am bound to say that in a matter of this kind, it would be very much better to have some elasticity so that the Governor in Council could make any regulation that circumstances at the time might require. To make a statutory enactment of what has hitherto been considered quite sufficient as a regulation, I think to be a mistake.

Mr. BOWELL. I think that is just what we want to prevent. This Committee, and the country, know tolerably well the difficulties that have arisen in the substitution of Canadian wheat for American wheat, and in the substitution for exportation of Canadian flour for American flour; and in many cases, as the old members will remember, we have compelled the payment of a large amount of duty for the violation of this very principle. If there be any case in which an equivalent of the article imported could be substituted for exportation, I would be glad to know it. If it be the opinion of the House that the miller should import American wheat, grind it into flour, then sell that in a Canadian market and export Canadian flour, the product of Canadian wheat, then the House should say so. But I think

it is better to prevent difficulties in the future by placing upon the Statute-book the declaration that the product only of that which has been imported and manufactured in bond for exportation should be accepted as a conciliation of the bond.

On section 140,

Mr. BOWELL. This clause extends the right to all classes of fishing vessels to take goods out of bond without payment of duty, and consume the same during their fishing operations; there is an additional clause providing against the re-entering of the goods and the placing of them in general consumption without duty being paid thereon. There is another clause providing for the re-warehousing of the goods which may have been taken from fishing vessels and storing them in warehouses until they go on another voyage. Hon. gentlemen acquainted with the fishing interests of the Maritime Provinces will see that it is an extension of the privilege to all classes of fishing vessels, instead of confining the privilege to fishing vessels of fifty tons, as provided by the old law.

On section 142,

Mr. BOWELL. We have found cases of this kind. An American vessel, for instance, will take its clearance, and remain in port for some little time after, then take in tow a schooner, laden or light, as the case may be. That will be an indirect violation of the coasting laws. We have had cases in which penalties have been imposed by collectors, but on reference to the Act we had to refund the fines which had been so imposed. This clause provided for cases of that kind.

On section 153,

Mr. BOWELL. This clause is a slight change from the old law, and relates to the punishment of smuggling. It provides that such parties, on conviction, shall be fined not less than \$50, nor more than \$200; it also provides for imprisonment for a term not less than one month, nor more than one year, and that both fine and imprisonment may be imposed at the discretion of the court. The old law provided for a penalty not to exceed \$200 and imprisonment for one year. I think too much discretion should not be left in the hands of some of the magistrates. In one case where there was absolute proof of an attempt to bribe an officer, the magistrate, acting under his discretionary power, fined the offender one dollar and sent him to prison for ten minutes; and that, too, in the case where the proposition was made—and it was proved before the court—to an officer to divide the profits with the smuggler, if the officer, would permit undervaluation, or the entry of the goods without payment of duty, I can account for this action on no other ground than that there is a general opinion among certain persons that to cheat the Customs and the Government is no sin.

On section 156,

Mr. BOWELL. Under the old law, if five persons were found together, and one of them had any smuggled goods on his person, the other four, even though they had no knowledge of the fact, were punishable. Or, if several gentlemen met a gentleman at a railway depot, and the visitor had a smuggled watch in his possession, all of them would be liable to punishment. We have inserted in this clause the words "having knowledge of the fact."

Mr. BURPEE. I see.

Mr. BOWELL. The old law read in this way, and my hon. friend had the honor of placing it on the Statute-book:

"If any five or more persons in company, are found together, and they or any of them have any goods liable to forfeiture under this Act, every such person shall be guilty of a misdemeanor and be punishable accordingly."

Rather an extraordinary clause.

On section 160,

Mr. BOWELL. This is a new clause:

"If any person by any contrivance gains access to bonded goods in a railway car, or to goods in a railway car, upon which goods the Customs duties have not been paid, or delivers such bonded or other goods without the express permission of the proper officer of Customs, such persons shall for every such offence be liable to be imprisoned for any period not less than one month nor more than one year."

This is to provide for cases of railway bonded cars, which are not provided for in the old Act. The old Act provided, that if a bonded warehouse be entered illegally or improperly other than by the officer having the key of the bonded warehouse, the proprietor is subject to a fine. It was thought, in the framing of this clause, that this principle should not apply to the railway managers or the owners of conveyances of that kind; but that the person who committed the offence should be the person punished, as this would relieve the Department of the unpleasant duty of stopping railway cars, and entering actions against the railway or other corporations, by making the man who committed the offence the party who should suffer.

On section 176,

Mr. BOWELL. This clause is an important addition to the Act. This is a clause to which I would particularly invite the attention of the Committee. It is well known that there are, on the frontier, many buildings, one portion of which is in the United States and the other portion is in Canada, and that an illicit trade and traffic is carried on in the building. There is not any authority or power in the Customs Law of Canada to interfere with those buildings. In the United States Customs Act provision is made with regard to these buildings, and the clause in this Bill is a modification of the law as it now stands on the Statute-book of the United States. Section 3, 107, of the United States Act is as follows:—

"If any store, warehouse, or other building shall be upon or near the boundary line between the United States and any foreign country, and there is reason to believe that dutiable merchandise is deposited or has been placed therein, or carried through or into the same without payment of the duty, and in violation of the law, and the collector, deputy collector, naval officer or surveyor of customs, shall make oath before any magistrate competent to administer the same, that he has reason to believe and does believe, that such offence has been therein committed, such officer shall have the right to search such building and the premises belonging thereto; and if any such merchandise shall be found therein, the same, together with such building shall be seized, forfeited and disposed of according to law, and the building shall be forthwith taken down or removed."

Section 3, 108, of the same Act provides that:

Any person who shall have received or deposited in such building upon the boundary line between the United States and any foreign country, or carry through the same, any merchandise, or shall have aided therein, in violation of law, shall be punishable by a fine of not more than ten thousand dollars, or by imprisonment of not more than two years, or both.

I might mention that the question has repeatedly been brought to the notice of the Government by United States Customs officers, and by others who are interested in the maintenance of the Customs Laws of that country. And I have inserted this clause for the approval or disapproval of the Committee.

"If any building be upon or near the boundary line between Canada and any foreign country, and there is reason to believe that dutiable goods are deposited or have been placed therein, or carried through or into the same, without payment of duties and in violation of law, and if the collector or proper officer of Customs make oath before any Justice of the Peace that he has reason to believe as aforesaid, such collector or officer shall have the right to search such building and the premises belonging thereto, so far as the same may be within the limits of Canada, and if any such goods be found therein, the same shall be seized and forfeited, and the building, or so much of the same as may be situated within the limits of Canada shall be forthwith taken down or removed."

I cannot, of course, say whether the Committee will think proper to adopt the clause; but I do know that, in administering this law, that where we have a warehouse on the United States side of the line, and a retail department of

their business in Canada, we find that Canadians go in to purchase at the retail store, and if they have not the goods they want, they go round to the other door, and that by this means an illicit trade is being carried on continually in those sections of the country. I have noticed in visiting this part of the country where such buildings stand that they are built across the line being partially on one side and partially on the other; and then business is carried on in these buildings. It is almost impossible to prevent that kind of illicit trade going on. I have somewhat modified the American law, and have placed this clause in the Bill for the consideration of the Committee.

Mr. COLBY. I think there can be no objection to the clause so far as it applies to the right of search; but I would state, for the information of the hon. Minister of Customs a fact of which he may not be aware. At the time of the running of the boundary line in connection with the Ashburton Treaty many changes were made on the former frontier. Farms were divided and portions of farms which formerly were in Canada were thrown into the United States, and portion of others from the United States into Canada. The inconvenience caused in this way was rectified in many instances by an interchange of land. There were buildings on the frontier similarly affected. In my own township I recollect three buildings each of which had been used as a retail store, and the running of this line was found quite as inconvenient to the proprietors of those buildings as to the Department of Customs. One of them was abandoned voluntarily by the proprietor; another, a wooden building, was removed entirely into Canada as it was mostly on that side; but the third, which is a permanent granite building, is there now and cannot be removed. It cannot be used properly for any other purpose, and I am sure the Government, if under any pretext they desire to appropriate that building, would feel called upon to indemnify the proprietor, as it was through no fault of his it was situated as the running of the boundary line has defined it.

Mr. BOWELL. What is it used for now?

Mr. COLBY. It is used for a store.

Sir JOHN A. MACDONALD. Conducted on strictly temperance principles, I suppose?

Mr. COLBY. I believe so; but I have not been in the cellar recently. There might be, in cases of that kind, occasion for special vigilance on the part of the local officers. There might be occasion for a visitation of that store, and the operation of the inquisitorial part of this clause, to which I do not object; but I apprehend that the hon. Minister would hardly go the length of confiscating that property and rendering it valueless to the owner, without compensation. I speak of buildings of which I have a knowledge, but I have no doubt that along the frontier there may be others of the same description. I am sure that the hon. Minister is not more than half serious in making the proposition, judging by his manner in presenting it.

Mr. BURPEE (St. John). I think the wording of the first line should be altered. In the cases to which the hon. member for Stanstead (Mr. Colby) has referred, the buildings were on the boundary line; but I think it would be stretching the law too far to include the buildings "near" the boundary line.

Mr. BOWELL. We will strike out the words "or near."

Mr. SCRIVER. I am glad some effort is being made by the hon. Minister of Customs to reach what is certainly a very great evil on the frontier. I know of no such instance in my own county as those to which the hon. gentleman has referred; but I know that along the frontier for some fifty or sixty miles there are stores which are supposed to be across the line, or about one-half in New York and one-half

Mr. BOWELL.

in the Province of Quebec. In the majority of instances they are places where intoxicating drinks are sold without a license, and they are the cause of great demoralization as well as of great injury to the revenue, by goods being taken from one side to the other without a payment of duty. It is, I acknowledge, a very difficult question. Some years ago I myself called the attention of the then Minister of Justice to the subject, and suggested to him the propriety of having some correspondence with the authorities at Washington, with the view of reaching this evil, if possible. One manner of reaching it, that suggested itself to my mind, was that an arrangement should be entered into between the two Governments—the Dominion Government and the United States Government—participated in by the State Government in the one case, and by the Provincial Government in the other, under which a portion of territory might be reserved, or so affected as to prevent these buildings being erected upon it. Of course, the difficulty of the United States Government and the Dominion Government taking action, would be the danger of interfering with Provincial rights under the constitutions of the respective countries. I am a little afraid, however, that the action proposed by the hon. Minister of Customs will not reach the difficulty. I would not myself object to granting the inquisitorial power which is granted by this Act; I think that may have some effect; but I do not know how the law could be practically carried out. I would ask the hon. Minister of Customs, for instance, if it should be thought desirable, under this Act, to cut a building in two, and take the half in Canada away.

Mr. BOWELL. That is the provision of the clause.

Mr. SCRIVER. And if it becomes law, I would ask whether the hon. Minister thinks it practicable, or profitable, to enforce such a law.

Mr. BOWELL. The American law provides for pulling down the whole building.

Mr. SCRIVER. But I think that amounts to nothing, so far as the part in Canada is concerned.

Mr. COLBY. You must not go away from the boundary line the breadth of a hair.

Mr. SCRIVER. But seriously, I am very much pleased to learn that the attention of the Department has been called to this question, and that the Department is disposed to make some effort to abate what is really a very great evil; and I would commend the Department for attempting to lessen the evils existing under the present system.

Mr. COLBY. I have personal knowledge of a long stretch of the frontier, and I know of only the single instance to which I have referred of a house being built on the boundary line. I happen to know, also, that the occupant of that store is specially and particularly watched by the officers on both sides of the line; and his facilities for smuggling are therefore actually less than those of any other man in the neighborhood, if he were disposed to do it.

Mr. BOWELL. The difficulty of carrying out the law suggested itself when we were framing the clause. I admit that the case put by the hon. member for Stanstead (Mr. Colby) is a very forcible one, and that it is not the fault of the owner of that building that the line was so run, under the Ashburton Treaty, as to cut his house in two. But if he imports improperly he should be punished.

Mr. COLBY. The proprietor of the building is not a trader. It is a store, not for illicit purposes, but for proper purposes.

Mr. BOWELL. I would suggest that the Committee accept the modification of the clause proposed by the hon. member for St. John (Mr. Burpee), and strike out the

words "or near the boundary line," and strike out after the word "forfeited," the words: "and the building, or so much of the same as may be situated within the limits of Canada, shall be forthwith taken down or removed," and substitute these words: "and any merchant or person who shall be guilty of a violation of the provision of this clause, shall be punished by a fine of not less than \$200, or more than \$1,000. We would thus be punishing the merchant and not the owner of the property. In case this change is made, the words "or near the boundary line," might be left in.

Mr. BURPEE. If you really want to put a stop to this evil, you should not allow any person to do business in a building on the boundary line. It might be used for other purposes, and the person who occupies it does so because it is a matter of convenience. These buildings should be torn down.

Mr. COLBY. Surely my hon. friend would not suggest that that should be done without indemnity. That building was built in good faith, and by the Ashburton Treaty the line runs through it. Surely that property could not be destroyed without adequate compensation being given. It cannot be used for any other purpose than it is used for now; and if it is contrary to the interest of the Dominion, or of the United States, that it should be used for the purpose for which it was constructed, it should be expropriated and the owner indemnified. Do not place him in the position of losing his property when he is in no way responsible for the condition of affairs under which it is objected to. I am wholly in accord with the hon. member for St. John in that opinion, if we could practically carry it out. If we were to declare by law that no business of that kind should be carried on in a building such as that to which he has referred, the question of indemnity would at once come in. Perhaps the better way would be if the Committee would accept the suggestion I have made. We make these clauses only applicable to the more grave cases of smuggling carried on in a building that crosses the line.

On section 177,

Mr. BOWELL. This just changes the mode of obtaining a writ of assistance by an officer of Customs. Under the old law it had to be obtained from the Admiralty Court and other courts only which applied to the Province in which granted. This gives the power to the Exchequer Court to grant writs of assistance which shall have authority over the Dominion.

On section 180,

Mr. BOWELL. This is to provide for the searching of people who walk across the line, and may have their pockets full of smuggled goods.

On section 182,

Mr. BOWELL. The changes are not material; simply the words "or property or vehicle," are added. These words are fully explained in the interpretation clause.

On section 183,

Mr. BOWELL. The same words are added.

On section 186,

Mr. BOWELL. The word "vehicle" is added.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

### THIRD READINGS.

The following Bills were severally considered in Committee, reported, and read the third time and passed:—

Bill (No. 74) to incorporate the Great North Western Railway Company.—(Mr. Cameron, Victoria,

Bill (No. 51) to incorporate the Chignecto Marine Transport Railway Company (Limited)—(Mr. Cameron, Victoria.)

### THE GRANGE TRUST (LIMITED).

Mr. WHITE (Cardwell), in moving that the House resolve itself into Committee of the Whole on Bill (No. 44) to incorporate the Grange Trust, limited, said: I have just heard, from two or three of my hon. friends, that there is an impression that the Bill has something to do with a secret society. I may say that the Grangers are one body; they were incorporated here two years ago; and I did not know, until a debate occurred the other day in this House, that they are a secret society, but I believe they are. This is an entirely different thing. It is an ordinary loan company which has simply taken this name, and is incorporated under the Joint Stock Companies' Act of the Province of Ontario, and it desires to extend its powers to the rest of the Dominion. It has passed through the Banking and Commerce Committee with a great deal of care, having been referred to a Special Committee, and received the approval in its present form of the hon. Finance Minister.

Mr. ROSS. I do not propose to oppose the Bill; but I wish to draw the attention of the House to the fact that in many of its provisions it seems to be beyond our powers, and comes more properly within the sphere of local legislation. I think it is high time that some system were devised by which some control should be had over all Bills, especially Private Bills, about which there may be a doubt as to the competency of this Parliament to deal with them. I would suggest to all the hon. members of this House, that if we devised some means of controlling these Bills it should be of great service, not only to the community in general, but to the parties who seek incorporation. We render them no service in incorporating them illegally, and if the question were raised in a court of justice as to the constitutionality of their powers they would run considerable risk of seeing their charter repealed.

Bill considered in Committee, reported, and read the third time and passed.

### CANADIAN ELECTRIC LIGHT COMPANY.

Mr. BERGERON, in moving the second reading of Bill (No. 105) for granting certain powers to the Canadian Electric Light Company, said: The company seeking the passage of this Bill do not want new powers; all the powers required have been already granted them by the Local Legislature of Quebec. The only reason that brings them here is to have certain questions regarding navigable streams settled by this Parliament. The right to dam navigable rivers was granted them by the Local Legislature. It appears, however, that there is a conflict between local and federal jurisdiction respecting navigable rivers, and the company have taken the same steps as did the Richelieu Hydraulic Company and Lachine Hydraulic Company, which came here and asked Parliament to say which were non-navigable and which were navigable rivers. There is a provision in this Bill which says that if at any time the company want to dam a navigable river they must deposit plans in the office of the hon. Minister of Public Works, and do nothing until permission has been given them by the Governor in Council. This is the whole intention of the Bill, of which I now move the second reading.

Mr. BLAKE. Is it a fact that this is one of the particular powers asked for by the company last year, and which was struck out of the Bill?

Mr. BERGERON. I do not think so. I think this is the first time the Bill has been introduced here. The company was incorporated in the Province of Quebec last year.

**Mr. SCRIVER.** The hon. gentleman is mistaken. The company applied to this Parliament last year for legislation, and some of the provisions in the Bill were struck out when it came before the Private Bills Committee; and this very power which the company now seek to obtain was one of the powers refused them last Session. I am not disposed, however, to oppose the reference of the Bill to the Private Bills Committee.

**Mr. BERGERON.** The company was incorporated by the Quebec Legislature in 1881. I do not think they came here last year. This Bill is, however, printed, and can be sent to the Private Bills Committee, and when it comes up for the third reading the House can pass it, or not.

Bill read the second time.

#### CUSTOMS ACTS AMENDMENT BILL.

**Mr. BOWELL** moved that the House again resolve itself into Committee on Bill (No. 34) to amend and consolidate the Acts respecting the Customs.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

On section 204,

**Mr. BOWELL.** This merely relates to deposits. The latter portion is as follows:—

“And any sum or sums of money so deposited shall be immediately deposited in some bank appointed for that purpose by competent authority, to credit of Receiver-General of Canada, there to remain until forfeited in due course of law or released by order of the Minister of Customs; and in case such seized articles are condemned, the money deposited shall be forfeited.”

It has been the practice of some officers, who have imposed fines, to keep the money themselves in their own pockets, and, in some cases, it has been lost; and this clause provides that it shall be deposited to the credit of the Receiver-General.

On section 242,

**Mr. PATERSON (Biant).** As this clause does not give the hon. Minister power enough to make regulations such as will enable many manufacturers who are exporting to foreign countries to get the benefit of this drawback, I would suggest that he take power enough in this clause to deal with the cases he has found a difficulty to deal with. That might be done by adding after the word “drawback,” in the last line but one, the words: “or a certain specific sum in lieu thereof.”

**Mr. BOWELL.** There is no objection to that.

On section 87,

**Mr. BURPEE.** This clause reads towards the end “where the goods are shipped or before a Notary Public, and at any other place before a British or foreign consul.” I propose to change that by making it read: “before a British consul, or, if there be no British consul, before a foreign consul.” My object is to insist on the oath being taken before the British consul when there is one.

Bill reported, and read the third time and passed.

#### CERTIFICATES TO MASTERS AND MATES.

**Mr. McLELAN** moved that the House resolve itself into Committee of the Whole on Bill (No. 89) respecting certificates to masters and mates of inland and coasting ships.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

**Mr. WELDON.** On a previous occasion I drew the attention of the hon. Minister to the effect this Bill would have on the persons employed in the coasting trade. I may say that since the Bill was introduced, I have received communications from New Brunswick from a number of parties

**Mr. BERGERON.**

that have fortified the position I then took. I think there can be no objection to the hon. Minister increasing his proposed limit to vessels of 150 tons instead of 100 tons. Vessels employed in the coasting trade, as I pointed out on a previous occasion, are usually navigated by persons who are not strictly speaking seamen; that is, they have not gone through a course of training in navigation, but are nevertheless quite capable of performing entire voyages from the Bay of Fundy to the coast of the United States down as far as Baltimore. Now, many of these persons are owners or part owners of schooners; they are men who were probably farmers or fishermen, but by navigating these vessels they have obtained a practical knowledge of the coast, a practical knowledge of the trade. They are perfectly familiar with the coast and harbors, and any person who will take the trouble to examine the coast from St. Croix to New York will see that it is lined with harbors, and those parties are conversant with all the harbors, with tides, are familiar with the fogs, and, in fact, are more capable, from actual experience, of navigating those vessels than men who have been trained in a nautical school. It was contended that the wood boats, which are peculiar to the St. John river, and the schooners employed in the coasting trade, were under 100 tons. I hoped, before this Bill was brought up, to have had the exact number that are over 100 tons. I believe a very large proportion of the vessels now employed are above that tonnage, and the result will be that a great many persons who are perfectly competent, and who would be more trusted by the managing owners of the vessels than men who have passed an examination, will be thrown out of employment, and serious injury will be done to the trade before competent men can be found to take their places. As I said before, they are perfectly familiar with the tides, current and fogs along the coast, and as a general rule these coasters go along in perfect safety on account of the experience of the men who navigate them. Many of these men come from the counties of Westmoreland, Cumberland, and others have for the most part been engaged in farming or fishing, and they have subsequently engaged in navigating these schooners in the carrying trade between the United States and the Maritime Provinces; and, from a long experience, they become even more competent than those who are reported to be able to take ships across the Atlantic. These vessels are sometimes sent across the Atlantic and to the West Indies, and then a different master is placed in them; but for the coasting trade these men are employed, and have been found most efficient. Besides, they carry on trade to the advantage of themselves and their co-owners. It is a very important trade, and it is well known that the coasting trade between the Provinces and the United States is very large indeed, and employs a large number of small vessels ranging from 60 to nearly 200 tons. A large number of them are above 100 tons, and really if the principle which the hon. gentlemen lays down applies to vessels of 100 tons, it is equally applicable to vessels under 100 tons. Now, the qualifications required in masters and mates for the purpose of navigating vessels across the Atlantic are totally different from those required in the schooners which are trading between our coasts and the United States. I do think that if this Bill is passed in its present shape, it will work serious injury to that trade—a trade on which a large number of people of our Province are dependent, not only those of the Bay of Fundy, but a large number engaged on the River St. John. The wood boats are of a peculiar class, and are used on the River St. John from their adaptability to carry large cargoes of lumber, for which they are largely used during the summer months. I find, from reports I have received from men who are conversant with this trade in the city of St. John, that if this Bill passes in its present shape, it will be a serious injury to them, and will largely

cripple the trade that is going on. It will throw a large number of men out of employment who are perfectly competent, and there will be great difficulty in getting men to replace them. If they are obliged to take a higher class of men who are employed in the foreign trade, they will necessarily be obliged to pay higher wages. Therefore, I ask the hon. Minister, so far as the coasting trade is concerned, to increase the limit.

Mr. McLELAN. The hon. member has stated that the coasting trade is one of very great importance. So it is, and, therefore, there is more necessity that the men who command the vessels engaged in that trade should possess the qualifications necessary to discharge their duties. In every other occupation of life, especially where the safety of life and property is involved, we call upon men, who are to occupy such positions, to show that they have the qualifications required to discharge the duties devolving upon them. It is not intended by this Bill that all the men shall have qualifications to take a ship across the ocean. All we ask in the Bill is, that it shall be ascertained that they possess the necessary qualifications to discharge the special duties devolving upon them. If they coast between St. John and Boston, or St. John and New York, they shall possess qualifications necessary to take charge of vessels upon such voyages, that they shall have the skill necessary to protect the lives of men and the property under their control. So it is, if they are engaged in the river trade. All that would be necessary in that case is that they shall have the knowledge of a pilot. In regard to the lakes, certain other qualifications will be required, and certificates will specify the competency of the men for the particular trade in which they are engaged. As regards the coasting trade, the hon. member for the city and county of St. John (Mr. Weldon) has stated that there are a great many excellent men engaged in the coasting trade, and that the trade has been very successful. But if we look at the wreck register for the last twelve years we will find there has been an alarming loss of life and property to schooners and the smaller class of sailing craft. For a period of twelve years, from 1870 to 1882, there were 2,122 schooners engaged in the inland and coasting trade, wrecked or lost.

Mr. WELDON. How many in the coasting trade?

Mr. McLELAN. 1,804 suffered wreck or mishap. The hon. gentleman will see, with this large number of wrecks occurring in this comparative short period, the necessity of having men in command who possess the necessary qualifications. I think it is incumbent on the House to take such steps to guard against men commanding vessels and risking life and property without having the necessary qualifications. The hon. gentleman has said there are many good men; and it is not proposed to deprive them of their profession as masters and mates. Instructions were given to the draughtsman, that in preparing the Bill he should provide for certificates of proficiency and service as masters and mates; and I have ascertained that this has not been done, more especially in the English print of the Bill, but that some alteration is made in the French; and, in order to make the matter clear, I propose to insert the following clause as clause six:

"Certificates of service for ships trading on the inland waters of Canada or on coasting voyages, differing in form from certificates of competency, may be granted as follows:—

"1. Every person who, before the first day of January, A. D., 1882, served as master on a ship trading on the inland waters of Canada, or on coasting voyages, or a British subject serving in foreign vessels in like trade, and who has produced satisfactory evidence at such examination of his sobriety, experience, ability, and general good conduct on board ship, shall be entitled to a certificate of service as master for ships trading on the inland waters of Canada, or on coasting voyages, on payment of a fee of \$4.

"2. Every person who, before the first day of January, 1882, served as mate in a ship trading on the inland waters of Canada, or a British subject serving in foreign vessels of like trade, and who has produced satisfactory evidence in manner aforesaid of his sobriety, experience,

ability, and general good conduct on board ship, shall be entitled to a certificate of service as first or only mate for ships trading on the inland waters of Canada, or upon coasting voyages, on payment of a fee of \$2."

That provides that all men, who, before the 1st of January, 1882, were masters and mates of vessels, and are able to show evidence of good conduct, shall receive certificates of service; just as now, there are a large number of men navigating ships abroad who have certificates of service, obtained in a similar way, because previous to 1871 they were masters and mates, and were continued. I think this clause, and the explanation I have given, will meet all the objections raised by the hon. member for the city and county of St. John. The hon. member for West Durham (Mr. Blako) spoke the other night of the qualifications necessary. It is rather difficult for me to say what nautical men would lay down as necessary qualifications; but I suppose the first step would be to limit the age so as to insure that the officer possessed mature judgment. In examinations for competency the age would be fixed at about 22 or 23 years; he will be examined, among other subjects, in the various resources for the protection of the vessel and passengers in case of wreck; the shipping, managing and discharge of crew; the entries to be made in the official log book, and with the soundings and leading lights on the route he is going to use; and with the harbors of refuge, and anchorage thereon; and in addition, he shall have some knowledge of the machinery of the vessel, and shall understand measurements, and be thoroughly conversant with the rules of the road. This knowledge of the use and management of the hawser and rocket in the case of the stranding of a vessel; how to manage a vessel in stormy weather, to make and take in and reef sails, &c., he is only to possess the necessary qualifications and knowledge for the special service on which he is employed; and if he is off the coast, from St. John to Boston or New York—to which the hon. member for St. John referred—he should possess more knowledge of seamanship than if he was only navigating the river St. John.

Mr. COCKBURN. I do not rise to object to the general provisions of the Bill, I may say that some of the explanations given by the hon. member, which are not contained in the Bill, are satisfactory to my mind. I wish it to be clearly impressed on the hon. gentleman that as he proposes to extend the provisions of the act to inland waters, and all vessels, tugs, &c.; that it is necessary to guard against injustice to vested interests, and parties who are already entrusted with the command of vessels. I trust that in the clause he proposes to add he will make one provision for the different grades of examination; for instance, we have men well qualified to manage vessels, who have not had a scientific training, and the advantages of education, and who, perhaps, cannot now acquire knowledge of the management of vessels on scientific principles. We have a large class of men in the inland waters who have had the best sort of training for the routes on which they are, from experience and good sound sense. I trust, therefore, that in framing the regulations for the guidance of examiners, full provision will be made for persons of the class to which I refer. I think that the fee of \$8 is pretty large, and it is more than engineers on steamers have to pay; and I do not see why masters and mates should pay a higher fee than engineers, who when their fee was raised to \$5 complained very loudly. With still greater reason will complaint be made if this fee is raised to \$8; the engineer's fee was formerly, for the renewal of certificates, \$2, and \$5 for a raise or promotion. I have no objection to the Bill if the provision I speak of is intended to secure the rights of these men who have risen from before the mast. I have in my mind vast numbers of them, and it is the interests chiefly of this class that I seek to impress on the attention of the hon. Minister and of the House. Of course, different qualifications are required on the larger lakes and

on the Atlantic; but I speak particularly of the inland routes, where these parties do not require such qualifications.

Mr. DE ST. GEORGES (Translation). Mr. Speaker: I am not opposed to the principle of the Bill now before the House, because I believe we should give to insurers and forwarders a guarantee that the men who pilot their vessels on the rivers and lakes should be duly qualified for this business. But I deem it my duty to oppose this part of the Bill which refers to the examinations required from captains and mates, and as to the tonnage of the vessels. I hoped when the Bill was introduced that the hon. Minister would modify it, and that he would exempt vessels under 200 tons from the effects of this law. I mean then that the law should only apply to vessels of over 200 tons. It is a well-known fact to all engaged in navigation that the St. Lawrence route from Quebec to Montreal has been rendered easy by the large number of buoys placed on the river in dangerous parts and by the great number of lighthouses located on each side of the river. With a little experience under a captain or pilot, a person can easily, and without danger steer a vessel under 130 tons. It may be expected, that if the route is easy, the examinations will be so likewise, and, consequently, that there can be no objection to the law which exacts these examinations. To illustrate, it seems to me, for instance, an inconvenience which should not exist, and yet which must exist under the present law, viz.: when men duly qualified in every respect will be systematically rejected by the board of examiners for the slightest reason or most trivial pretext, to prevent competition and diminish the number of captains, as is the custom at nearly every board of examiners, whether for pilotage or for some other reason. Serious abuses will result from this law, which will compel its repeal hereafter if the hon. Minister does not withdraw it now. I observe also that the hon. Minister obliges such candidates to pay \$3 for captains' certificates and \$5 for mates'. This sum would be small for pilots, whose salaries are high; but it will be a heavy charge if we only consider the small revenues derived from ordinary navigation. For several years back one might suppose that the special object of legislation was not only to favor large ships, but also to make disappear the market navigation on which so many families in the Province of Quebec are dependent. It is a fact that at the port of Montreal the duties imposed on small vessels pays for the dredging of Lake St. Peter and other lakes which are of no use to them, and which are even a burden on them in reducing their revenues. By a clause of chap. 43, 45 Vic., they are deprived of the free passage of the St. Lawrence channel. But that is not all. The House, to-day, is asked to pass a law which will prove a considerable burden to ordinary navigation, and which will have a tendency to materially injure it. I see that the hon. member from Montmagny (Mr. Landry) approves of what I say. I am convinced he has sufficient influence in the House to assist me in the demand I am now preferring. I therefore, Mr. Speaker, deem it my duty to oppose the purport of this Bill which has relation to tonnage, and I ask the hon. Minister of Marine to substitute the words 260 tons for the words 100 tons.

Sir HECTOR LANGEVIN. (Translation.) Mr. Speaker: I cannot allow the observations of the hon. member from Portneuf to pass unanswered, inasmuch as my hon. colleague the Minister of Marine understands English better than French. I will, therefore, make a few remarks on the observations which he has just made to the House and which have reference to vessels of over 200 tons, in reference to which the hon. member has just spoken. If I am correctly informed, the difference or the exception which is made by the Bill introduced by the Minister of Marine is for vessels of 100 tons, not for 200-ton vessels. But I am

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informed that those of 100 tons are equal in capacity to those of 175 tons, and that consequently it suffices to exempt the small vessels, which must necessarily be so by the law introduced by the hon. Minister. I am convinced that the hon. member from Portneuf, after having duly weighed the observations which I am making, will see that the exemption of 100-ton vessels will be sufficient to safeguard the craft navigation. Moreover, he is in error if he supposes that the sum of \$3, which is required of captains, and the sum of \$5 from mates, is to be an annual payment; it is a final one. When the captain or mate has obtained his certificate, it will serve him for life. Consequently, the objection raised by the hon. member has not much force; as after all this is but a small sum of money, and, moreover, it will enable a captain or mate of a vessel to obtain a certificate which will last him for life without obliging him to undergo any further examination. The other objection has reference to the channels. The Bill which was introduced, and which is now law, was modified in deference to the Harbor Commission in Montreal. I believe that the hon. member was not in the House at that epoch. By that law it is declared that certain parts of the channel between Montreal and Quebec would be exclusively reserved for large sailing vessels and steamships, and that in the five or six dangerous points the smaller vessels, as well as the rafts, would be obliged to take the side channel in order to leave the principal channel for the larger vessels, as the channel is narrow at these places. When a sea-going vessel or large steamboat, or a large sailing vessel, passes in this channel—and many pass every day—it would be dangerous for navigation to permit on such occasions rafts of timber or small vessels to place themselves in the same route with the large vessels. But the Legislature had the foresight to say, that if, by the force of the current or other circumstances independent of the will of the captain or mate, or by reason of a tempest, the small vessels or rafts were driven into the channel, they would not be visited with any punishment and the law would not affect them. These small vessels as well as the rafts can pass by the principal channel, as well as the large vessels, and I am convinced that in practice, when no large steamships or sailing vessels are in sight that the small vessels or those who are running rafts of timber will always find that the current is strong enough to force them to pass in the deep channel, so that in reality the hon. member will see that no inconveniences are to be apprehended. No petition has been presented to Parliament or to the Government on this question. I hope, therefore that after the explanations which I have just made, that the hon. member will not insist on the amendments which he suggests.

Mr. RINFRET (Translation). In view of the fact that I represent a county in which there are a large number of seamen, I made enquiries relative to the Bill now before the House. After having obtained the necessary information I must say I entirely concur in the views of the hon. member from Portneuf (Mr. De St. Georges), and I think that the Bill will meet with the approbation of mariners and of the members of this House if the hon. Minister of Marine will substitute the words 200 tons for the words 100 tons. The hon. Minister of Public Works said that vessels reported at 100 tons really represented 175 tons. Everyone knows that; but 175 tons is not sufficient, and the law must necessarily be changed on this point. As for the fee to be paid on passing the examinations, I think it would be very desirable to reduce it if possible. The hon. Minister of Public Works has misunderstood the hon. member from Portneuf, when he supposed he was speaking of an annual fee of \$8. The hon. member said it was a final payment, but that this fee was too high, especially if it applied to vessels of less than 100 tons. I think, however, that this fee of \$8 might be retained if it is not to apply to captains of vessels of 200 tons, and if, notwithstanding the law

is adopted as it stands, it would be right to reduce the amount which those who pass examinations for pilots or mates have to pass. I have no further observations to make in reference to the Bill.

Mr. ROBERTSON (Shelburne). One of the objections which I have to this Bill, relates to the fee of \$5, which it is proposed to place on the certificates, which these men are to receive, if they have been captains before the 1st of January, 1883. I think that this fee should be merely nominal, not more than \$1, as I see no reason why they should be taxed for their certificates. Again, the hon. Minister may be aware, that as far as the Province of Nova Scotia is concerned, an effort is now being made to invest a large amount of capital in the fishing industry; and some vessels of a large size are to be employed in it; an effort is also being made to secure the services of Nova Scotians, who for years past have been engaged, as the hon. gentleman knows, most successfully on the Nova Scotian coast and on the banks of Newfoundland, but as masters of American fishing vessels. I wish, if possible, to have added a clause providing that men who are Nova Scotians or Canadians and the masters of American fishing vessels prior to this date, shall be included in the exceptions. I think that this would be an inducement to them perhaps to take command of our vessels; and many of these men are well qualified, although not able to pass the somewhat rigid examination which the hon. gentleman proposes.

Mr. MITCHELL. When this Bill was introduced and the explanations were made by the hon. Minister, I pointed out the difficulty which would arise if my hon. friend did not add an amendment by which a class of persons who had been in the service for some time, and were not the masters and mates of vessels of the class to which the Bill referred, and who could not undergo examination owing, perhaps, to the want of scientific information, should be excepted; and I am glad to say that the hon. gentleman has adopted my suggestion and provided for this class. To my mind, that was the only real difficulty in connection with the Bill. The hon. gentleman from St. John has spoken of another, the limitation of size; but I think that if the hon. gentleman relaxes it to 150 instead of 200 tons—which would not quite come to what the hon. gentleman wishes—this would fully cover what the hon. Minister aims at; by introducing this measure, which is a good one; there is no question about that, and the moment that the hon. member adopted the suggestions of myself and of other members of the House, he added very much to the popularity which the Bill will create, and to the justice which it will impart to a class of men who otherwise would not be benefitted by it. As regards the fees, I must say, I think that the objection taken as to the extent of the fees has some foundation. The class of people who would be covered by these certificates appears to me one which, particularly, ought not to pay the amount of fees provided. I would suggest whether it would not be well to consider these two points, first the limitation of tonnage to the extent of 150 instead of 100 tons, and the reducing of the fees to such an extent as might relieve that class of people. They are a class who suffer a great deal, work hard, generally have large families and are not specially protected by the National Policy; and I think, that taking all these circumstances into consideration, and looking at the way in which this Bill has been received by the House, and the general feeling of satisfaction shown on account of the remedy which is proposed by it to protect this country, and the greater security which it is going to extend to that class of people, the hon. gentleman would do well to accept the suggestions made with the view of trying to give this Bill greater popularity even than it will possess, if it be

passed, as it is. I have nothing further to say, save that I hope that the hon. Minister will accept the suggestions made by hon. gentlemen on this side of the House, and I will be pleased to see the measure pass, as I trust it will, with those amendments.

Mr. DAWSON. I agree with the remarks of preceding speakers with regard to this Bill, and more especially with those of the hon. gentleman who has just spoken on the other side of the House, that it is a step in the right direction, and I shall have great pleasure in supporting it. There is no part of the country where such a Bill as this is more needed than in the very extensive district which I represent, where there is such a large extent of inland navigation. My purpose in rising was to ask the Minister whether it is his intention to bring down a supplementary measure to this with reference to the navigation of our inland waters?

Mr. GILLMOR. From my experience of the coasting trade I am inclined to believe that many of the vessels which suffer from these casualties are less than 100 tons. I am well acquainted with the masters, mates and crews of such vessels, and I have never heard any expression of opinion from them that such a Bill was necessary; but, of course, if it is going to have the effect of protecting life and property it would be for the public benefit, and I should be sorry to oppose its passage. It will, however, be attended with a good deal of expense, because, although the fee is fixed at \$5, the real expense will be in many cases \$20 and more. This board of examiners, I presume, will sit in St. John, and those who apply for certificates will have to lose their time, and pay travelling and other expenses. I am somewhat surprised at the number of casualties which the hon. Minister of Marine reported; but I am sure he has looked into the matter, and he feels it to be in the public interest that the Bill should be passed. I had thought that the owners of vessels and the commanders and crews were pretty good judges of these things, and I cannot see that this Bill is going to be much of an improvement. The board of examiners will require, of course, to be as well acquainted with the qualifications necessary as those who are to be examined, and I am not quite satisfied that the public interests will be very much served in this matter or that the Bill will be received with very much favor. The owners of vessels are usually well acquainted with the qualifications of the master and the men, while the men are equally familiar with the qualifications of the master and the mate, and as passengers rarely go by these boats this would seem to be a sufficient guarantee of safety, because the crews will not venture their lives unless they are satisfied with the qualifications of the officers. However, it is possible that the examinations will result in making the men more particular in the discharge of their duties. I would, however, call the hon. Minister's attention to the size of the vessel, because I do not believe that there are 10 per cent. of the coasting vessels which are as large as 125 tons. I hope that he will also make the fee as moderate as possible, as it seems to be a pretty large one.

Mr. LISTER. Representing as I do a county in which there are a great many seafaring men, I take the liberty of expressing my views on the Bill. My hon. friend from Shelburne (Mr. Robertson) must remember that there are other places in which sailors live, besides the coast of New Brunswick and Nova Scotia; and my own opinion is that the Bill, with the amendment which has just been proposed, will meet with a very hearty approval by late captains and sailors. I would, however, repeat what has already been stated by others, that I think that the fee exacted for these certificates is far too large. The men who will be affected by this Bill are not, as a rule, too well paid. They are subject to a great many exposures; they usually have large families to keep, and they are only employed during portions of the year. I think the fee that this Bill proposed to exact from those

men is rather high, and I do hope that the hon. Minister, in the interest of sailors on the inland waters of this country, will find himself able to reduce the fee to a nominal sum. I would also call his attention to another thing. I believe the tonnage of vessels is limited to 100 tons; vessels under that tonnage are not required to have a master holding a certificate. That regulation may answer on the sea coast, but on the inland waters, the captain of a vessel of 50 tons and upwards should be obliged to hold a certificate. Vessels of 100 tons and upwards are used largely on our inland waters for carrying passengers; and for the protection of the lives of the people who may travel on these vessels, I think the hon. Minister might see his way to adopt this suggestion. I believe the Bill, even in its present shape, will meet with general approval among the captains and sailors on the inland waters of the country. It is a measure they have long been asking for, and during the short time I have had the honor of a seat in this House, I have received repeated communications from people interested in shipping asking me to urge upon the Government the passage of such a Bill.

Mr. BAKER. I have listened with much interest to the various observations that have been made on this subject. This being a subject of which I know something, having been nineteen years at sea myself, and having passed all the examinations required at Trinity House for a master mariner, it may be that I know what master mariners and ship owners require, and I must say that I am exceedingly pleased that this Bill has been introduced by the hon. Minister of Marine. I do think the time has arrived when not only passenger traffic should be looked after, but also when provision should be made for the protection of those masters who have taken the trouble to pass examinations and to otherwise fit themselves in their younger days for their positions. Objection has been taken to the amount of the examination fee. I do not think it is any too high. If any man is anxious to pass an examination and obtain a certificate, he knows it is attended with a certain amount of expense, and if he is really serious in passing the examination to fit himself for a better sphere in life, he will be very willing not only to take the trouble necessary to pass the examination, but to pay the fee attached thereto. Objection has also been taken to the tonnage, that the limit of 100 tons is too high. Now, I know that as much care and caution are required to navigate a vessel of small tonnage as one of large tonnage; in fact, the facilities for navigation on board a large vessel are greater than those on board a small one. But after the assurances of the hon. Minister of Marine that the rights of both masters and mates will be protected I have no objection to offer to any clause in the Bill. I would suggest, however, that when the code of rules and regulations for the guidance of the examiners shall be framed, provision should be made that only British subjects shall be allowed to hold these certificates, the same as is now in force with reference to pilots for the Dominion; and also that great care should be exercised in the selection of the Board of Examiners. With these few remarks, I have very great pleasure in assisting the passage of this Bill.

Mr. PLATT. The Bill under the consideration of the House has very much in it to commend itself to the public. It has been very truly said that the effect of the explanations and the additional clause has been to remove the objections that some Members made to the Bill when it was introduced. I am not sure, however, that the mariners of the lakes will be entirely satisfied with the Bill, unless it more definitely lays down the character of the examinations, and pays some regard to the character of examiners themselves. I suppose this is a matter that must be left in the hands of the Department; but the greatest fear that I have heard expressed by the masters and

Mr. LISTER.

sailors of vessels on our inland waters is, that the examiners may be taken from the Maritime Provinces, and may not be fully acquainted with the navigation of vessels on the inland waters. I trust that the regulations to be made by the hon. Minister of Marine, with reference to the examinations, will have a tendency to relieve their anxiety in this respect. There is also some anxiety as to whether the certificate will be granted for particular lakes or particular routes. As I understand the hon. Minister, such is his intention. We know that the greatest number of disasters which have occurred to vessels in inland waters have not occurred to those that sail upon a single lake. The smaller class of vessels that sail on Lake Ontario are not very often visited with disasters. The records of Lake Ontario, at any rate, will show that by far the largest number of disasters occur to vessels which come from the upper lakes—vessels that come from Chicago, and are commanded by masters who know nothing of Lake Ontario; and the mariners on that lake, think that no vessel, clearing from the port of Chicago or some other port on the upper lakes should be allowed to pass through Lake Ontario without taking on board a pilot or master who knows that particular lake. Then there is a large class of sailors who know Lake Ontario very well, and who are sometimes called to take a vessel through to Chicago. With regard to the limit of tonnage which the hon. Minister has fixed, there seems to be a difference of opinion. Either myself or the hon. member for West Lambton (Mr. Lister) fails to comprehend the import of this Bill. I think it would be much more satisfactory to the sailors of the inland waters to have the limit increased to 125 or 150 tons, rather than decreased. With regard to passengers, I am not aware that sailing vessels of any description on the inland waters are in the habit of carrying passengers, and there is no objection taken to the Bill in so far as it affects the carrying of passengers by steamers. So far as this inland trade is concerned vessels below 100 tons, and a great many below 150 tons, confine their voyages to a single lake and have captains who thoroughly understand the navigation of those particular lakes. I am satisfied that, inasmuch as lives of passengers are not endangered by those small sailing crafts engaged on particular lakes, there is not the same necessity that these captains should have registered masters' certificates as there is with reference to the larger crafts. I entirely agree with the recommendation from hon. members on both sides that the hon. Minister should see his way to reduce, if not to abolish the fees of \$5 and \$8 imposed on masters and mates who come up for examination. I do not see why these men, who wish to carry on a particular branch, should be charged a fee for procuring a certificate. Another objection is that the examination will be a written one. There are men on those lakes who know perfectly well every shoal and rock, who have for years navigated these lakes successfully and on an oral examination would be able to give most satisfactory proof of their competency, but who would be incompetent to stand a lengthy written examination. I hope the hon. Minister will see that the written examination will be very elementary in character, and I trust he will see his way clear to make the amendment suggested.

Mr. LANDRY (Translation). Mr. Speaker: I have only a few remarks to make on the subject now under discussion in the House. I have no intention of extolling the merits of the Bill now under consideration. The general approval expressed in reference to the law, renders it unnecessary for me to make anything like a careful study of the measure. But as my name was introduced a few moments ago into the discussion, I think it my duty under the circumstances to raise my voice and ask for a class of individuals whom this projected law concerns, a protection which I do not find in the law as now presented. It is proposed to-day to subject to examination an entire class who have certain acquired rights,

or at least if they are not to be subjected to examination, it is indispensable that these captains of vessels apply to the hon. Minister of Marine and obtain from his Department a certificate for which they will have to pay the sum of \$5 or \$8 as the case may be. I do not think, Mr. Speaker, that the Government should go so far. I can understand that the Government may desire to improve the qualifications of captains, that is all right; but I do not think, under the present circumstances, that he ought to ask these old mariners who have passed their lives on the St. Lawrence, who understand all the dangers and risks of navigation—he should not require them to pay a fee of \$5 or \$8 as a guarantee that they shall remember these things for the future. The skill of these mariners is well known. They have sailed on the river a long time; they know to perfection every shoal, and on this account they should not be obliged to pay anything for a certificate. Let the law apply to those who in the future may wish to embrace this avocation. I am ready to admit this, but let us not exact from the captains a certificate which will have the effect of extorting from them \$8 or \$5. What will be the result if this law is adopted? Many of these captains might be unwilling to pass these examinations, and if they continue to navigate they may, later on, be exposed to pay heavy fines. I know that this is not a very strong reason to offer to the present law, but I point it out as one of the inconveniences which may result from it. I believe that the best suggestion which can be made, or if the expression may be more agreeable, that the best justice which we can ask from the Government, is not to declare by this law that those who have for a long time been engaged in navigation, should not be subjected to what I may call such Draconian restrictions. I therefore think that the Government might issue certificates to all captains who have served two or three years without compelling them to pay a fee. The Government might limit a time, and when that time has expired, captains of vessels who would not wish to avail themselves of the previous disposition of the Government, that then the Government might impose a fine for the granting of captains' certificates.

Mr. PAINT. I am glad the hon. Minister of Marine has introduced this Bill. As regards the fees of masters and mates, I consider they might be placed at \$3 and \$6. If it be considered necessary that the age of the master commencing should be recognized to be not less than twenty-two years, it is, I think, more requisite it should be limited to say sixty or sixty-five years, as many vessels are lost through the incapacity of an aged master; and many of these men go to sea when they are far advanced in years. I was pleased to hear the hon. member for Shelburne say there was a prospect of a large increase in the shipping in that direction. The other day when I asked the hon. gentleman in regard to this matter, his memory failed him. He replied to me that there were possibly two vessels being built along the coast in the county of Shelburne, and I think he included Yarmouth. After a while he said there might be three, and after a little while more, he said there might be four or five. I telegraphed and made other special enquiries, and found there were ten being built at Yarmouth, fifteen at Shelburne, and thirty in Lunenburg. The hon. member was afraid the bounty might exert some good in that direction. I assure you the bounty has benefited that industry very much. I trust that the recommendation of the hon. member for Victoria will be adopted, that is, that the certificates be granted only to British subjects.

Mr. ROBERTSON (Shelburne). The hon. gentleman certainly misunderstood me. I have no recollection of his having put any such enquiries to me, and am prepared to give him the fullest information in my possession in connection with that matter. I will say there are at least sixty vessels being built between Westport and Lunenburg,

but I take a different view from the hon. gentleman as to the cause of this activity, and attribute it to the very prosperous fishing season of last year. The bounty has had no effect at all. There is only one county in which it has yet been paid.

Mr. PAINT. More than one.

Mr. ROBERTSON. Only within a day or two, then. There is hardly a member from Nova Scotia who does not receive letters from fishermen asking when the bounty will be paid. The bounty is only a small matter and has no effect at all on the trade.

Mr. PAINT. It is the \$2 per ton I contend that has stimulated this industry.

Mr. FORTIN. If I understand this Act thoroughly fishing vessels are included in it. I do not object to that, but it seems pretty hard that the captain of a fishing vessel, who has been coasting and carrying on his trade for thirty or forty years and is perfect in his calling, should have to come for examination before persons who may not be as well up in the business as he. I object to that, but I believe that young sailors should pass an examination to obtain certificates as mates and after several years service pass an examination to obtain masters' certificates, and should pay fees, but I think those which the Government exact are too high on account of the small salaries these men earn. It would be hard to exact, from old captains and skippers, who have been twenty or thirty years at sea and know every part of our coast, a certificate as to capacity; a certificate as to character would be all right, but they should not be made to pay fees. I am in favor of the Bill as regards young men, because it will have the effect of training up a class of men who would be useful in any country and would be especially useful in this. Of course the class of men that are going to be subjected to this examination are not scientific men, and they do not need to be, because the men who navigate our gulfs and lakes are simply pilots. When a pilot, who navigates from land to land, approaches the land he must trust his eye more than his compass and more than his calculations. I have only to say that I approve the Bill except that I find that the fees are too high.

Mr. McLELAN. I am pleased to find that the Bill meets with such general approval by the House. It is evident that the country demanded some such Bill as I am now attempting to have passed. If the Bill has any fault, it is that the class of schooners of 100 tons is too large. The hon. gentleman from Queens, New Brunswick, has said that there are a very large proportion of schooners employed in the coasting trade, and as I have shown that the casualties are largely in excess in the coasting trade, and that a large proportion of schooners are less than 100 tons. But, looking at the Dominion, and the trade and variety of interests concerned, we thought 100 tons was as low as it was advisable to go at first. If the House would fix that limit, when we get this in operation, and get that class of vessels supplied with masters and mates, then perhaps the public would call upon us to go still lower and provide less tonnage. I mentioned to the House, I think, that for twelve years there have been 2,122 casualties to schooners alone, and there have been 735 lives lost from schooners, without taking steamers or the larger class of coasting vessels; and I think, that when we look at these results, we are called upon to see if we cannot render life and property a little more secure by having competent men to man these vessels. In using the word navigation, I do not mean scientific navigation, but only that the men shall be fit for seamanship, and for the particular service in which they are engaged. Now, as to the fees I may first state this: for some eight or ten years the fees exacted for sea-going certificates were \$10 and \$5. The expense connected with the board of examination and the granting of these certificates exceeded

the fees collected by \$2,000 a year. It is not a very serious loss for the service rendered, but still it is thought that the fees should bear some proportion to the expense. The hon. member for Gaspé says that we ought to elevate the standard of the men commanding these vessels; but I think, if you granted them a certificate either of service or of competency, without any charge at all, they would look upon it as something of no great value. I have named here for a certificate of competency, \$8 and \$4. For a certificate of service I said \$5 and \$2, but some hon. gentleman seemed to think it too high, and we might make it \$4 for masters and \$2 for mates. The same hon. gentleman has referred to the engineers and the complaints they make. The engineers pay very frequently, but a master gets his certificate once and it is for life; it is his certificate of competency as long as his age does not exceed the limit fixed. I do not think a fee is very important to the Bill, but I think it is unwise to make the fee too small, as the master would then consider his certificate of competency of no great value; at the same time, the fee should be moderate and should bear some proportion to the expense.

Bill read the second time; and the House resolved itself into Committee.

(In the Committee.)

On section 2,

Mr. McISAAC. Do I understand the certificate of service is obtained in the same way as in the Act of 1870?

Mr. McLELAN. Yes; there will be no more difficulty in obtaining it than before.

Mr. KEEFLER. I should like it to be provided that parties would be examined in the counties or districts where they reside and should not be obliged to go to Halifax or St. John.

Mr. McLELAN. That is a matter of detail which it is impossible to place in the Bill. At present candidates for examination generally attend at Halifax, St. John or Yarmouth, at all of which places there are schools where they attend previous to the examination. But as this is not a scientific examination the regulations will be made to meet as far as possible the convenience of the masters and mates who are candidates.

Mr. KEEFLER. They are poor men and cannot afford to go to Halifax for five or six weeks.

Mr. WELDON. How are the examiners to be appointed? Will there be one board for the Maritime Provinces, or will there be local boards?

Mr. McLELAN. That matter has not been very seriously considered, but a number of men will be required to meet the requirements.

Mr. ROBERTSON (Shelburne). As the hon. Minister is aware, a large number of Nova Scotians now command American vessels sailing from Gloucester. They are absent for three or four months and spend the balance of the year in Nova Scotia. If any of these men, who have served as masters on board of American vessels, desire to return and be employed on Canadian vessels, will they be placed on the same footing?

Mr. McLELAN. I think if Nova Scotians have served on foreign vessels and have certificates showing their positions, they would be entitled to the same privileges here.

Mr. VAIL. But the Bill says they must be domiciled in Nova Scotia.

Mr. McLELAN. Service on board of a ship is included in the word "domiciled."

Mr. PAINT. Many of these men have obtained American citizenship, and they now come back to Nova Scotia in consequence of the good times created by the Tariff.

Mr. McLELAN.

Mr. BLAKE. If the very reasonable suggestion made by my hon. friend is not carried into effect there will be a barrier placed in the way of Nova Scotians and New Brunswickers, who have served on American vessels, coming back and serving on Canadian registered vessels. I think the clause is too restricted, and that some provision should be inserted to meet this case.

Mr. McISAAC. I desire to enquire whether it will be necessary that the experience shall have been obtained on a vessel of the same tonnage as the class to which this Bill applies.

Mr. McLELAN. I think not.

Mr. FORTIN. Yes; you want to examine captains and mates of coasting and fishing vessels. You know very well that a sailor who is trained on sea-going vessels and at sea on foreign voyages, is not fit to be a coaster, nor the skipper of a fishing vessel. This is a trade by itself, which is learned near the shore, amid the most difficult navigation in the world. He must know perfectly the coast, and the currents, and the capes, and the tides, and everything of that nature; and, consequently, the examination of the captain of a coasting and fishing vessel should be totally different from that of a sea-going captain, who is not fit to be the captain of a fishing vessel or coaster. The examination of the former should be peculiar, and not scientific at all. He should know the chart, how to calculate distances, and the compass, and the currents of the seasons in which he sails, and the capes and the tides; and when these men know that, they are able to command a fishing vessel or coaster.

Mr. WELDON. I would suggest this change: "British subjects, whether they have served in ships, British or foreign, in like trades."

Mr. BAKER. I do not presume to debate the legal aspect of the clause, but I wish to see provision made where-by Americans cannot come in and get command of our vessels.

Sir CHARLES TUPPER. The proposal is not that Americans should come in and get command of our vessels, but to allow a large number of our people, who have gone to the United States and become masters of vessels there, and are extremely competent to discharge the duties which it is proposed to render more perfect by the administration of this Act, to return to this, their own country, and command our vessels instead of devoting their lives and services to the service of another country. The object is not to shut them out from returning, but to offer every possible inducement to prevail on them to come back to this country, and I think that this object is worthy of every possible consideration.

Mr. WELDON. I suggest that the following words be inserted:—"persons serving in ships so registered, and British subjects serving in foreign ships in like trades."

Mr. BLAKE. I would like to get some idea from the hon. gentleman, as to the number of persons to be appointed under this clause, and as to the probable charge, upon the public, which he anticipates will be occasioned by it. Of course, I am aware, that this will be to some extent conjectural, but he has not brought down this Bill, I imagine, without having some idea as to the extent what this charge will be.

Mr. McLELAN. It will be impossible now to define how many persons are to be employed, and how many examinations will be held, until it is thoroughly understood where may be the most convenient places and times to have these examinations, and where the homes of the captains in the winter season may be—which has not yet been ascertained;—so it is impossible to fix any number of places, at which the examinations may be held;—but it is proposed to do this with the least inconvenience and expense to the

captains. If it will be necessary to provide two or three or half a dozen new places for these examinations, why, we shall do it, rather than subject captains to the inconvenience and expense of travelling long distances. Owing to the extent of the Dominion, it is impossible to make a conjecture at present how many will be necessary to accomplish this work.

Mr. WELDON. The different classes of men will require different examiners?

Mr. McLELAN. I think I stated the other night, that the general outline of the plan would be to appoint a certain number of men with general qualifications and general knowledge, who will go into the district and select a man familiar with that particular trade and with its requirements, and to sit on the board of examination; and also with some knowledge of the men who are to be examined. I think that this is the most convenient mode that can be adopted.

Mr. BLAKE. Of course, if the Bill was in accordance with the hon. gentleman's resolution, it would rather occasion a crush of work at first for the examiners, inasmuch as all at present engaged in the trade would be subject to examination; but this will not now be the case. The hon. gentleman proposes, as I understand it, to insert an addition to the sixth clause, which provides in more detail for obtaining certificates of service without any examination at all on the production of certain certificates; that is what I understand, and if that be correct, it seems to me a little out of place to provide, as he does in this clause, for the obtaining of these certificates from these examiners, at an examination to be held at those times and places. These certificates of service are to be obtained upon certain proofs no doubt, but these proofs are to be in writing, and inasmuch as we are subjecting for the public good those engaged in carrying on this trade without any certificates, to a certain amount of inconvenience, the hon. gentleman will agree that the fair mode to adopt in order to apply whatever test may be prescribed, would be to adopt the one involving the least amount of inconvenience. I should say that if the full regulations giving the form of certificate were widely disseminated by being sent, say, to the officers of the Department in the various Provinces, it would be more convenient than that some specific time should be named of comparatively short duration within which the examination should take place on the spot. Ample time would thus be given so that there would be no difficulty about their being able to obtain their certificates.

Mr. McLELAN. I may say that after having amended this Bill in a particular way, I came to the conclusion, after hearing the opinions of hon. gentlemen, that I had better frame a clause specially providing for these cases, so that there might be no misunderstanding.

On section 4,

Mr. McLELAN. I propose to make the fee for a certificate as mate \$4, instead of \$5.

Mr. WELDON. Considering the low wages which these men are paid as compared with masters, I should think that \$2 would be sufficient.

Mr. KEEFLER. I would suggest that the certificates of competency of masters and mates should be \$4 and \$2 respectively.

Bill reported.

#### HARBOR ACCOMMODATION FOR THE CITY OF TORONTO.

Sir HECTOR LANGEVIN moved the second reading of Bill (No. 106) to increase the harbor accommodation of the city of Toronto, to extend the Esplanade, and to provide for the control of the use thereof by railway companies. He

said: I would ask that this Bill be now read a second time and sent to the Railway Committee, so that ample time may be given to the city of Toronto and those interested in the Bill to come before the Committee, and discuss it there. It has been represented to the Government that this is a matter of great importance to the city and harbor of Toronto, as well as to those who advocate the Bill.

Mr. BLAKE. If we accede to the hon. gentleman's motion it is with the view and on the understanding that adequate notice, a special notice, be given to the private individuals and the great corporations who are affected, and I think those who are promoting this Bill ought to see that a direct notice is given to the railway companies.

Sir HECTOR LANGEVIN. The intention is to give full notice to the parties interested, especially the railway companies and the city of Toronto. I think if this Bill was taken up on Tuesday next it would give ample time for the parties interested to come before the Committee and present their views.

Bill read the second time.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and (at 11:50 o'clock p.m.) the House adjourned.

### HOUSE OF COMMONS,

THURSDAY, 19th April, 1883.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

#### TIMBER AND LUMBER TRANSMISSION.

Mr. COSTIGAN moved that the House, to-morrow, resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to make more ample provision respecting the regulation and collection of tolls and dues for the use of Government works constructed to facilitate the transmission of timber and lumber down rivers and streams; to authorize the Governor in Council to make regulations in that behalf, to require the verification of statements respecting such matters by oath, and to impose penalties for infractions of such regulations; and to provide that timber and lumber and the products thereof shall be liable for such tolls and dues, and may be followed until the same are paid."

Motion agreed to.

#### PERSONAL EXPLANATION.

Mr. BERGIN. Before the Orders of the Day are called, I desire to call the attention of the House to the following paragraph, which appeared in the *Toronto Globe* of yesterday:

"Mr. Bergin, of Cornwall, was exceedingly anxious to avoid voting, and, at the last moment, wanted to pair with a gentleman who intended to vote, and did vote, for a six months' hoist."

The facts are the reverse entirely. The hon. gentleman for South Victoria met me in the lobby, and said he was desirous of going away on the ten o'clock train, and that if a vote was not arrived at before that hour he would like to pair with me, and I declined. Shortly afterwards I saw the hon. member for Durham, the whip of our party, and I asked him if our hon. friend for South Victoria had succeeded in obtaining a pair, and he said he had not. He said: "I have another gentleman who wants to pair, the hon. member for Selkirk," and he asked me to pair with him. That I also refused. Before the vote came on I was asked if a pair could be got for the hon. member for West Hastings, who is known to be in bad health, and not able to sit on a long

debate. I said I thought there was a gentleman who would pair with him, and I sent a messenger to that gentleman, but the messenger could not find him. When the hon. gentleman came in I tried to catch his eye, but failed. I afterwards sent for him, and he said he was going to vote against the Bill. There could be no intention consequently of my wanting to pair with a man who was going to vote on the same side as myself, the more particularly as this was a vote which I would not on any account avoid.

Mr. SUTHERLAND. I expressed no wish to pair with anybody.

Mr. BERGIN. Well, it was the hon. member for Lisgar; I made a mistake.

#### BOUNTY ON PIG IRON.

Sir LEONARD TILLEY moved that the House resolve itself into Committee of the Whole on a certain proposed resolution (April 18th) respecting the bounty on pig iron.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Sir LEONARD TILLEY, in moving that the resolution be adopted, said: I may call the attention of the House to the fact we'll known to hon. members on both sides, that, for the last two Sessions, there has been strong pressure brought to bear on the Government to consider the advisability of providing some additional protection or encouragement to develop the iron industries of Canada. It is well known that in all parts of the Dominion we have ore of the richest quality. We quite recognise the importance of developing that important industry, important perhaps beyond many others, because the product, when finished and ready for market, represents, in almost its whole value, labor. The Government promised the gentlemen who waited on them the Session before the last Session, that they would give this matter the most careful consideration, and see whether we could not meet them in such a way as to give sufficient encouragement for the development of this industry. One of the difficulties we had to meet in dealing with this question, is that if we increased materially the duty on pig-iron, it being a raw material that formed the basis of a great many manufactures in Canada, the result would be, as we are not at present producing all we require, that to some extent the increase in price would require a change in the duties on the articles manufactured from pig or bar iron. Under these circumstances it was thought desirable we should ask the House to give, for a period of six years, the bounty now proposed, of \$1.50 per ton for the first three years, and \$1 per ton for the following three years. As far as I can gather, we have, at present, three iron manufactories in the Dominion—I do not speak of rolling mills, but of those who manufacture pig iron. The most important one is that of Londonderry, Nova Scotia; there is also one at Three Rivers, and one at Woodstock, New Brunswick. I do not know the exact production of these three, but probably it would be under 20,000 tons during the last year.

Mr. MACKENZIE. How much do we import?

Sir LEONARD TILLEY. During the last year we imported altogether 63,431 tons; of charcoal iron, 6,837 tons, and of all other descriptions, 56,594 tons. It is expected that during the next year, from July, 1883, to July, 1884, there will probably be 40,000 tons manufactured. An additional furnace will be at work at the Londonderry works, and an additional impetus will be given to the existing industries of Three Rivers and Woodstock. It can scarcely be expected that, in the next twelve months the output will have reached the full extent anticipated from the extension of the works, as it will take twelve months before the new

Mr. BERGIN.

furnace can be thoroughly finished and in operation. New industries will, no doubt, be started during the next year, but during the next year the manufacture will probably be confined to the then existing establishment, and will amount to about 35,000 or 40,000 tons.

Mr. ROSS (Middlesex). Does the hon. gentleman intend to pay the bounties on the furnaces already existing?

Sir LEONARD TILLEY. Certainly. It would not be fair to give the bounty only to the new industries that may be established, and not to those which are already established, and on which a large amount of capital has been expended with very little return. Therefore, it is proposed that \$1.50 shall be paid, amounting, probably, to \$50,000 during the next fiscal year.

Mr. BLAKE. Can the hon. gentleman state the production at Three Rivers and at Woodstock?

Sir LEONARD TILLEY. I do not know, but they are in a position to manufacture a very considerable quantity. Of course, it pays them to do so.

Mr. BLAKE. When the hon. gentleman makes an estimate of 40,000 tons for next year, what proportion does he expect to be made at Londonderry and other places?

Sir LEONARD TILLEY. With additional furnaces they will make a double quantity, about 30,000 tons. Londonderry may produce 20,000 tons, and the other places 10,000, or 15,000 tons. This is an estimate. We know that a limited quantity has been produced there so far. They may multiply it even beyond our estimates, still it is a fair estimate to make that they will produce that quantity.

Mr. BLAKE. The hon. gentleman says he knows it is a limited quantity, but he does not know what the limit is. It is absolutely a guess that he makes.

Mr. MITCHELL. At Three Rivers they employ thirty or forty men, and have taken a contract to manufacture 10,000 cart wheels; it must, therefore, be a considerable industry.

Mr. BLAKE. The hon. Minister stated last Session, or the Session before, that applications were made, and a promise was given by the Government to take these interests into consideration. I observe lately that an application has been made from some other source—I think a person named Scales—for additional assistance. Would the hon. gentleman say whereabouts it was that the applicants to whom he made the promise that he has mentioned this afternoon, propose to establish further industries—what part of the country?

Sir LEONARD TILLEY. In the neighborhood of Ottawa was one proposition made to us some time since, and the other in the rear of Belleville. Mr. Scales has been here within a day or two, but he is merely representing a proposition made three months ago by men who are manufacturing iron opposite Cincinnati. An answer was sent to them sometime ago. Mr. Scales was in town the other day, and called upon me, and I said it was utterly out of the question to meet their views, as the Government had submitted to Parliament what they thought was quite sufficient to encourage the development of the industry. I have been told—I do not know how true it is—by a person who is interested in the deposits in the neighborhood of Ottawa, that Mr. Haycock, who is now in England, has made some arrangements lately for the purpose of putting up works here, since notice was given of this resolution, and he is raising capital for the purpose.

Mr. BLAKE. Then Londonderry will be able to produce 30,000 tons, with the new protection?

Sir LEONARD TILLEY. I should think so.

Mr. BLAKE. The hon. gentleman said he calculated the product last year at 20,000 tons, and the import at 63,000.

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. Which would make 63,000 tons for consumption; and that would include charcoal and the other pig?

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. With that there were 7,000 tons of charcoal imported, and he calculated, I presume, about 5,000 tons of charcoal made.

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. I understand from his calculations that about 12,000 tons of charcoal were consumed in the country, and about 71,000 tons of the other pig iron. Then he calculates that Londonderry will make 30,000 tons, which, with the other pig iron, will be very nearly half the whole consumption in the county of that description of pig iron. How many new industries, under these circumstances, does he expect will be obtained?

Sir LEONARD TILLEY. When you get pig iron, you don't use it all as pig, for the purpose of stoves, &c., but they convert it into plates, bars, &c. Therefore, it is not confined simply to the 81,000 tons used in the shape of pig-iron; but when it is once manufactured, and in pig, then no doubt, it will be manufactured into bars, round and square, into sheets and various other things for mercantile purposes; and, under these circumstances, it will not be confined to the 81,000 tons of pig iron. It is intended to extend this to bar iron and all that kind of thing, but the bounty will be paid on pig iron which is produced, and then they convert it into other things.

Mr. BLAKE. I asked the hon. gentleman how many new industries for the production of pig he expected would be established?

Sir LEONARD TILLEY. We do not know that. The consumption is increasing largely, and I think I may safely say that 150,000 tons may be very shortly required, providing they convert it as they will into bars, nail-plates, and other purposes—perhaps 200,000 tons. That is my calculation. But it is impossible for any person to estimate what the results of industries of this kind will be when they are thoroughly developed.

Mr. BLAKE. No; but when it is proposed, out of the taxes of this country, that there shall be paid \$1.50 a ton for the product, it is of some degree of interest to know what the charge on the public revenue is likely to be. No Finance Minister who knows his business as the hon. gentleman does, would have brought down a proposition of this kind without having made a calculation with the same degree of precision and information which he had with reference to the product at Three Rivers, as to what the probable charge upon the revenue would be. The hon. gentleman has just stated that 150,000 tons will be shortly made, or that the quantity might run up to 225,000 tons. I ventured to ask the hon. gentleman what his expectations were, and he has told the House, in reply, that it is impossible to calculate what the whole extent of the output will be. The hon. gentleman rightly observed that the product would probably not be limited by the estimated amount of pig iron produced in the country, because there is a large quantity of pig iron produced by the Londonderry Company, and I understand a very large portion is converted by themselves into bar. Is that so?

Sir LEONARD TILLEY. They convert a portion of their product into bar, and sell it in that condition. The quantity of bar iron imported last year was 44,472 tons; and, therefore, taking the whole quantity imported and manufactured during the last year, it would amount to 125,000 tons of pig, bar, square and round.

Mr. BLAKE. That is on the supposition that we manufacture here all the pig, and make all the bar iron we use?

Sir LEONARD TILLEY. That is taking the pig and square and round bar, because that is likely what they would first manufacture. No doubt we may make nail-plates and other plates, but the leading articles will be pig and square and round bar. I have looked into that matter to see exactly what will likely be required, and I find that 125,000 tons was required last year.

Mr. BLAKE. Then the hon. gentleman stated that he would not expect for some years the production to overtake the demand, and, therefore, the price will be increased; and that is given as a reason why he proposes to give an additional bounty, instead of a duty, in order not further to burden the various manufacturers dependent on the supply of pig and bar as the raw material. For the purposes of this discussion, it is conceded that at this time the duty on pig operates to increase the price of the imported article.

Sir LEONARD TILLEY. As regards pig we have never said anything else.

Mr. BLAKE. The hon. gentleman says that now. The hon. member for East York (Mr. Mackenzie) called the hon. Minister's attention recently to a circular sent out by manufacturers of merchant bar iron. I suppose the hon. gentleman has seen it.

Sir LEONARD TILLEY. No.

Mr. BLAKE. I will read the circular which has been distributed in print. It is signed "Ontario Rolling Mills Company, Hamilton, Ontario; Scovil and Purdy, St. John, N.B., manufacturers of merchant bar iron," and it is as follows:—

"We call your attention to the proposed re-adjustment of the Tariff, and beg to submit for your information that, before Confederation, the Tariff on bar iron in Ontario was 30 per cent., with no duty on the raw material, and that the Tariff on bar iron under the National Policy is 17½ per cent., less one to two dollars duty on scrap, &c., leaving a protection of about 12¼ per cent. only until the present re-adjustment, an inadequate amount to compete with foreign iron of general merchant sizes as used by the public. Under this policy, only three Canadian mills attempted to compete with England, &c., in general merchant iron; two of these mills use scrap iron exclusively, and the other one uses pig iron, which they make from the ore. It is now proposed to give the pig iron makers a bonus of \$1.50 per ton on all the iron made for a certain time. This bonus is equal to nearly \$1.87 per ton on bar iron, as it will take nearly 1¼ tons of pig iron to make a ton of merchant bar iron, and it is intended to give us this third concern the benefit of this, to the exclusion of the other two, who have been as well endeavoring to meet the same unremunerative markets with the expectation and promises of Tariff assistance as soon as the National Policy was, after consideration accepted by the Canadian people in the last General Elections. We ask you as legislators to see to it that this injustice is not done us, and to see that the other establishments who have been endeavoring to compete with the imported merchant bar, receive an equivalent to the bonus, as well as the makers of merchant bar iron made from the pig metal, thus putting us all on the same footing. We would further call your attention to the fact that it is just as important to encourage and build up the manufacture of bar iron for general purposes as it is to encourage the manufacture of pig iron alone, as a very large part of the market for pig iron should be from these bar iron makers, and is everywhere else, and will be in Canada if you will see this matter righted and justice done. We would also refer you to the Tariffs of other countries to show that the more advanced an article is in manufacture (that is, that the more labor spent on it) the more should be the Tariff, to be in proportion to the cost of the raw material. This will not be the case as it is now proposed with iron in Canada, as pig iron is to have a bonus of \$1.50 per ton, with the present duty of \$2, equal to \$3.50 per ton in all,—on say a valuation of \$15—would be equal to nearly 22 per cent., while bar iron, costing more than twice as much for actual labor spent, has only 17½ per cent. All bar makers outside of the furnace owners, under the proposed Tariff, must go out of the business if you don't see this matter righted. We trust you will see the injustice of the proposed adjustment, and amend the Tariff clause to include a bonus or equivalent on 'general merchant bar sizes of iron made from other raw material than pig iron in Canada, and competing in the same markets.'"

I think the duty on scrap is proposed to be taken off, so the observation on that point does not apply to the present proposal.

Sir LEONARD TILLEY. I had neither read that circular, nor heard it read before. What is their proposition? It is this: That by giving \$1.50 as bounty to the producers

of pig iron, it enables them to compete more successfully with the men who manufacture bar iron out of scrap. If there is anything in it, it is that the result of giving this bounty will be to enable parties who manufacture iron in pig and then in roll, to sell it \$1.50 cheaper than the manufacturers of bar. That is the only point in that circular. The hon. gentleman sees it, and knows it. It places the men who have rolling mills in a less favorable position than before. Why? Because these men having the bounty can undersell them. If the hon. gentleman is in a position to give a bounty of \$1.50 on iron manufactured from scrap, he will be very much more liberal to this industry than the Government. What difference does this proposition make? It is simply that the producer of iron from the ore, who smelts it and converts it into pig iron, receiving a bounty of \$1.50 per ton for the pig, can sell his bar iron cheaper than he could do if he did not receive such bounty. Many of the rolling mills do not complain. I know that one of the firms signing this circular asked that we should impose an export duty upon scrap iron because it is bought by our American neighbors and taken out of the country. The other party whose name is attached to the circular urged that the Government should place a very considerable duty, nearly double what at present prevails, on iron made from scrap and rolled into bar and sheet iron.

Mr. BLAKE. The hon. gentleman knows how this thing has worked under the duty of \$3 with respect to the Londonderry Company as compared with the bar iron makers; the hon. gentleman's proposal will aggravate the present state of things. An advantage as against the other manufacturers of bar iron in the country, made not for sale, but principally in their own works made from raw material with a duty of \$2 a ton to be then converted into bar iron. Now, in addition to the duty of \$2, a bonus of \$1.50 a ton is given; so if, taking the Londonderry Company, they make 30,000 tons, and use the bulk of it in making bar iron, they will have an advantage of \$3.50 a ton over those who are obliged to import, whether of scrap or other iron, &c., and they will have a certain protection over the importers of scrap. Scrap iron is free, and they will have a benefit of \$1.50 a ton over the importers of scrap, and of pig iron \$2, making an advantage of \$3.50 over those who import pig iron for the purpose of manufacturing bar iron; that will be with relation to those engaged in the production of the raw material for bar iron as opposed to those engaged in the conversion of the raw material, pig iron or other iron, into bar iron. It has so worked, to the extent of the duty, in past times. It has been different from the case, if simply the Londonderry Company, or some other company, manufacturing pig iron, sold it in the general market. I know that they sell a considerable quantity of pig iron in the general market, or if not in the general market to particular industries, and I believe that the bulk, or a very large portion of their trade, has been in finished articles; and I suppose that it will be now still made in the finished article, in which, too, they obviously gain an advantage. If the same course is to be pursued with other companies as the hon. gentleman suggests—and obviously that is his expectation, because the country is not limited to the supposed production of pig iron, to the importation and present production of pig iron, because there was bar, and that would be produced by companies who also convert it—it is quite clear that the extent of the bonus and duty given, will involve a very considerable enhancement of the cost of bar iron, paid partly by the consumers of bar iron, so far as this duty is concerned, and partly by the whole public, in so far as the bounty is concerned; as far as I can understand it, that will be the result. Then I was anxious to ascertain from the hon. gentleman what was the number of companies that produce pig iron, which he expected would be inaugurated by this system; and he has

Sir LEONARD TILLEY.

not, of course, been able to give us a good statement of that at all; but suggested two, as I understood him, at Ottawa, and one at Belleville. May I ask him whether either of these companies, or have any persons, who have applied to him on this subject, ever made suggestions as to the difficulty created by the coal duty in the prosecution of this industry.

Sir LEONARD TILLEY. Yes; they have. They stated that as one of the difficulties they had to contend with—I now refer to Ontario.

Mr. BLAKE. Yes.

Sir LEONARD TILLEY. The western part of it. Now, let me follow up the statements made by the hon. member. He says that the duty of \$2 per ton on pig iron produced in this country operated to the disadvantage of the rolling mills. If this statement be correct—and I know that this is the allegation made by some parties now under this proposition—then I would have to take back very largely the statement I made, that up to the present time the imposition of \$2 on pig iron was an increase of expense, because if it has the effect that the hon. gentlemen alleges, and decreases the profit of the rolling mills, then they must have sold the iron produced from pig, when manufactured, at a less price, than they otherwise would have done, in order to so affect the rolling mills—there is no question about that. If as the hon. gentleman says this has a very damaging effect on the rolling mills, the only effect will be the reduction of price by the party manufacturing, who made pig and put it into bar iron. If that was not the case, and he simply had a profit of \$2, then the man who made iron out of scrap was not injured, because he gets the benefit of the increased price. Let me say this with reference to the position of the man, or company, that manufactures from scrap, at present, as compared with what it was in 1878. Then scrap was free as it is to-day, and bar paid 5 per cent.; and the rolling mills had only 5 per cent. protection. Now, scrap is free, and the products of the rolling mills have 17½ per cent. protection; that is the difference between the two; and I do not hesitate to say that the other rolling mills in the country are perfectly satisfied with this state of the case. I have heard nothing against—on the contrary, as far as the Montreal rolling mills are concerned, they approve; and the only difficulty at Hamilton, is, they say, because in the city of Montreal scrap iron is not subject to the same competition as there, where they are near Buffalo, which has large iron works that buy scrap, and consequently they found a difficulty in getting raw material, which is scrap iron; but my hon. friend will see that if there is anything in this argument at all, and in the statements made here, it is clear that this duty of \$2 imposed on pig, and the bounty to be paid, will reduce the price of the article produced in these industries.

Mr. BLAKE. Not at all.

Sir LEONARD TILLEY. Otherwise it could not touch the manufacturing industries.

Mr. BLAKE. Hear, hear.

Sir LEONARD TILLEY. That is the fact. The hon. gentleman may say "hear, hear," but he knows, and feels that, if his position is correct, this must be the result.

Mr. MACKENZIE. If the hon. gentleman thinks so, why does he not impose a larger duty?

Sir LEONARD TILLEY. I do not think so, and I have not said so; but that is the argument put forward by hon. gentlemen who come down here, and by the hon. gentleman who has espoused their cause. They really state that the effect will be to cheapen the article. I need not enlarge on this subject. Our object was to establish sufficiently the industries of the country, since we have plenty of ore to produce all the iron we want. No industry named, or scarcely none, in fitting an article for market, employs so

much labor from the time of the excavation and removal of the ore to the place where it is burned, to the time of finishing the product. Take the coal necessary out of the mine, this is converted into coke, in order that you may put the ore in a condition for smelting; and the whole of the operations of smelting, rolling, and everything connected with it is work from the beginning to the end; and, therefore, if there is an industry in this country which really I think—and I am sure that this is the feeling of the House—can be developed by us to produce here this article without materially increasing the price, this is one; and even if for six years it did increase the price for the purpose of developing and placing this industry in a firm position, this would be advisable. And as competition is so great, and prices so very low, I feel that the true policy—and the Government so recognizes it, and I am expressing their opinions on this subject here to-day—even if it costs us something more for the iron for a short time than otherwise would be the case—is to aid this industry in the manner we propose.

Mr. McLELAN. The hon. gentleman has referred to the Londonderry Works, and to the benefits which they are to receive from this bounty of \$50 a ton. We will suppose that it does amount to a considerable sum; but the hon. gentleman should know that the Government is receiving from that company's operations, through the Intercolonial Railway, about three times as much in freight traffic as the whole of this bounty can amount to per year. There is another point: The operations of this company have been going on for some years in the smelting and manufacture of pig iron, and a portion of it has been converted into bar; but it does not compete with the other rolling mills in this country, because they manufacture a different quality of iron, which does not compete at all; but the Londonderry Mills roll from scrap as well as from pig, and that quality, perhaps, does come into competition with other rolling mills. And what they manufacture there from their own pig iron is of such a superior quality that it does not interfere at all with the other rolling mills which roll from imported scrap iron, or scrap iron obtained in the country. The hon. gentleman said they are in a position to roll cheaper, but they would gain just as much if they sold every ton of pig iron they could make and receive the bounty, as if they were to manufacture it into bar iron. But there cannot be any competition with the quality of iron manufactured with their pig iron.

Mr. BLAKE. What are the freights of this Londonderry company over the Intercolonial?

Mr. McLELAN. My information is they exceeded \$100,000 during last year, and as they are running two furnaces instead of one, there will be an increase in the quantity of fuel required for the increased output. It will probably bring it up to about \$150,000 for the ensuing year. For fuel alone they will require 130,000 tons.

Mr. BLAKE. In the first place, I do not think that the assertion of the hon. gentleman, that the freights of this company are such a great advantage to the Intercolonial, is quite correct. So far as I can judge, the freight rates are extremely low. I notice that the Intercolonial Railway does not pay its way, and I have no doubt that the coal freights for the Londonderry company has something to do with that fact. In the second place, if you take the \$2 duty and the \$1.50 bounty, on 30,000 tons, we have \$105,600.

Mr. McLELAN. We are speaking of the bounty alone.

Mr. BLAKE. But I am speaking of both, because the hon. gentleman has piled Pelion on Ossa by giving them the advantage of both bounty and duty. It would not do to put the duty at \$3.50, because that would not reduce the price of the raw material to other consumers, so instead of giving them the advantage in that way, the public are

to pay about \$1.50, and the consumers—who are the public—are to pay the other \$2. That will make an advantage of \$105,000 to this company against an estimate of \$150,000 for freights in the coming year, which is not quite in the ratio of three to one, though I admit that the hon. gentleman's calculation is different from mine, inasmuch as he takes the bounty only; but I say that the advantage to the Intercolonial is, perhaps, more than questionable, having regard to the rates. But we have departed a little from the point to which I directed the hon. gentleman's attention. He said he acknowledged that some of the persons with whom he had been in communication before the Session, with regard to the expense of coal, made a difficulty. These persons were short-sighted enough to believe that the duty on coal had enhanced the price.

Sir LEONARD TILLEY. They alleged that.

Mr. BLAKE. And they are the persons upon whose representations the hon. gentleman is acting.

Sir LEONARD TILLEY. We do not accept all their representations.

Mr. BLAKE. No; some of them are heretical, and some are orthodox. They are heretics when they say that the coal duty does increase the price, though they are orthodox in other respects. But they propose, as a means of encouraging the industry that the duty should be reduced or abolished.

Sir LEONARD TILLEY. Yes; that proposition has been made by several manufacturing industries.

Mr. BLAKE. And by these?

Sir LEONARD TILLEY. By two of the parties who are applying.

Mr. BLAKE. And they argue that the duty on coal was about equivalent, or more than equivalent to the proposed bounty?

Sir LEONARD TILLEY. No; because they did not know what the bounty was.

Mr. BLAKE. They wanted a larger bounty?

Sir LEONARD TILLEY. Some of them did.

Mr. BLAKE. How much?

Sir LEONARD TILLEY. Some mentioned \$5 to \$7 a ton, and some who had worked under the American Tariff wanted \$20 a ton.

Mr. BLAKE. Persons who had been accustomed to the high Tariff of the United States and understood all about the duties of the hon. gentleman's system wanted \$20 a ton, but the people from England made a more moderate demand. Is that what we are to understand?

Sir LEONARD TILLEY. They were not from England, they were Americans and Canadians together who named from \$5 to \$7. They would have been satisfied with \$5.

Mr. BLAKE. Was that with the coal duty on?

Sir LEONARD TILLEY. Yes.

Mr. BLAKE. Was it inclusive of the existing duty?

Sir LEONARD TILLEY. No; it was a specific duty.

Mr. BLAKE. The hon. gentleman did not see his way clear to go that far.

Sir LEONARD TILLEY. Not quite.

Mr. BLAKE. And so he goes about half; there were no English capitalists.

Sir LEONARD TILLEY. There are English capitalists connected with the Ottawa operations, but the others at Belleville and Port Dover were Americans and Canadians.

Mr. BLAKE. Are these the persons to whom the hon. gentleman referred last Session, when he said he had been in communication with some capitalists who were prepared to invest millions in the country?

Sir LEONARD TILLEY. Yes; some of the Americans connected with these operations.

Mr. BLAKE. Then, the statement at that time was not that they would manufacture in case the Tariff, as it stood, was maintained, but in case further encouragement was given to the extent of \$5 to \$7 per ton.

Sir LEONARD TILLEY. They were to get further encouragement.

Mr. BLAKE. Then I say that the hon. gentleman was very unfortunate in the mode in which he communicated the proposals of these manufacturers on that occasion, and there are other hon. gentlemen of the Administration who also were unfortunate in that respect. What was stated to this House and to this country before the last Election was, that there were millions of capital awaiting investment in the country if the permanence of the Tariff as it stood was secured; what was true was, that there were persons who said they would invest millions provided the Tariff was altered further to their advantage; and they demanded, as a condition to that investment, a specific sum of from \$5 to \$7, while the hon. gentleman proposes only an aggregate advantage of \$3.50. So the condition upon which they were to come here was a condition which the hon. gentleman had not decided to give; which he never decided to give; which these people never thought they would get at all, and it was not a condition of the maintenance of the existing Tariff.

Sir LEONARD TILLEY. The position was this: These gentlemen came here and asked us what the opinion of the Government was with reference to the permanence of this policy. They said they knew the policy was one to protect the industries of the country as they were being developed. The answer the Government gave was, that there was no question about the permanence of this policy. The reply we met with was: "We are led to think differently." The *Globe*, the paper most read in the United States, says that whenever the people shall have an opportunity of expressing their opinion of the policy, it will be repealed; if we are satisfied that the policy of the Government is a permanent policy, then we are satisfied to come in and invest our capital.

Mr. BLAKE. Provided—

Sir LEONARD TILLEY. No; those parties put the proposal in general terms. In discussing the subject, these men said: "We understand that your policy is that when capitalists are ready to come in and develop the industries of the country, you will give them protection." We said: "Yes; we judge, by thirty-five bye-elections which have gone in favor of the Government, that the policy will be sustained; and we say to you that if that policy is sustained, such a duty will be imposed on iron as will be justifiable, and as will be sufficient to encourage the development of our iron resources." We promised that the matter would receive our consideration and our encouragement, and that promise we are fulfilling by asking Parliament to grant this encouragement, and I have no doubt what the result will be.

Mr. BLAKE. Yes; but what the hon. gentleman told Parliament and the country was that there were millions of capital waiting to come in, only if the capitalists were assured that the Tariff would be permanent.

Sir LEONARD TILLEY. No; it was not. Let the hon. gentleman look at *Hansard*, and he will find no such statement.

Mr. BLAKE. One of us at a time. If the hon. gentleman had told us that the conditions were the imposition of further duties, and the granting of further bounties, then he would have told us what the exact state of the case was; and if he had gone further, and said: "We offer you the

investment of millions of capital on these conditions, and we propose an Act of Parliament for the imposition of these duties, and the granting of these bounties; and we will take the sense of the people on this proposition," then he would have stated the facts as he intended them to be. But he did not tell Parliament, or the country, that the condition on which these persons was to come in was the adoption of large bounties for the manufacture of pig iron. If he did, let him point to the paragraph, or the phrase in which he announced that condition. He did not say that it was only on condition of large additional duties—aye, very much larger than what he now proposes, viz.: a specific duty of from \$5 to \$7 a ton—that he would attract these millions, which he told us could be attracted if the Tariff was maintained. What he now says is, that they could have been obtained if the Tariff was advanced.

Sir CHARLES TUPPER. Do I understand the hon. gentleman to say that the hon. Finance Minister, in the statement he made last Session, stated that those millions that were about to be brought into the country, were to be brought in alone in connection with the iron industry?

Mr. BLAKE. No; I do not.

Sir CHARLES TUPPER. Well, then, I fail to see the object of the hon. gentleman's speech.

Mr. BLAKE. Perhaps the hon. gentleman did not hear the beginning of this discussion.

Sir CHARLES TUPPER. Well, perhaps I was unfortunate; but I gather that the hon. gentleman is charging the hon. Finance Minister with want of candor to the House in his statement previous to the Election.

Mr. BLAKE. I am.

Sir CHARLES TUPPER. Because he said that the confirmation of the National Policy by the country, would, he believed, result in bringing millions of capital into the country for the development of Canadian industries. The hon. gentleman finds a foundation for want of candor on the part of my hon. friend, by saying that if additional protection were given to the iron industry, capitalists would be prepared to engage in that industry. The two statements are quite correct, and they do not conflict one with the other. My hon. friend stated his belief that the confirmation of the National Policy by the people would remove the doubt that hon. gentlemen opposite had for four years been thrown upon its permanency. From day to day they confidently stated, that the moment the people got the opportunity, they would sweep away the policy, and the Administration with it. That was the cry from the first moment the National Policy was placed before this House and before the country. That cry was taken up outside by the Opposition press, and was echoed and re-echoed, not only in this country, but all over the world; and people who did not understand the hollowness of the statements of hon. gentlemen opposite, as we understood them, attached too much importance to them, and believed them. The right hon. gentleman who leads the Government, felt, under the circumstances, that the best service he could perform to the country was to set that question at rest, and he took the only way in which he believed he could silence these hon. gentlemen. But it appears that even in that he was mistaken; for, although we went to the country, and the overwhelming voice of the people re-affirmed their confidence in this policy, and their desire that it should be maintained, yet we are told that it only rests on a foundation of sand. The statements of the hon. Finance Minister were well founded. He merely expressed his belief—his confidence—that the confirmation of the National Policy by the people of Canada after four years experience, would lead to the bringing of millions of additional capital into this country to develop its resources. Were his statements well founded or not? Sir,

Mr. BLAKE.

there is not an hon. gentleman in this House to-day who does not know that the decision of the people of this country to maintain this policy in all its integrity would be to bring in additional millions; and those additional millions are coming in to-day, as the hon. gentleman knows. Industry after industry is being established, capitalist after capitalist is coming in. I can myself name one concern which is bringing in a million of British capital to establish an industry, not a dollar of which would have been seen in this country if my hon. friend's confident predictions had not proven to be well-founded, and the people had not at the polls confirmed the policy of the Administration. I had not the good fortune to hear the opening remarks of the hon. gentleman opposite, but I judge that he wants to narrow the question down to statements made with reference to the iron industry. Why, Sir, there was no want of candor. My hon. friend stated that the iron industry was one that the Government judged to be of great importance, for the reason that the wealth created by the development of this kind of industry, is almost wholly devoted to payment for labor. Thus it became an industry almost above all others that deserved the fostering care of the Government, if, by public aid, parties could be induced to bring in their capital and develop the enormous resources which Providence has given us in the vast deposits of iron ore that exist in the different parts of the Dominion. My hon. friend stated that the Government were considering that question. But he stated with great candor to this House that it was believed, if sufficient protection were given to that industry, a great amount of capital would be brought in and applied specially to its development. Having carefully considered the question, my hon. friend came to the conclusion, and the Government adopted his conclusion, that we would be justified in giving, in the best and least objectionable way, that protection to the iron industry which is found to be necessary in order to be able to give it full and ample development. A great amount of capital has been brought into this country in the development of the iron industry as it is, and a great struggle has been carried on to maintain it, and the amount of protection offered of \$2 per ton has not been sufficient to encourage additional capital being brought into the country, or even scarcely to maintain the industries already started. Under these circumstances, the policy propounded by my hon. friend, with the same confidence as that with which he propounded the National Policy will be attended, I believe, with equally good results. I know of no measure, after the most careful investigation of this question, that can be adopted—no single point to which my hon. friend can turn his attention as inviting and developing industry, which will give a greater amount of employment, in proportion to the industry itself, to the people of this country, than the protection proposed to be given to the development of our iron industry. I have no doubt my hon. friend will receive the same support from this House in this measure that he has received in the great change in our fiscal policy which, four years ago, he submitted to this House. I have no doubt the result will be equally satisfactory, and that the voice of the sovereign people of this country will, when the opportunity comes, endorse this policy just as emphatically as, on a recent occasion, they endorsed the National Policy.

Mr. BLAKE. I am sure we are all glad to hear the old voice singing the old tune, delivered with some of that old time vigor, not to say vehemence and breadth of expression, with which those who have sat here some time are familiar. I told the hon. gentleman, when he began, he could not have been here at the beginning of the debate, or he would have omitted some things that he said, because it will be remembered by those who were present then, that I enquired of the hon. gentleman at the commencement whether his statement as to his having been in communication with parties who were proposing to invest millions

in the country if the policy were maintained, applied to the proposal on the subject of the iron question, and he answered: "Yes, it did." I did not hear him say exclusively, but that it did apply to that.

An hon. MEMBER. That is the whole case.

Mr. BLAKE. It is not the whole case. No doubt the hon. member for Colchester, (Mr. McLellan) who represents the iron works, conceived it was the whole case; but the hon. member for Halifax ought to have taken a broader view, even though Colchester does lie in the limits of Nova Scotia. The whole case is, that, having in his eye, thought and mind the persons who were proposing to invest millions in the iron industry, the hon. gentleman said maintenance is the condition; but now we find it is not maintenance, but the aggravation and the extension of the policy in a manner that he does not venture to propose to the House to-day that that was the reason of the transaction. There is another point. We have been more than once reminded, and reminded with propriety—although those who reminded us ought to have had their mouths closed by the observations they have made—that persons who have engaged in commercial or manufacturing enterprises must be competent for the task, and that no Government, no Parliament, no Tariff even, can protect from disaster those who do not bring to the accomplishment of their proposed ventures, those qualities of mind, and that vigor, experience, determination and good judgment, which are essential to the execution of them. The Government has said: "We do not pretend to be able to keep every man from failing, to give every man success; all that we give is a fair chance, and the rest depends entirely upon energy, discernment and good judgment." Now, what will the hon. Minister of Railways think when I tell him that amongst those things that were developed in the discussion before he came here, the men whom it is proposed to introduce into this country to develop this general enterprise, which he says has required and will require so much on the part of those who develop it to succeed—that the men whose application has received the favorable consideration of the hon. Minister, are so short sighted, so dull, understand so little the true bearings and conditions of this country, that they actually believe, in what they call their minds, that the duty on coal increases the cost.

Sir LEONARD TILLEY. I will narrow the question down to the iron question, and stand upon that alone. When we are dealing with the hon. gentleman who has just taken his seat, we are dealing with a man of no ordinary ability, and whose professional position places him where he can cross-question a witness, and if possible get that witness to state what is not the truth. Members of the legal profession understand that perfectly well, and that hon. gentleman put into my mouth what I never said, and asked this House to condemn me. He said I came down here and said to the House that these men who were anxious to bring in their capital, said: "If you continue the present duty on iron we will come in with our millions."

Mr. BLAKE. To maintain the policy.

Sir LEONARD TILLEY. I ask the hon. gentleman to point to any statement of mine to that effect; it would be utterly inconsistent with the facts of the case. The hon. gentleman knows well that an application had been sent to the Government signed by forty members of the House to increase the duty on iron. What answer did I make? Did I say, as I would have said were the statement of the hon. gentleman true: "You cannot have a cent more." No; but I said that the Government, as anxious as we were to develop this industry, would give it between this and the next meeting of Parliament, the most careful consideration. That was the answer. If he had said these capitalists were prepared to come in here under the

present duty, it would have been inconsistent for me, in the same breath, to say that the Government would give the most serious consideration to this question. The hon. gentleman wishes to put me in the position of having made a false statement. The policy of this Government is a Protective policy. We have said we are determined to make it a success. We must, in order to meet the prejudices, to a certain extent, at any rate, of pre-formed opinions, introduce it with the small edge of the wedge first; and as we are able to show the people that by the imposition of additional duties, by the competition that will grow, as the result of that, they obtain the articles they consume as cheap as before, the people then will say: "Go on extending and widening that policy." We might have said to the people of the country: "We have carried the policy in the Tariff as it stands;" but we do not say that, we say that the country has endorsed this policy; we do not say they have endorsed the policy just as it is—though we might have said so—but that the country has declared it is right, and in the general interest, to give Protection to the industries of the country. And if our present Protection is not found sufficient, we have said, and I say it here, it will be the policy of the Government, where it does not lead to sufficient competition, to give the people an article at a low price, to give more Protection, because we will have this market for our people if we can. In this case it is likely. \$2 a ton costs the country something, but they all contribute to it, it will be taken out of the general Treasury. But if we can put thousands of men to work in mining our ores, in the development of our coal, and in converting it into coke and the smelting of this iron, we create a large industry in the country, we give employment to the people, who will eventually get their steak as cheaply as before. That is the policy of the Government, and this is the outcome of that proposition. I have pointed out clearly to the House that it would have been inconsistent—and I never could have said what I have been charged with—I assured the forty members of this House, who put the question to us, that we would give the subject our most careful consideration, and see what additional Protection we would give.

Mr. MACKENZIE. The hon. gentleman complains of having words put in his mouth. Now, I observed carefully the words used by the hon. member for West Durham, and they were "to maintain the policy," I am positive these were the words.

Sir LEONARD TILLEY. The last term he used was "to maintain the position." But the hon. member went further; he drove it home, and he said I had stated that we would extend it.

Mr. MACKENZIE. In no Ministerial manifesto that I saw, nor in the words put into the mouth of the Governor General, nor in the Ministerial address to the electors, have I seen it announced that it was the intention of the Government to increase this rate of taxation. No indication has been given that the present rate would not be sufficient, and the hon. gentleman and his colleagues in that respect carried the country by false pretences.

Mr. BLAKE. When the hon. gentleman spoke about millions which were about to be invested, as he had received assurances on certain conditions, he did not say what industry those millions were to be invested in. He said he had application from capitalists involving the investment of millions if the Government was consistent in this policy—I cannot give the exact words—but it was a policy of maintenance. That is plain, because the first question I asked the hon. gentleman was this: when the hon. gentleman made a statement about millions was he referring amongst other things to iron? I did not know that he was referring to iron; he did not tell the House to what he was referring on that occasion, and I had to ask him.

Sir LEONARD TILLEY.

Sir LEONARD TILLEY. I made a special statement about iron.

Mr. BLAKE. In answer to the late hon. member for King's, when he read the memorial of the forty members, he made a statement that was indefinite. That is the habit of the Government. If we ask whether a bridge is to be built at Oromocto? it is under consideration whether; a law is to be produced? that question is not yet decided. The hon. gentleman made an answer of that kind on that occasion. He declaimed about millions, but he did not refer to iron in terms, or to any other particular industry; he, therefore, did not connect that investment in his statement to the House and public with iron. I was obliged to ask him, was he referring to iron? He says, to-day, that he was referring to iron, at any rate, amongst others. And his reply to me was, that if I was referring to iron alone, he did not say so; but what he did say was, that promises or representations were made as to an investment of millions, dependent—I will not be tied down to a word, for I do not remember the exact words—but dependent, not upon an increased Tariff, but the maintenance of the policy of the Government as it was then in operation, and upon which they went to the people. But now we understand the whole thing. The hon. gentleman, in denying the accusation of want of candor, has himself condemned himself in that regard. What does he say? He says: "We have to go on by degrees, we have to introduce the thin end of the wedge." They get the thin end of the wedge in—the hon. Minister of Railways knows all about the thin end of the wedge—they have got the thin end of the wedge in, and he says now we will drive it home.

Sir LEONARD TILLEY. I would call the attention of the hon. member to the fact that while we have been driving it home in one direction, we have been withdrawing it in another. We have been taking it off tea, coffee, tobacco, tin, and a variety of other articles; we took off the stamp tax; and we have been able to do it because we have been driving it home in other directions. I thought I was going to make the case the strongest possible by confining it to iron, and hon. members who were in the House last Session will recollect that I made that statement. I made it last year, when this capitalist came to me and represented to me that he was concerned about the permanency of this Tariff; he was afraid it would not be permanent. He mentioned the hostility of the *Globe*, which was the paper most read in the United States, and its prediction that if a new Government came into power the Tariff would be changed. I repeated this conversation in the House, and I am confident the substance will be found recorded in the *Hansard*. Therefore, I say that our present proposition is perfectly consistent, for we have never declared or intimated that we would not go a step beyond the present rates whenever the public interest seemed to require it. Those forty members know that the Government gave them encouragement to expect it, and that was not a hole-and-corner matter. The hon. member knew that statement was made here, and when he asked me if it was not the case, I said that the most careful consideration would be given to the subject.

Mr. CAMERON (Victoria). The hon. member for West Durham has endeavored in several speeches he has made to this Committee with a great many words, and I must say with words that seem to me to contain a great deal of sophistry, to convict the hon. Finance Minister of want of candor, of inconsistency, in some statement he has made in the House upon the question of the introduction of foreign capital into Canada. I have listened attentively to what the hon. gentleman opposite has said, but I have failed even to follow his line of argument, no doubt owing to my own obtuseness, or perhaps to the very great number of words in which he wrapped up his argument, and at all events I have failed

to see the point of the argument which he has adduced. He accused the hon. Finance Minister of want of consistency, because he asserted on some former occasion that the Tariff was to be permanent in all its details, and that it would be the means of introducing foreign capital. I am quite sure the hon. Finance Minister never said one word to intimate that the Tariff was to be permanent in all its details, or anything beyond the fact that the policy of Protection was to be maintained. It has always been intimated that the Tariff was to be a flexible Tariff—it was necessary that it should be so, and that it should accommodate itself to the variations and wants of the trade; and I am sure that every supporter of the Government on the platform and elsewhere, at the last Election, declared that such was the policy of the Government on that subject. Then as to the want of candor, I fail to see wherein it consisted. What has all this wordy discussion amounted to? What we want to know is whether it is desirable to endorse the proposals of the Government and to vote for the increase by way of bounty of the protection given to manufacturers of pig iron. That is the point before us. To speak on what was asserted on former occasions, or to play on words as to whether this was said or not, is wasting the time of the House. So far as regards the advantage and necessity of the proposed increase, I am prepared to support it, and I would not be doing my duty to my constituents if I did not support it, not only by my vote, but also by my voice. Since the introduction of the policy of Protection the iron interest in my own constituency has been investigated by capitalists, all, or nearly all, Americans, who came there and examined the iron deposits, and considered the subject of erecting smelting works. They have exported, and are exporting some of the ore in a crude state; but they saw an opportunity of manufacturing iron on the spot, which we all know is infinitely more advantageous to the country and to the particular district in which it is carried on, than is the exportation of the crude ore. Before the last Election they were considering the subject. They, however, read the *Globe*, and they asked the question whether this policy was to be permanent or not. They understood that the permanency of the policy depended on whether the Government continued in power after the Elections. They made representations to the Government, and hon. members who are interested in developing the iron interests, made representations either verbally or in writing—I made them both in writing and verbally—that \$2 a ton on pig iron is not adequate to induce the introduction of foreign capital for the manufacture of pig iron in Canada. The Government said they would consider those representations, as the hon. member for West Durham sneeringly said, they would consider a question regarding a remote harbor in Nova Scotia; they declared it was an important subject, and one which required due regard to be paid to every interest, the interest of the consumer as well as of the manufacturer. It being understood that the Government had these representations under consideration, the Americans continued to turn their attention to the subject; and during my election I met American gentlemen who proposed to put up smelting works in my county; and they assured me that unless the present Government were returned they would not put one dollar into the enterprise, and they awaited the result of those Elections before they continued their preparations and invested any considerable amount of money. They commenced preparations beforehand, believing the Government would be sustained; but at the same time they said: "We are doing this in the expectation that the Government will perceive that \$5 per ton is not sufficient protection, and either, by way of additional duty or bounty, will increase the protection given to manufacturers of iron; and if they do so we will go into it heartily, and place a large amount of capital in the manufacture of pig iron." And they have done so. They have put up smelting works

there and given employment to a large number of people. They have bought all the cordwood they could obtain—because they are going to make charcoal iron—from the halfstarving settlers on the rocky lands in the northern part of my county, which wood they could not dispose of, and which they would have had to burn in order to cultivate the soil. They are buying all the cordwood they can team to the works. This enterprise has introduced labor in every direction. A large village has sprung up at the place, and farmers can sell their potatoes, vegetables and poultry to the men who are there now, whereas formerly there was no market. It has introduced quite an era of prosperity into what otherwise was a very poor district, and likely never to go ahead and prosper. I say, therefore, it is the duty of the House to lay aside special pleadings as to whether the hon. gentleman made certain statements on former occasions, or whether their words can be twisted in this direction or that, and to consider the important question before the House, whether the passage of this resolution is calculated to advance the best interests of the country at large.

Mr. CHARLTON. I do not think either the hon. member for Victoria (Mr. Cameron), or the hon. Finance Minister, is warranted in charging the hon. member for West Durham (Mr. Blake) with want of candor. I would ask the hon. Finance Minister if he is prepared to assert that there was anything in his language in relation to the iron industry which could warrant the country in believing that he intended to increase the duty 50 per cent., and that he would make a flank movement as he has done in this case, and place the duty in the form of a bonus, and tax the country for the benefit of the iron interest. I maintain that the people were not informed as to the policy and intention of the Government when they went to the polls at the last Election. I maintain that the people were deceived, and that the Government did not prepare the people for the announcement of the policy now made in connection with the iron industry. We have every reason to believe, from the assertions made by the hon. Finance Minister, that this is but the entering wedge, and that he may, even yet, advance the duty on pig iron to \$7 per ton, as he tells us manufacturers desire him to do. That hon. gentleman, in the course of his remarks a few moments ago, drew the very glowing picture of the benefits which the granting of bonuses were going to confer on the country; that the result would be to put thousands of men at mining ore and producing iron—I took down the hon. gentleman's own words, and these are his exact words. I understand that the importations of pig iron, not manufactured, last year, amounted to 63,000 tons. The utmost he can hope to accomplish is to produce in Canada the whole quantity of iron imported from abroad. How many thousands of men will be employed, supposing the product is 63,000 tons?

Sir LEONARD TILLEY. There are 1,100 people employed by the Londonderry works, which produced 15,000 tons last year.

Mr. CHARLTON. I see, by referring to the United States statistics, that the average production of pig iron is 112 tons per man in the blast furnaces. According to that proposition, an output of 62,000 tons would give employment to 552 men, and the men employed in mining coal and other work might be as many more. The utmost number, therefore, that could be employed would be 1,500. And the country at large is to be taxed to the amount of \$94,500, in order that we may employ 1,500 men. The hon. gentleman can easily figure out how much per head this country will have to pay for that privilege. The assertion made by him that the granting of this bounty would be the means of giving employment to thousands of additional men is a specimen of the broad, unwarranted assertions made by hon. gentlemen opposite as to the advantages

their policy will confer on the country. When you come to analyze their statements and promises you find they will not bear the construction placed upon them, that the country has been deceived, and that it has been led to expect greater advantages from this policy than it actually receives. It is a fair specimen of the extravagant assertion and extravagant promises made by the advocates of this policy, as to the advantages which the country is to realize from the adoption of the policy which they propose.

Mr. McLELAN. The specimen which the hon. gentleman has given us is just a fair one of the course which they have pursued all through, since this policy has been started. He makes the calculation that 1,500 men will produce all the pig iron required in this country. I remember what 500 men can produce; but the employment of 500 men is a trifling matter, he will say. The hon. gentleman forgets that, in the manufacture and production of pig iron, other industries depend upon it, and will be enlarged, as stated by the hon. Finance Minister. The Londonderry works have produced 1,500 tons during the past year; and the industries connected with it, and the works depending upon it, and which are in operation there, have employed at least 1,100 men; and their disbursements during the last year, when they produced 1,500 tons of pig iron, have been over \$500,000 to the labor of the country. Some hon. gentlemen have referred to the fact that, in their district, the markets were improved; and I say that, in the neighborhood of this industry, the Londonderry furnaces, one of the best markets for agricultural produce in the Province of Nova Scotia is to be found. The men there employed receive high wages; and they must have the best of everything that the farmers can produce, and they pay for it the best prices, which is one of the advantages realized. I remember that the hon. gentleman made the same calculation with respect to the sugar industry; that a few men would produce—or wash as they call it—all the sugar required in the Dominion of Canada; and he took the ground that it would be better for the people of this country to place these men on the pension list and pay them off; so they would go on with one industry after another until they would wipe out every industry we have, and have foreigners produce these articles, putting our workingmen on the pension list. The hon. member for West Durham paid me the compliment of calling me the representative of the Londonderry Iron Works here. I take it as a compliment that he should call me the representative of one of the greatest industries in the Dominion of Canada—an industry which, as I said before, has employed 1,100 men during the past year, when it only produced half of what it will produce in the coming year, and disbursed for labor over \$500,000—I say it is a compliment, and I feel a pride in representing one of the industries of our own country; but I should be ashamed, if I misrepresented that industry in this House, or elsewhere, and declared that the products and manufactures of this industry were inferior to those manufactured in the neighboring country. I should be ashamed, too, if I were the representative of American industries in this House, and if I endeavored to persuade the people of Canada that it were better to let our own people go idle, and employ the manufacturers of the United States and other countries in furnishing the goods required by our people. The hon. member from North Norfolk speaks of the increased taxation under the proposition, and under the policy propounded by the hon. Finance Minister this Session; but there is no increased taxation placed on the country. It was never supposed, it was never intended, and the country never supposed for a moment, that the Tariff of last year would be unchangeable, no matter what the verdict of the people would be; that there is no increased taxation on this article or in the policy brought down this Session. I can tell the hon. gentleman what would bring increased

Mr. CHARLTON.

taxation: to carry out his policy, and to have the people of this country idle. There is no greater taxation that can be placed on a country, than to have idleness among the people, and the employed. You give the people of a country, and the laboring men of a country, employment, and pay them good wages, as is the case at the London Iron Works—and I trust that many more men will be employed in the iron industries which will be developed under this system—and you remove taxation from that country practically. The greatest taxation which you can place on a country is to let the laboring class go idle.

Mr. WRIGHT. On behalf of the inhabitants of the great county which I have the honor to represent, I beg to thank the hon. the Finance Minister for introducing these resolutions. I was among the forty gentlemen who urged upon the Government the propriety of protecting this great iron industry. As the hon. Finance Minister has told us, he could then give us no promise in that direction, but he promised to consider the matter. He has considered the matter, and we have the result of that consideration here to-day. I entirely disagree with my hon. friend from North Norfolk with regard to the effect which this will have upon our country and upon our population. I knew that in my own county it will give employment to thousands. Within five miles of the very place where we now sit we have immense deposits of the richest iron ore, and every possible facilities for manufacturing it; and I can say myself, that many gentlemen have passed my house, and have come to it, since this motion was spoken of, with the view of investigating into and examining our iron mines in that region; and I have no doubt that they will make a move in the direction of the erection of furnaces; and a great industry in that way will be developed, benefiting our people immensely, and affording a local market, while additional benefits will be conferred on our people. I would say another word with regard to this policy: It will have a special effect on the people of the Province of Quebec, which has great facilities for manufacturing immense deposits of iron ore, valuable water powers, and an intelligent, docile, and an industrious people; and I think, moreover, that it will have a most beneficial effect on every great interest in our country. In my own county, as I have said, within five miles of this place, we have millions of tons of iron ore, some of which have been taken away; and regret to see it passing by our door and taken to the United States. The effect of this policy will be to build up our own furnaces, to create a market for our produce, and to advance the great iron industries in our midst; therefore I have no hesitation in heartily endorsing, as I do, this policy, and, as one of the members of this House, and also on behalf of the 50,000 people whom I represent, in thanking the hon. Minister for introducing these resolutions.

Mr. VALIN. I am surprised to see so lengthy a discussion, which—as these debates always do—amounts to the same thing. We are always accused of taxing the people, and principally in connection with the proposition of the hon. Finance Minister to give a bounty of \$1.50 to the pig iron industry; but we say that it will give employment to a great many of our people. With regard to coal, I am astonished that no representative from the Lower Provinces has risen to state what they should know better than I do, and that is this: Since the National Policy has been in operation, we have developed the coal mines of those Provinces. Before this policy come into force, very few steamers were engaged in carrying this coal to our ports; but since its inauguration this state of affairs has been changed. Last year no less than twenty steamers were engaged in carrying coal from Sydney and Pictou to Montreal direct. What an immense quantity of coal was last year brought into the upper Provinces from those

mines; and what a great number of people have been employed in this relation compared with what used to be the case. While a great deal of money has been paid out to the laborers of the mines and to the sailors on the coal vessels, we have encouraged our industries by smelting iron in this country, by which the consumption of coal will also be increased. We have also to remember that this policy has increased the construction and extension of railways in this country. At the last General Election it was sung out on every platform that the price of iron had been increased as well as the price of nearly every other article consumed by the people. On several occasions in my own riding I asked blacksmiths how much they now paid for their iron, and they told me 80 cts. I asked them how much they paid for it before the inauguration of the National Policy, and they said \$1, so there is a reduction of 20 cts. on that article. We never saw coal so high in Quebec as it was last fall; but that does not interfere with the importation of coal, because we enlarge our industry, and, therefore, the consumption is enlarged. It is said that this policy has put taxes upon the people; but in 1878 we had the same cry, and at that time the people were starving in Montreal and Quebec because they had nothing to do. By this policy we have given them something to do, and something to earn, and the result is that the mass of the people are more wealthy and more happy.

Mr. McNEILL. I do not intend to prolong the debate of this question, but I wish to make one observation. It seems to me that if we intend to establish manufactures of iron in this country at all, the sooner we commence the better; and I think that perhaps a statement of the effects of the policy which has been pursued in the United States—a policy similar to that proposed by the hon. Finance Minister—might be interesting to the House. In 1870 there were only 10,000 tons of Bessemer steel produced in the United States; in 1877 the amount had risen to 757,000 tons. During the period between 1863 and 1873 prices fell from \$158 per ton to \$42 per ton, the decline in price being continuous between those two dates. Comparing the years 1880 with 1870, I find that the production has grown in Great Britain in those years to the extent of 17 per cent., while in the United States it has doubled. At the present day the United States produce a greater amount of Bessemer steel than any other country in the world. This has been the result of the adoption in the United States of the policy which it is proposed to be adopted here; and I do not think anyone will consider that such results as I have mentioned would be very injurious to this country. There has been a continuous decline in the price of iron products in the United States. The price of the best refined rolled iron in Philadelphia, in 1844, was \$85.62 per ton; in 1850, \$59 per ton; in 1877, \$52 per ton; while, in 1878, it went down to \$45 per ton. So the result has been that the people of the United States have now got this manufacture in their own hands, while, at the same time, they are getting their iron enormously cheaper than before. I think if the adoption of this policy will produce similar results in this country, it will not be displeasing to the country, or to this House.

Mr. WOODWORTH. I should have added nothing to the debate which has taken place, had it not been for some remarks made by the hon. member for Norfolk (Mr. Charlton). It seems to me that we have heard enough about the country being deceived at the last General Election. The changes have been rung upon that subject sufficiently, and I can scarcely think that hon. gentlemen opposite are helping their cause, or assisting the interests of the people, or enabling them to live any better or happier, by continually dwelling on the theme that the country is going to the dogs, or that the people have been deceived. For hon. gentlemen opposite I entertain personally very

kind feelings—they are naturally of a kindly disposition; but when they touch upon matters political you would think they were a lot of hired mourners, and that everything looked at through their glasses was of a most dolorous and unhappy character. We have heard that in old times it was the custom to hire mutes at funerals, or rather to hire persons who were, some supposed to be mutes, but when they got home after the funeral, or went to their *cafés*, they ate and drank and were cheerful like other men. In this House, to-day, we have a compact serried mass of gentlemen sitting to the left of the Speaker whose business seems to be that of professional mourners, hired for the occasion; and the one who succeeds in putting on the most dolorous look is regarded as the head boy of his class. They are most ably led; but is it not about time that they forsook this kind of warfare, and joined in helping to carry on the business of the country. If they have any objections to the Tariff, or to governmental action in any respect, let them make that objection, but let them not be continually placing on record in *Hansard*, and in the public newspapers, that this country is a splendid place to stay away from. I should judge that they were in the habit of reading the most lugubrious literature.

An hon. MEMBER. The lamentations of Jeromiah.

Mr. WOODWORTH. Yes, perhaps the lamentations of Jeromiah; but it occurs to me that they must also have been reading "The Raven," for with these hon. gentlemen,

"The raven, never flitting,  
Still is sitting, still is sitting  
On the pallid bust of Pallas,  
Just above their chamber door;  
And his eyes have all the seeming  
Of a demon that is dreaming,  
And the lamp light o'er him streaming  
Throws his shadow on the floor;  
And their soul, from out that shadow  
That lies floating on the floor,  
Shall be lifted—never more!"

I went into the Library the other day to ask for Byron's Poems, but I found that the volume containing the poem of "Darkness" had been taken out by an hon. gentleman who is a member of the Opposition. This hon. gentleman did not speak, but I have no doubt

"He had a dream which was not all a dream:  
The bright sun was extinguished, and the stars  
Did wander darkling in the eternal space," &c.

The hon. gentleman did not exactly recite these lines, but one of them recited Sidney Smith on taxation—or rather, he did not recite it, but wrote it on foolscap, and read it. When I heard it, I woke up, and I thought he was talking about a new man named Smith; and I found that it was something every schoolboy knows, and that almost every gentleman in this House must have learned when he was at school. My hon. friends opposite seemed to be acquainted with all that class of literature which would tend to make them unhappy, although a more natural, a more kind, a more cheerful, or a more generous lot of men in private life could hardly be found. But why do they not carry those feelings into Parliament? Why is it that they are always drilled here to put on the habits of mourners, and to take a black cast of everything? Not one of them has a cheerful word in this House. How do they expect to get into power? By telling the people that they are blind, and sick and lame? If you are always telling a man that he is sick, it will not be very long before he is so. Go to any man and tell him: "Your eyes are looking bad; you must be sick." "No," he says, "I feel well enough." Another comes up to him, and says: "Your skin is yellow; you have got the jaundice." "No," he says, "I feel pretty well." Another comes along, and says: "You are looking awful bad." In half an hour you will have that man in bed. Imagine a man sitting down at table with hon. gentlemen opposite in

the same mood that they display in this House; they would make any man dyspeptic. I ask hon. gentlemen in all seriousness to give up this kind of thing. Nothing corrupts good manners so much as evil communications, and nothing makes a man more wedded to a thing than continual iteration. If you meet those hon. gentlemen in the corridors, or in the streets, away goes their mourning; it seems to be professional all the time. Either fence them up or else let them stop this kind of work; let them criticise honestly and fairly any Government measure, but let them do it in a Parliamentary way, or a way in which they would teach their children to do it. If any of their children came up to them and whined as they do here, they would box their ears. They have fallen into this bad habit almost imperceptibly. After they go back to their families, I venture to say that for the first three or four weeks, their children hardly know them; they go home after their business here, totally demoralized, totally changed, like the chameleon. The hon. member for West Durham says we are all going to the dogs, that the country is at sea. When hon. gentlemen opposite heard that the Elections were coming off on the 20th June last, they seemed to be convinced that such was the case. They cried out: "You have deceived the country." The hon. member for West Durham issued his address, a most able and eloquent one, in which he gave the people much more than he gave them on the stump. Look at it now; it is like a lawyer looking at his brief after he has lost his case in which the Judge was against him, and the jury did not believe a word he said. Well, here is the hon. gentleman's address. I do not bring it up to hurt the feelings of hon. gentlemen opposite, or to wound their mournful minds; I do not do it for that; I only do it because it is my duty to do it. The hon. gentleman closes his address in these words:

"But if in the main you value the principles and approve the policy I announce; if you are prepared to condemn the fraud which would cheat our people of a fair representation, the wrong which would deprive us of our Provincial rights, the injustice that would repudiate an international award, the crime which has placed our future in the North-West in the hands of a great monopoly, the additions, in breach of solemn pledge to taxation, to expenditure and public charge."

The very thing that is being discussed now. The people heard this indictment and pronounced that there was nothing in it—that the Government did not break their pledges; but hon. gentlemen opposite again say that the country has been deceived—the same thing over and over again. I wonder that they do not soon get tired of it. Imagine a man looking at his own face in a glass five hundred times in half an hour and not getting tired of it. I will tell you how they made the mistake. They got in, and that is why they say these things. What about the poor fellows who were defeated. They said to themselves: "If I had not told the people such stuff as this; if I had not talked as I did, and had looked a little more cheerful, I might have got in." These men did not get in, and the men who got in think they got in because of their complaints and their gloominess. They did not; they got in in spite of it. Now, I want to say one thing in regard to the hon. member for West Durham, the able leader of the Opposition. I did think that, considering the history of the past, he might have spared the bitter sneer—in which he is so apt, and in which he rivals all competitors—in regard to the Province of Nova Scotia, one county of which I have the honor to represent, and in which Province I have the honor to have been born—a Province whose members, every one of them, on either side of the House love; and we did not come into this House to be sneered at even by so able a man as the hon. leader of the Opposition. We came into this Confederation to help to cement British constitutions on this side of the Atlantic; we came in, as we deemed, at the request of Her Majesty the Queen, who, through her Ministers and her proper officers, had signified

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her willingness and her desire that there should be a confederation of these Provinces, and that under the British Crown they should be thereby strengthened instead of being segregated and isolated as they were. We have continually heard a sneer from the hon. gentleman against that Province. Let him read his speeches on the subject of the better terms—we had not a *Hansard* then, but they are fully detailed in the newspapers of the day—and he now sneers at the hon. Minister who represents the county of Colchester, because it is a part of Nova Scotia. He did not go on to say what we all knew he meant.

Mr. BLAKE. What?

Mr. WOODWORTH. What? That Colchester happens to be a part of Nova Scotia, and there is no reason why it should be benefited by this duty on pig iron. I will not go into the Library and copy Sidney Smith; I will not say that it is the act of a coward who raises his hand to strike, but has not the courage to give the blow; but I will say that the inuendo was that the hon. member came from a small Province, while the hon. leader of the Opposition was from a great Province.

Mr. BLAKE. Hear, hear.

Mr. WOODWORTH. I tell you we from that Province are as capable of taking the meaning of a slur, or a sneer, as the hon. gentleman himself; and I tell the hon. gentleman that until he gets rid of that sectional feeling, that until he gets rid of the feeling that one Province is to be arrayed against another, and that, when it suits him, hidden prejudices should be brought out; until he gets rid of that desire to turn one brother against another, he need never expect to sit on this side of this House and lead the Government of this country.

Mr. BLAKE. I do not want to.

Mr. WOODWORTH. I will say of the hon. gentleman, as a person said of a certain animal that attacked an engine. A bull came down from the hill and rushed against an engine, and a Yankee present, said: "I admire your pluck, but I don't think much of your judgment." Now, the hon. member for North Norfolk, although one of the most pleasant and cheerful gentlemen, personally, in the House, a gentleman who would be the last to enter a *coterie* of professional mourners, indulged in a similar strain, and repeated the same thing over and over again, like the story of old Mother Mory:

"I will tell you a story of old Mother Mory,  
Now my story is begun;  
I will tell you another of Jack, her brother,  
And now my story is done."

He said the people were deceived because there was a bounty to be given to the manufacturer of pig iron. Well, we had heard all about this before. The hon. Finance Minister has explained that the country is not being deceived, that he has not deceived the people either by word or implication; and the word of the hon. Finance Minister in this House and country is equal to that of any hon. gentleman. The hon. Finance Minister also defied hon. gentlemen opposite to show him a word in any of his speeches to bear out the assertion of the hon. leader of the Opposition; and that hon. gentleman, subtle lawyer that he is, could not turn to any such words in the pages of *Hansard*, but said that he had forgotten the words and could not tell exactly what they were. Although he has one of the most profound memories of any gentleman in Canada; although his friends claim that he remembers anything he reads, yet he could not, after having made the charge, substantiate it by evidence. Nor would the hon. member for North Norfolk quote the words. The hon. member for North Norfolk was strangely unhappy in this matter, for, after all, if the people are deceived that would help him. If we are to judge by the statement of the party organs that

support him, anything this Government can do to drive this country into such a state of distress and dissatisfaction that the people will not endure the present Ministry any longer, is certainly an advantage to his cause. When this House was adjusting the different counties of Ontario, so as to give a basis of 21,000 of a population to each member, the *North Norfolk Reformer*, which is said to be the organ of the hon. gentleman, said that when this thing was done the people of Ontario would become exasperated and they would do—what? The Reformers would thus deal with matter:

“Though the Gerrymandering Bill is the most contemptible and cowardly act of a life, stained by all that is mean, despicable, base and fraudulent—

(What a lovely combination of adjectives)

—we will regard it as a blessing if it culminated in placing our beloved Ontario in the great sisterhood of the United States of America.”

That is a loyal sentiment. It commences with this mournful ditty in that lachrymose style for which hon. gentlemen opposite are famous, who lead in the chorus, and then it falls into its natural vent, and congratulates the people of Ontario that this Bill will have the effect of driving them into the sisterhood of the United States. Why the hon. member for North Norfolk, and every hon. member on that side of this House, who is concerned in keeping up a paper like that, should denounce that article, as loyal, honorable men would. They cannot afford to wink at it, for it has gone to the public and has been read far and wide. I do not know that the paper expresses the opinion of hon. members opposite, as a whole, or that it expresses the opinion of even one of them; but all I know is that it has gone to the public, that it has been read by the people of the United States, and, as far as it is concerned, shows them that we are a discontented people, that we do not like Canada and our own institutions, and are only too happy to cut the Gordian knot that ties us to the Mother Country, and go over to the United States.

Mr. CASGRAIN. What about pig iron?

Mr. WOODWORTH. Well, the hon. gentleman heard so much about pig iron that he did not rise from his seat to say a word about it. Hon. gentlemen opposite called up spirits from the vast deep, but they could not lay them again. They had called up too many. They had called up such an array of evidence and facts that even the hon. member for L'Islet, who was always ready in his calm, dispassionate, and most able manner, and who is most gentlemanly in his bearing, could not say a word, after the speeches of the hon. Finance Minister, and the hon. Minister of Marine and Fisheries, and the hon. Minister of Railways, who spoke in his old style, as has been said by the hon. leader of the Opposition, in his trenchant style, that those hon. gentlemen have heard before, and whose words had the effect of the command of Joshua when he ordered the sun to stand still—they obeyed. I do not think it is necessary to take up the time of the House with what has been gone over and over again, as the guns of hon. member opposite have been already spiked, so that they represent, as I think Disraeli once said, extinct volcanoes.

Mr. CHARLTON. As reference has been made to me by the hon. gentleman who has just taken his seat, I will say with reference to his remarks that it would have been a gratification to some of us on this side of the House who were engaged in discussing the resolution before the House, if he had said a few words about pig iron. He reminds me of the story of the two Irishmen who were in a hotel that caught fire, and who escaped in haste without taking time to clothe themselves properly. One of them put on his pantaloons with the wrong side to the back and saved himself by jumping out of the window. The other wishing to ascertain the condition of his friend, asked him: “Are you

killed?” The other answered: “No, but I am fatally twisted.” Such was the character of the hon. gentleman's speech. It was utterly illogical and had nothing to do with the question before the House, and in a Parliamentary sense the hon. gentleman fatally twisted himself. The hon. gentleman, by innuendo, referred to me as being an annexationist. It happens that I was born in the United States. As I said before, I disclaim any responsibility for that circumstance. I was not even consulted in reference to the matter. I must say that, although it was a very important event in my life, I have no recollection of it, and consequently I do not know that I ought to be held responsible for it.

Mr. WOODWORTH. The paper supported you in that Election.

Mr. CHARLTON. I am coming to that point. I have lived in Canada some thirty-five years, and I have attempted to discharge my duties as a subject and a citizen, and I suppose I ought to be considered long enough a resident of the country to become naturalized by this time. I think, I have never given utterance to annexationist sentiments in my life, and I am thoroughly loyal—though I say it myself—to the institutions of this country. I disclaim and repudiate the insinuation made by the hon. gentleman, an insinuation he has no reason to make, no ground to make—a base, slanderous and cowardly insinuation. When I first ran an election in this country, in 1872, an attempt was made by the party that hon. gentleman belongs to, to injure me by insinuations of this kind, but the attempt never has been made in that county since—it did not pay. Now, with reference to this newspaper. It is not published in my riding. I am not responsible for the sentiments of that editor, or any other editor in this country. That utterance was made a short time before the last Election, and I disclaimed any responsibility for them, or any sympathy for them, or any sympathy with those utterances, as I do to-day; and the attempt of the hon. gentleman to impose this matter—a purely personal matter, and a base charge at that—with this discussion against me, is one that I am sure will not raise the hon. gentleman's character very much in the estimation of this House.

Resolution to be reported.

It being Six o'clock, the Speaker left the Chair.

### After Recess.

#### REMUNERATION OF THE ACTIVE MILITIA.

Mr. CARON moved that the House resolve itself into Committee of the Whole to consider certain proposed resolutions (April 18th) respecting the pay of officers and men of the Active Militia for each day's drill of three hours, under section 45 of Bill (No. 31) to consolidate and amend the laws affecting the Militia of Canada.

Motion agreed to; and the House resolved itself into Committee.

(In the Committee.)

Mr. CARON. The resolutions I now have the honor of submitting to the consideration of the Committee, propose to fix the pay of the Militia force of Canada according to rank. The change I now propose to introduce applies only to the city corps. Under Orders in Council from 1868 the rural corps who have been serving in the different camps of exercise have been paid according to rank; and hon. gentlemen who are acquainted with the force will understand me when I say that there is no reason why the city corps, who spend so much time and money in keeping up the Militia force in the large centres in a state of efficiency, should not be paid according to rank as the rural corps were paid. The schedule which I now ask the Committee

to approve fixes the pay according to the scale adopted by the British Government for the army. It will be seen, by referring to the schedule, that the pay is not at all extravagant. It must be remembered that we keep up in Canada what I consider to be a most efficient force. I consider the Militia force of Canada is a credit to this country, and would be, as I have already had occasion to remark, a credit to any country; and the pay we now propose to give them by a statutory enactment, is the same that is given the rural corps when serving in their camps of instruction. Considering the number of days during which our citizen soldiers are called upon to drill, I consider that pay is really not extravagant, and that it is merely meeting the requirements of the force. I may state, and all gentlemen connected with the force are aware of the fact, that this pay does not at all cover the expenses which officers in both city and rural corps are called upon to meet. We all know that officers going to camp are called upon to provide out of their own pocket, for the efficiency not only of their bands, but also for the maintenance of the efficiency of the various battalions, and they will be still called upon to contribute a great deal to keep the Militia force of Canada in the state of efficiency in which it is to-day. Hon. members will see, on looking at the resolutions, that a lieutenant-colonel only receives \$4.87; major, \$3.90; paymaster, \$3.05; adjutant, with rank of lieutenant, \$2.44; adjutant, with rank of 2nd lieutenant, \$2.13; surgeon, \$3.65; assistant surgeon, \$2.43; quartermaster, \$1.94; captain, \$2.82; lieutenant, \$1.53; 2nd lieutenant, \$1.28; sergeant-major, \$1; quartermaster-sergeant, 90 cts.; paymaster's clerk, 90 cts.; orderly room clerk, 90 cts.; hospital sergeant, 90 cts.; pay sergeant, 89 cts.; sergeant, 75 cts.; corporal, 60 cts.; bugler, 50 cts.; private, 50 cts.; for each horse taking part in such drill, \$1. The pay of the Quartermaster-General at headquarters, shall be at the rate of \$2,600 per annum. While my Bill was met, as I believe all important measures should be met, by the criticism of hon. members who have had much experience in regard to the Militia force, I consider it was criticised in a very friendly spirit. My reason for introducing it is that I believe it is necessary to place the whole Militia force of Canada in that state of efficiency which it should and would occupy under the new regulations. Some discussion took place when the Bill was introduced, and at its second reading in regard to the appointment of a Quartermaster-General. It is not the intention at present to increase the expense of the Department by adding an additional officer to those we possess to-day. But hon. gentlemen will see that the amount specified to be paid as salary to the Quartermaster-General is exactly the sum which has always been voted for the Adjutant-General. In introducing this measure, it was necessary to provide for the possibility of the Department changing the Adjutant-General, or replacing him, although we would not like to do so, and never would do so, so long as I preside over the Department, for I would like neither the Department nor the country to be deprived of the services of the Adjutant-General, who has taken a deep interest in Militia matters, and who is known to be a most efficient officer; still, if it was considered desirable for the efficiency of the service to give him a different designation and to have him called Quartermaster-General instead of Adjutant-General, we would have, under the provisions of this Act, power to do so. I think those who have studied the matter will know that if a case of emergency arises the most important officer in the organization of the Militia force is the Quartermaster-General, and it might happen, from various reasons which it is not requisite to-night to discuss, to have a different name given to the efficient officer whom the Department possesses to-day. That is the reason why I have inserted this provision, and hon. gentlemen, as I have already pointed out, will observe that the

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salary is exactly the same as that which is annually voted for the Adjutant-General. So far as regards the clause:

"That the officers and men of the Marine Militia, and the officers of the Reserve Militia, when called out and drilled, under sections forty-six and forty-seven of the said Bill (No. 31) shall receive for each day's drill the pay of their respective ranks, according to the foregoing schedule."

I may state to hon. gentlemen, and they know as well as I can explain it, that this branch of the Militia is only paid in case of emergency; and in such cases, when all the different sections of the force are called out for active service, it is only right they should be placed on a footing of equality, and all be paid according to rank. There is, in paying the force according to rank, more than the question of money involved; there is the question of paying a man for the responsibility which he is called upon to assume. If a lieutenant-colonel, who is in command of a battalion, receives, as under the old regulations, \$1 per day, as does every other officer, such a condition of things tends to sap the very foundation of the whole structure of the Militia force, in so far that the officer is not paid for the responsibility which he is called upon to assume. In regard to the reserve force, we have carried out the same principle, for the purpose of making it one system, applicable to the whole Militia force, because it is admitted that we have only one force in Canada. We have no distinction between classes, we have not got one body which is superior to another, they all belong to the active Militia force of Canada, and for the purpose of instructing the men who take an interest in the force, the rank and file, the non-commissioned officers and officers, we have been endeavoring to give them means of instruction by this Bill which they did not formerly possess; and when hon. gentlemen look into this Bill, as I have no doubt they have, it will meet their approval. I have received letters from the great Province of Ontario, from Quebec and other Provinces, all suggesting changes and amendments which it will be my duty to submit to this Committee when we come to the different sections. I must say that all the amendments suggested are altogether in the sense of the measure as it was originally proposed; but they are not of any great importance, except as coming from gentlemen who take any interest in the Militia force, and who have taken the trouble to read and study the Bill; and they made suggestions which I consider my duty, as taking a deep interest in the future of the force, and as head of the Department, to submit to the House. These are resolutions which provide for the pay according to rank; and this Bill, as I have already stated, accords the pay which has always been given to the rural corps and to the force which drills in camps of instruction instead of at headquarters; and there is no reason why this should not be extended to the other corps. The sum required to defray this expenditure will amount to between \$10,000 and \$12,000 per annum; but I must state that in according this privilege to the city corps, we grant it to corps who perform many more days' drill than do the rural corps. In cities, as hon. gentlemen who live in large cities know, during winter, when young men who are engaged in banking or commercial business can get away from their business earlier than during the summer months, when business requires more of their attention, take advantage of this fact to improve their knowledge of drill, and the efficiency of the force, owing to these extra drills, for which they receive no pay at all, is greatly increased; and I thought it only right to recognise what these men have done, by placing them exactly on the same footing with other corps, which, not in cities, but in country towns, and in various parishes, as in the Province of Quebec, are called upon to drill in camps. I think that these resolutions will meet with the approbation and approval of the House; and I am perfectly certain that the hon. gentlemen who have looked into them will see that the expenditure now proposed is in the right

direction. I have heard hon. gentlemen propose—and rightly possibly from their stand-point—that the pay of the men should be increased, and I have heard hon. gentlemen propose an increase of 10 cts. a day. Now, I have taken particular trouble to ascertain exactly how the militiamen—or military men, if I may so call them—of Canada have been paid; and I can say that even 60 cts. instead of 50 cts. a day would not at all remunerate them for the time they lose in going into camp. I know and have met men in the various camps which it has been my privilege to visit, who were paying, over and above the 50 cts. they received, \$1 a day, and sometimes more, to men to take their places on farms, or in the various establishments and factories where they were employed. I consider that the militiamen of Canada do not seek a complete remuneration for the time spent in learning their drill, and in picking up the information which is absolutely requisite to establish a force that can be called upon at any moment to protect the country, or to take that position which an efficient Militia force should occupy; but they consider that the Government, in giving this 50 cts. a day, does so merely to defray their expenses, and we have never found any difficulty in getting men to take this view of the question to fill up the ranks, when this was requested. All the battalions in the various branches of the service, the different batteries, the troops of cavalry, and batteries of artillery, always find the men required to fill up their ranks. If the 10 cts. additional a day were added to the present expenditure, hon. gentlemen will understand, that for 20,000 men, this would make an increase of \$2,000 per diem, and for twelve days drill, of \$24,000 per annum. I believe that the Militia force of Canada will consider that in view of the improvements which we are now introducing, and the various changes which we are making in the old Militia Act of Canada, we are sincerely desirous of giving to it the greatest possible efficiency; and I know, and believe, and am certain, that the Militia force of Canada will be perfectly ready to allow us to proceed gradually, and not to bring down, as yet, too large a budget for the Militia Department, which would be considered to be too large or too great for the resources or requirements of the country. I feel that, as the Bill now stands, it will give to the Militia force of Canada the greatest possible efficiency, and that those who have taken an interest in the matter and looked into it will be satisfied with it. We have our difficulties, of course, in a country like Canada. We cannot expect, and do not require,—and I as head of the Department would be very sorry indeed to organize—anything bearing the expense of a standing army, as some papers have alleged—and in such a way indeed, as I thought that the facts of the case did not at all warrant. The whole standing army of Canada will consist of 750 men, which cannot be considered as a menace in any respect. If this is a standing army, it is a standing army simply in the sense of being the means of educating our militiamen who have been clamoring for the opportunity of gaining that knowledge and experience in Militia matters which would qualify them to pass their examinations and obtain their commissions. We have already in the case of "A" and "B" Batteries applied that system to the artillery, and the effect has been to distribute all over the country a large number of trained and experienced men, who, in case of an emergency, would be ready to take charge of the force. All we have done in this Bill is to apply to the infantry the system which has worked so well with the artillery. I leave it to the Committee to decide whether this is not a Bill which will meet the requirements of the force, and place it in a state of efficiency which it has not possessed heretofore.

Mr. THOMPSON. I desire to ask the hon. Minister two or three questions. To the schedule itself I offer no objection, as I believe it is about as fair as we might expect. I would ask if the hon. gentleman meant when he stated that

this would apply to the city corps, that there would be any longer period than the twelve days annual drill. What have the city corps been getting in the past?

Mr. CARON. This applies to every day during which the Militia would be called out in active service. Of course, it would apply only to the twelve days drill in the case of the city corps; but when applied to active service this schedule will regulate the pay which will be given on every occasion when a rural and city corps are called out.

Mr. THOMPSON. But if the city corps drill at headquarters will they get it?

Mr. CARON. Yes.

Mr. THOMPSON. Then with reference to the last item on the list, will that apply to field officers' horses?

Mr. CARON. Yes.

Mr. LISTER. I understood the hon. gentleman to state in the former discussion on the Bill, that the men were to be rewarded by medal or otherwise for long service?

Mr. CARON. If the hon. gentleman so understood me I have only to say that I did not intend to make a remark in the sense in which he understood me. I have no doubt that in the future such a policy may be arrived at, but there is no intention of making any change in that regard by the Bill which is now before the House.

Mr. LISTER. When this Bill was before the House the other day, I took the liberty of suggesting certain amendments to the hon. Minister of Militia. I also adverted to the fact that, in my opinion, the men of the force were inadequately paid. The hon. gentleman does not appear to have regarded these suggestions, and he appears to think that the men are sufficiently well paid. I beg further to call his attention to the fact that in 1878, when the last Government was in power, the pay of the men was 60 cts. per day, and since the accession of the present Administration to power the allowance has been reduced to 50 cts. I entirely approve of the advance which has been made in putting the city force on the same footing as the other as regards pay, but I think that the motives which induced the hon. Minister to increase their pay might have been extended to the rank and file of the force. The hon. gentleman is mistaken when he says that the men are willing to serve at 50 cts. per day, and in support of my statement I call attention to the fact that in many of the counties of Ontario the pay of the volunteers has been supplemented by grants from the county councils, showing that the pay they receive is not considered satisfactory. If the force is as efficient as the hon. Minister of Militia says it is, it is to a large extent due to the liberality of the county councils throughout the Provinces. I think some inducement should be held out to the volunteers to remain in the service and to make themselves efficient soldiers; and I would suggest to him that the pay of the volunteers should be increased gradually from year to year. For the first year's service they might receive 50 cts. per day, and each year thereafter an increase of 10 cts. per day until the expiration of five years when their pay would be \$1 per day, which would be no more than they are entitled to. As I stated the other day, in 1878 the volunteers of this country were led to believe that if hon. gentlemen opposite who were then in Opposition attained to the Treasury benches, they would consider what they regarded a grievance on the part of the volunteers and would remove that grievance by increasing their pay. These promises, although not made by Ministers themselves, were made by candidates who were supporters of the Ministry; and I feel it is the duty of this Government to carry out the pledges they made to these volunteers. I feel that the Government has done an injustice to the volunteer force of the country, and this measure, so far as the

pay of the volunteers is concerned, will be received with anything but satisfaction. I do not propose to offer an amendment; if the hon. Minister finds, notwithstanding the boasted surplus of the hon. Minister of Finance, that he cannot afford a simple act of justice to these men, I shall not offer any amendment. But year after year, when this matter comes up, it will be my duty, as a representative of the people, to call the attention of the Government to it; and I hope that in the course of a few years they will see their way to do this simple act of justice. You must remember that the ranks of the volunteers are increased by mechanics, clerks, bank clerks, and people occupying commercial positions throughout the country, and that while they are away, they are losing time and money, and they ought to be compensated to a reasonable extent; but 50 cts. a day I consider entirely inadequate to the services these men have to perform.

Mr. ROSS (Middlesex). The hon. Minister, the other night, I believe, questioned my right as a civilian to criticise his Militia Bill. Of course, I acknowledge the charge; I am a civilian, but I think I am within my right as a member of this House to criticise any measure which is proposed by the Government or by any member of the House. I think I am quite within my right as a civilian to criticise a Bill, when the hon. Minister of Militia considers it his right as a civilian to introduce a Bill. I agree very cordially with the Minister in the proposition he makes to pay the city corps for drill. In that respect, I think the Bill is a decided improvement on the old measure. I think that we have not, perhaps, paid sufficient attention to these clerks and others who have ample time on their hands, and who might be physically improved by joining the Militia, and who would be quite an acquisition to its ranks. I am not going to find fault with the hon. Minister's policy so far as it extends increased advantages to the force; I think that any steps he takes in that direction is a commendable one; but he proposes by this measure two or three changes which I think are entirely uncalled for. I see by the Estimates that he proposes to add an additional officer to the staff—an Inspector of Artillery at a salary of \$2,300. The duties of that officer were previously performed by the officers of "A" and "B" Batteries.

Mr. CARON. Will my hon. friend allow me to state that I am not creating a new office at all. The pay which this Inspector of Artillery has hitherto received out of the vote for "A" and "B" batteries is simply transferred from that vote and made a separate item. He has been transferred to headquarters, and we did not consider it right to have his salary charged against the vote for "A" and "B" batteries.

Mr. ROSS. I am satisfied with the explanation. Then there is an appropriation for a Quartermaster-General; and the hon. Minister has not explained to me satisfactorily what his duties are, and what necessity there is for such an officer at all. I am afraid that if we give him power to appoint an officer of this kind, who seems to me to be a supernumerary, the position will soon be filled, although the duties may not begin for several years. I hope the hon. Minister will dispense with that part of his resolution relating to this officer.

Mr. SPROULE. I must say, with reference to the increases proposed this year, that I for one entirely dissent from them. For several years past we have been increasing our Militia expenditure, and if the amount proposed under this Bill is added to the \$773,000 which is expended for Militia and Defence, it will bring the total expenditure up to a very large sum. There is an increase over last year of something over \$26,000. I think there is a great feeling in the country that we are spending a larger amount of this money for artificial show than for useful service. I think that when there are no appear-

ances of danger in the country we should keep these military expenditures as low as possible. I think that the Military College which was left us as a legacy by the last Government, like the Supreme Court, was saddled on the country, and we receive very little benefit from it. I do not think that because that was introduced under any previous Government, that is any strong argument why it should be continued to-day. It may be that in the towns and cities this expenditure is endorsed, but I believe we get very little return for it. If we make the very increase in the expenditure this year which this Bill calls for, the people will begin to believe there is extravagance in this line not commendable under present circumstances. I believe the most of this money is eaten up in the large cities and towns, and the volunteers in the country receive little or no remuneration at all. In all fairness the volunteers of the country, ought, if any increase is to be made, to receive this increase, and all this money should not be spent in the cities to keep what may be called an artificial show of a staff of men.

Mr. O'BRIEN. I think the hon. gentleman who spoke last has not read the Estimates, or he would not say what he has said. If he will look at the expenditure, he will find that the staff costs only \$30,000, out of the \$773,000, and if he considers that a large proportion, he cannot know much about the subject. With regard to the Quartermaster-General, I think it is right the Government should have power to make the appointment, in case of any trouble, and we must take the pledge of the hon. Minister, that he will not make the appointment unless it becomes absolutely necessary. I thoroughly agree with the proposition, that the officers of county corps should receive the same pay as those of the city corps, and also with the suggestion made by the hon. member for Lambton, that an increase should be given to the term of service; and I hope the hon. Minister will take that into consideration. He might even say that all the men who enlist for a second term of three years should receive increased pay. That would not be much additional expense, and would be felt as a great advantage. I would also ask the hon. Minister if he would act on the suggestion I made the other day, to increase the pay of officers commanding field batteries over that of a regimental captain. An officer having charge of so much Government property and commanding 70 or 80 men should at least have the pay of the major of an infantry battalion. All this outcry against the expense of the Militia sounds childish when we consider the small amount we expend on the service. Why, the two Provinces of Upper and Lower Canada expended a larger amount. Here the expenditure now is less than 25 cents per head of the population; in the United States the standing army costs \$1 per head and the several States spend more on their State militia, than we; the expenditure of the British Government on its army amounts to \$4 per head of its population. With our surplus of \$7,000,000 and a revenue of \$30,000,000 to \$40,000,000, to say we should expend less is to say we are to be different from any other civilized country on the face of the earth.

Mr. VAIL. Do I understand correctly that \$8,000 to \$10,000 would be the additional expense?

Mr. CARON. Yes.

Mr. VAIL. Really I do not know that there is any objection to it if the country can afford it. But I remember, when hon. gentlemen opposite sat on this side of the House they never lost an opportunity of finding fault with us on account of our expensive staff, and they said that any increased expenditure should be in the direction of payment to the men. Now, it so happens this is entirely on the staff and the men are to be neglected altogether. I think the amount the officers receive is entirely out of proportion with that of the men. I think the least the Government should

do, if they are going to carry out this principle and the country is in a position to afford it, will be to increase the pay of the privates as well as the officers. It is quite true it is a very trifling amount, but when we consider that the officer heretofore has been doing duty for \$1 per day and is now to get \$4.87 per day, giving him \$60 instead of \$12, the addition is considerable, and if he should be called out for an additional number of days it will amount in the aggregate to a large sum. I do not wish it to be considered that I am finding fault, because I know these gentlemen have done a great deal of work in the interests of the country for a small amount of pay. True, they have more honor and credit, and the hon. Minister of Militia the other day paid them a high compliment in his speech when introducing the Bill. I think they might be allowed to continue to do a little more work in the interests of the country for the honor and receive the same pay as the men in the ranks are only to receive 50 cts. a day. If the hon. Minister can do so, I hope when he gets through the Estimates he will make up his mind to add \$20,000 to the Militia grant and divide it among the men as well. It is very easy for the hon. Minister to make himself popular by being able to increase the pay of all the officers and the officers connected with the Department. I could have done so when we were in power, but we were restricted for money and had to curtail in every respect, and I find the expenditure the last year I had the honor of filling the position the hon. gentleman now holds was \$550,000 compared with \$751,000 last year, and this year there is an additional expenditure. If the country can afford it, well and good; but let us understand, at all events, who is to receive the money, if it is to go into the pockets of the officers and not of the men.

Mr. THOMPSON. I look upon this question possibly in a different light from some hon. gentlemen. I do not consider it a political question, but rather one of a national nature, one in which we are called upon to furnish means for the defence of our country in case of need. The pay that is allowed to the officers seems to be large, yet it must be borne in mind that a large amount is expended by them in keeping up the force. While thankful for the increase of 10 cts. per day to the men, I would impress upon the Minister, if possible, to increase that, and we can do so by reducing the number of men that are to be drilled annually, and in that way we would have a more effective force. As regards the promises made previous to the Elections, referred to by my hon. friend from West Lambton, Tory promises are not always to be relied upon; and in questions of this kind, I fancy they have gone as far, probably, as our friends did when they were in power. But two wrongs do not make a right. We are discussing the Militia question, and we want to make it as effective as possible, and with due regard to some encouragement to the men who form the rank and file of the various corps. When we are called upon to go to camp every second year, it is sometimes with great difficulty that rural battalions are filled. I venture to say that some of these men, if they were called upon for active service, or to be inspected, many of them would be ordered to withdraw from the ranks on account of their physical inability. If you want an effective force it ought to be reduced, and drilled annually and paid better. I trust the hon. Minister will give this matter every consideration and try to extend to the rank and file of the volunteer force, that justice to which they are entitled.

Mr. OUIMET. I agree with the hon. member for Haldimand (Mr. Thompson), that this Parliament ought not to begrudge to the Militia the very small amount we pay them. I say small amount, because if you add to the three quarters of a million the expenses of the Department it brings the amount to nearly \$800,000, and of that sum only

about \$25,000 goes to the Militia. I look upon the Militia of a country, not precisely as a necessity, because I do not think our Militia are likely to be called upon to defend our country against an invading force for many years to come; but I look upon the Militia as a national institution the promotion of which is the best means of creating among our population a national feeling, a real Canadian feeling. When several regiments meet together in a review I think the men are proud of themselves, it makes emulation among them, and it is flattering to them to realize that they constitute an ornament and a protection to the nation, I congratulate the Minister of Militia on the few thousands he spends to have reviews of the city corps. City corps cannot be treated in the same way as rural corps. A city corps cannot, as a rule, go into camp, because the men who compose a city corps cannot leave their employment for a fortnight without exposing themselves to severe loss. They give a good deal of time for the annual drills and to prepare themselves for the reviews on our national fête days. We have seen them parading on the last reviews, and I think they did credit to themselves and to the Militia force. I know the rural corps are deserving of great credit too, but they are not so readily available as the city corps. For instance, if the Militia were to be called out in a case of emergency, as in a case of riot, it would be very easy in twenty-four hours to gather at least 1,500 or 2,000 men of our city corps, while it would take several days to assemble a rural corps, whose companies are generally spread over a large territory. I would, therefore, be disposed to agree with hon. members who have recommended that an increase of pay should be given to the volunteers for each additional year of service. I think this expense would be quite justifiable, and while we are voting this money, I am surprised to see that there was no increase of pay granted to Deputy Adjutants-General. These officers receive only \$1,200 a year, while it is proposed to give first-class clerks in the Department over \$2,000. I would ask the hon. Minister of Militia if he considers that a Deputy Adjutant-General, who has occupied a high rank in the regular army, should not receive as much as these clerks in the Departments. I do not mean to depreciate the services rendered by these clerks, but I mean to say that Deputy Adjutants-General, who are presumed to be qualified for the position, ought to earn enough to keep their families alive, because I really think that \$1,200 for a man in the position that a Deputy Adjutant-General is supposed to occupy in a city, is too small a sum for his services. I am really sorry that in this schedule no increase of salary has been provided for these officers, nor for the Brigade Majors. I do not think that our constituents will ever blame us for encouraging the Militia, as a rule. I would be in favor of encouraging it more than we have done in the past. For my part, I would be disposed to curtail the amount that is allowed our standing army or nucleus of an army, and to increase the pay to the militiamen.

Mr. SPROULE. The hon. member for Laval, in advocating an increase to the men in the city, says they cannot leave their work, and because they are holding important positions. Every man who is following his daily avocation holds, what is to him, an important position. I do not think that is any argument at all. There is one peculiarity in reference to the demand for increased pay to the officers, and that is that almost every member in this House who supports it appears to be an officer himself. It is only like men speaking for themselves. I believe that the men who must be depended upon, speaking generally, come from the rural districts, and that they make up the great force of an army. I am not one of those who believe that they cannot be brought into the field on short notice. The hon. member for Laval (Mr. Ouimet) has stated that city corps can be brought into the field in twenty-four hours. Our experience at the time of the Fenian raid was that it did not take

several days to place the country corps in the field, but that many of them were in the field within twenty-four hours, and indeed as soon as city corps. In regard to the increase in salary I must say again, notwithstanding what has been said by the hon. member for Muskoka (Mr. O'Brien), that it is much more important to pay the privates than the officers, for every increase appears to be in the direction of the latter, and as going towards city corps, and to make up the artificiality of military life as a nation. I hold that we have a right to criticise this Bill because we, in the rural districts, will, in a large measure, have to pay the money, and this Bill will leave another law on the Statute-book which will cause increases from year to year, and which will be defended on the ground that the Bill at the time was acknowledged to be a right and proper one. The Bill appears to create other officers, whose pay some will consider extravagant, and in that and other ways, a large additional amount will be needed every year to pay the demands for that service. The hon. member for Muskoka said that, considering the importance of our country and its population, we are paying a very small sum for defensive purposes. This is a very young country, and there are no signs of danger; and if we take \$773,000 for the Militia Department, \$416,000 for the Mounted Police, and if we add the increase which will naturally occur under this Act, amounting to \$125,000 or \$150,000, these items amount to a very considerable sum. It is time we should consider if this expenditure is to go on increasing from year to year, what we are to receive for it, especially if there is not some curtailment, especially at a time when there is very little evidence of an increased demand for such a standing army.

Mr. VAIL. The hon. member for Laval has referred to the salaries paid to Deputy Adjutants-General, viz.: \$1,200. It must be remembered that they are granted \$500 as allowances, which increases the amount to \$1,700.

Mr. OUIMET. I do not know whether the hon. gentleman could live on that or not.

Mr. BAIN. I agree a good deal with the expressions which have fallen from the hon. member for Grey, when he says that we have many officers here to see that they get justice in any readjustment made by this Bill. I do not intend to say one word in regard to the officers, but the readjustment is not made in a direction which will be likely to satisfy the rank and file of the Militia service of this country. I remember that before I entered Parliamentary life, while I was doing municipal service, the difficulty that surrounded the Militia service, and that the county council granted an additional allowance of 25 cts. per day while they were in camp. That county council has found it necessary to continue that practice since. Hon. gentlemen talk about the inconvenience of young men in cities obtaining absence for a period of two weeks to go into camp, but young men in the country find it just as inconvenient to leave their employment, and in not a few cases they have had to pay more to have their places supplied than the whole amount received, without considering any expenditure in camp. I think the young men of the country will not value any concession made in the interests of companies organized in cities, and I confess I sympathize in the feeling which will grow up with our young men that the additional expenditure on the Militia force is being a good deal made in the direction of display, tinsel and feathers, and not towards the substantial improvement of what really must be the backbone of the Militia service if it is ever going to amount to anything. Hon. gentlemen opposite are asking much about the character of the force, and it is only just that they should show more liberality to the men who have really done the work.

Mr. WRIGHT. I, too, have dwelt in Arcadia, and have the honor of holding a commission in Her Majesty's service,  
Mr. SPROULE.

and it is very pleasing to find military men take the proper part which they should do in a discussion of this kind, and that laymen, gentlemen who are fond of taunting us with being laymen, as regards other matters, occupy their appropriate position. I am quite certain every one was very much gratified at the statement made in the Speech from the Throne, in which His Excellency assured us, after a somewhat protracted tour through the United States, he found that the people of that country entertained the kindest and most friendly feeling towards us, and that the military manœuvres of the hon. Minister had not excited too serious an alarm in the minds of that great people, and in fact that the *entente cordiale* between the two great nations had been practically restored. That is a very gratifying assurance, coming as it does from so high, distinguished and well-informed a source. But I think we must all be glad in the main with this Bill of the hon. Minister of Militia. The very able gentleman who preceded me adopted what may be termed the Fabian policy. He instilled a more vigorous sentiment into the minds of the people. In fact, he attended the great camps and military manœuvres, and by his excellent speeches, by the singular ability which characterized all these speeches, he appealed, in the best possible manner, to every generous, kindly and manly sentiment in the hearts of the people. He made use of the great song of the French:

"Aux armes citoyens,  
Formez vos bataillons."

Every nation represents an idea. We, in this country, with 4,000,000 of people, represent the Monarchical idea, and our neighbors, with 40,000,000, represent the Democratic idea. We had, of course, to form a military establishment, which was done by our predecessors in office in the shape of the Kingston College, and to carry out the military idea as is done in every free nation; and though we are only 4,000,000, we are determined to hold—I say honestly and earnestly—this lone outpost of the British Empire against all arms, and I think that the hon. gentleman has done much by his policy to introduce very fine and frank and manly sentiments in the hearts of our people. I, myself, have watched with great pleasure the strategical ability of the hon. Minister in forming great camps along the frontier. We have been told by gentlemen connected with the navy, that we are the fourth navy power in the world, and if in addition to the Canadian navy, we are backed up by the navy of England and our own force, it will be a hard thing if we cannot struggle against almost any odds. I have a little complaint of my own to make. Some years ago I called upon the hon. gentleman with a view to the organization of a regiment of militia in my own county, that great county in which all the men are brave and all the women are beautiful. We appeal to the fair sex always, and because they are now to exercise a beneficial influence on the destinies of the Militia. We were promised by the hon. Minister that he would give our representations every consideration; but I regret to say, that owing to circumstances over which he doubtless had no control, they have not received the consideration which we expected; and so I now formally make my complaint before the House, and I hope that this great wrong will be remedied. We have three or four companies in our county, kept up under singular and disadvantageous circumstances; they are isolated companies, who hold their meetings, I may say, in the very heart of the primeval forest. They hold themselves together by mutual ties, send men to Wimbledon, and in every way conduct themselves in such a way as to be a credit to the Militia force of the country; and I have felt it only fair, representing as I do such a great part of the Province of Quebec, to state that I think that their wants should be considered. I remember, many years ago, when Sir George E. Cartier was Minister of Militia, his asking me if I could bring down a

couple of companies to Ottawa, and in twenty-four hours or so I succeeded in procuring the very best men in the county, the very flower of the county, to come out, and in three days the battalion drill they displayed was an example—as was stated by members of Parliament at that time, to myself—to any of the older corps of the Dominion. I may state that these young men in this military organization which I speak of are nearly all temperance men. They belong, as I said on another occasion in answer to the hon. Speaker, to the Tilley wing of the great Conservative party. They are all temperance men, and the result is that they keep up their organization under singularly favorable and excellent conditions. They are always ready when they are called upon by the civil power, and I think, under the circumstances, my hon. friend, the Minister of Militia, can hardly resist the appeal which I have made to him. I think in that regard to this Bill, that in the main its provisions are excellent. I believe, with many gentlemen who have spoken, that not enough consideration is given to the rank and file. I, for one, have the greatest respect for the Militia force and the officers who command it. I do not believe that a more able, a more gentlemanly, and a more efficient body of men is to be anywhere found than are the Militia officers of Canada. I am satisfied of this after a very close connection with, and a very careful scrutiny of the acts of these men. They make great sacrifices in my own county; four or five officers there have been practically ruined in keeping up the corps; and I think that, under the circumstances, the officers should be relieved, as far as possible, from expenditure in connection with the Militia force, and that the rank and file should be given, if possible, increased pay. I have no hesitation in saying that, in the main, I am in favor of the provisions of the Bill of the hon. Minister of Militia.

Mr. CARON. I wish to say a very few words in answer to the remarks which have been made by several hon. gentlemen who have criticized this measure. The hon. member for Lambton (Mr. Lister) states that the county councils have considered it right and proper to give pay over and above the pay which the Department grants to the men. I can only congratulate the hon. gentleman and the country upon the fact that we have patriotic county councils who understand the usefulness of the Militia force to such an extent as to contribute out of their own pockets, to increase the pay of the volunteers. I can only repeat what I have already stated, that I would like and wish to see the rank and file paid more than they now receive; but it must be considered—and if hon. gentlemen will look into the question, they will find—that the Militia force of Canada is better paid than is the case in any other country in the world. I admit, however, and I know, that the pay is no remuneration in a country like this, where men find a ready market for whatever they can produce, in the way of labor, or, if agriculturists, in the way of farm products. I can understand it is very difficult indeed for any Government to lay down a schedule of pay which would meet exactly the loss of time that the men have to make; and it is a proud thing for Canada to be able to say that when the Militia force of Canada is required to drill, or is called out on active service, they do not consider the question of pay, and the men are always ready to go to the front and do their duty. I can say, after looking into this matter very closely, that we have never had any complaint from any of the militiamen as to the pay of the rank and file; and that the money—and the hon. gentleman, and officers who are now in the force, will know whether I am right in making this statement—and the increased pay given to the officers all goes into the pockets of the rank and file, for the purpose of keeping up in a state of efficiency the bands, and of allowing the men to go, on occasions like the Queen's Birthday or Dominion Day, from one city to another, to keep alive the feeling of brotherhood

which should exist, in any such force, in any country; and I say that this money, which we are now giving to the city corps, in thus simply extending to the city corps the privileges which have been accorded to the rural corps, all goes into the pockets of the rank and file indirectly, and they all so understand it, and are willing so to consider it. The hon. member for Lambton also stated that, out of the great surplus which, through the hon. Minister of Finance, we have been able to announce to the country, we should give increased pay to the rank and file. I have heard hon. gentlemen on the other side of the House accuse me of extravagance, and state that the money which was expended for the Militia force was uselessly expended; but I would like to ask these hon. gentlemen to remember that when this force was called upon to fight the battles of their country they did so in a way that would have been creditable to any force in any country, and I believe that the people of Canada will not refuse to contribute the amount of money which we are expending on the Militia, because I believe that the Militia of Canada is giving more than value for the amount which we expend upon them. I would not be expressing my own views as Minister of Militia, having had the opportunity of looking into the records of that force, if I did not state that the Militia force, for the amount of money which Canada has expended upon it, has been a force which has rendered services which Canada never can repay. It is not the insignificant sum of 50 cts. per day which will induce men to come out and fight the battles which they have been called upon to fight, but it is the feeling that in doing so they are doing their duty to their country and their flag which induces the men to leave their ordinary avocation or business in life, and put in twelve days' drill in camp for the purpose of being ready in case of emergency. My hon. friend the member for Middlesex (Mr. Ross) for once has been perfectly satisfied. The hon. gentleman, I am happy to say, takes a great interest in Militia matters, and I have explained to him that this Inspector of Artillery was not at all an increase so far as the present intentions of the Government are concerned. The hon. gentleman will find out that it is right and proper, in framing a measure of this kind, to provide for the possibility of appointing such an officer, though, as he will see when the Estimates come down, we did not provide for his appointment at present, though it was right in framing a Bill of this kind that we should give every possible security as to the intentions of the Government, and for that reason we fixed his salary at the same amount which is paid to the Adjutant-General. It may be necessary at one time or another to provide work for that officer, but unless it becomes necessary no expenditure will be incurred on that account. As to the position of the Quartermaster-General, I must refer the hon. gentleman to the explanations which I have been called upon to give, in which he will see that the position and duties of that officer had been perfectly defined. The hon. member for East Grey (Mr. Sproulo) has stated that the expenditure upon the staff is too great. I would ask the hon. gentleman to look into this expenditure, and consider if he thinks that expenditure too great when he takes into account the efficiency of these men, and their ability in every way to occupy the responsible positions which they are called upon to fill. I can also point my hon. friend to the reduction which has taken place in the expenditure upon the staff since I have had the honor of presiding over the Militia Department, and he will see that that expenditure has been reduced to the extent of \$11,100 per annum. These gentlemen give up their time, they have had to leave their own business or vocation, and they have adopted the military profession, which, in a country like Canada, is not a paying profession; they have done their duty well, and I believe that the staff of Canada is less paid than that of any staff of equal efficiency in any other country. I quite agree with the hon. member for Laval (Mr.

Quimet) when he says that we are not remunerating these men sufficiently for the services they render. I hope at a later day that the Government will be in a position to increase their pay to a figure commensurate to the services they render. The hon. member for Muskoka (Mr. O'Brien) has also drawn my attention to the pay of officers commanding batteries. In England, as is well known, the officer in command of these batteries is a major instead of a captain, and receives pay according to his rank, which is the system we are endeavoring to put in force here by the resolutions which have been submitted to Parliament. I intend to consider this question, which would involve a very small expenditure, for I think there is no branch of the service which has developed more ardor in their work, or displayed better training than the batteries we have in Canada. We have batteries in Quebec, Montreal and other places which would not be a disparagement to the regular force, but the officers in command of such batteries are only captains now, and it may be possible to accord to them the rank which is recommended by my hon. friend from Muskoka (Mr. O'Brien), who knows a great deal about the force, and has taken a great deal of pains in the consideration of this Bill. My predecessor in the office of Minister of Militia does not take very strong objection to the increase of pay of the officers of city corps. He said that under his *regime* the expenditure was only \$554,000. I cannot congratulate my hon. predecessor on that reduced expenditure. When I came into the Department I found that the hon. gentleman had allowed the Militia expenditure to be continually reduced; and I found that the stores had suffered, that every branch in the Department had suffered in consequence. Whether the hon. gentleman did not take any very deep interest in the Department over which he presided, or whether he was not allowed to carry out his views, he allowed the expenditure of every Department to increase, but that of the Department of Militia and Defence, which decreased continually. The hon. gentleman says that 60 cts. a day was granted to the rank and file by the late Government; but he must remember that this was for six days' drill, instead of for twelve, as at present, and that out of the 60 cts. the men had to provide their rations. To-day we give them 50 cts. and provide their rations as well.

Mr. VAIL. They had twelve days, and they got 60 cts. a day, and had their rations besides.

Mr. CARON. The hon. gentleman is wrong and I am right. Now, I think the hon. gentleman will see that we are, at least, as liberal as he was when he presided over the Department, and I think the force will admit that they are as well, or better treated than they were under hon. gentlemen opposite. The hon. member for Haldimand (Mr. Thompson) has stated that Tory promises are not always kept. Well, I have always tried to bring the Militia force of Canada to as high a state of efficiency as the requirements and circumstances of the country would admit, and I am glad to see that in one instance, at any rate, these Tories have kept their promises, and I would not wish for any better testimony than the testimony of the hon. gentleman, because I know that he has taken a great deal of interest in the Militia force of Canada, and I take his expression as that of a man who knows thoroughly the subject of which he speaks. My hon. friend from Laval (Mr. Ouimet) has spoken of reducing the force. Well, that is a question requiring a great deal of consideration. Considering the population of the country, the force, as it now exists, is really no larger than it should be. It may be possible to reduce it gradually by weeding out any company or battery, or any other branch of the service that is not thoroughly efficient, and then it may be possible for us to grant to the efficient force greater advantages than they receive at present. My hon. friend, the member for East Grey (Mr. Sproule) stated that the gentlemen who spoke upon this measure

Mr. CARON.

were all officers. Well, I believe there are no more competent authorities to speak upon a question of this kind than the men who have given their time, their trouble and their money to it.

Mr. SPROULE. I think the hon. Minister misunderstood me. I said that the men who were defending the increase of pay to the officers were all officers themselves.

Mr. CARON. Well, the hon. gentleman will see that there can be no more competent authorities on that point than the officers; and they have decided that the pay which is granted to the officers under this measure is not excessive. Still I am glad to see that my hon. friend, in other respects, approves of the measure, except that he would prefer to have the expenditure distributed in a different way from that proposed in the measure. Before sitting down, I must refer to what my hon. friend the member for the county of Ottawa has expressed in the eloquent language in which he always clothes his utterances. The hon. gentleman could not avoid, although he was very kind in the manner in which he spoke, saying he had a grievance. Well, I believe, it is almost an advantage to have a grievance. No man is perfectly happy without a grievance—

Mr. ROSS (Middlesex). We are very happy.

Mr. CARON. Because life becomes very monotonous unless one has a grievance. Knowing that my hon. friend is so happy I would not like to remove that grievance for the present in case it should interfere with his equanimity and his perfect happiness. My hon. friend said, as we all know, that when under the administration of my illustrious predecessor, Sir George Cartier, he was called upon to raise two companies to come down to Ottawa, he found two who were ready at a moment's notice. We all know that the King of the Gatineau is omnipotent in his county and can always get, not only the Militia force but every other force in his constituency, out at a moment's notice, to obey his call. I can tell the hon. gentleman, that anxious as I am not to remove absolutely the grievance he has submitted to this Committee, I will try to reduce it by one-half. It may be possible for me, if the Bill and the resolution are carried, to re-distribute the force in such a way that one company may be added to the force in his county, which I know will be a valuable addition to the Militia of this country.

Mr. VAIL. I speak under correction, but the only difference it seems to me that there is between the city corps and those turned out for camp drill, is, that the city corps are drilled at their own headquarters during twelve days. In all cases they receive 50 cts. a day; in some cases the Government, by Order in Council, gave them an additional 10 cts. a day. Of course, when drilled at headquarters they received no rations.

Mr. AUGER. The hon. Minister finds the best way to have the money reach the pockets of the rank and file is to pay the officers. I differ entirely from the hon. gentleman. At home where I come from, the money that is paid the officers never reaches the rank and file. If the hon. gentleman intends the rank and file to get the money, his best way is to pay it to them. I think the proposal to pay the men 60 cts. instead of 50 cts. a day is a good one. The hon. Minister seems to think that the rank and file live by their patriotic feeling. If that is so it must be an insult to the officers to say that they cannot do the same. It would be more patriotic on the part of the officers to give an example to the rank and file, by receiving less themselves and giving more to the men.

Mr. WRIGHT. The hon. Minister of Militia was kind enough to promise that an additional company would be added to the Militia force of my county. I thank him for that as a small favor. Considering that that county is perhaps the largest in the Dominion, containing 50,000 inhabitants, and considering the particular position they are

in with regard to the Militia organization, he might very kindly and gracefully have conceded what I ask, the formation of a regiment, so that the men from there would not be obliged to drill in Ottawa as at present. This county occupies an exceptional position in not having a local organization, such as you can find almost everywhere in smaller constituencies in other parts of the Dominion. The hon. gentleman has been pleased to allude to me in kindly, pleasant, and humorous terms, and I reply that if I am King of the Gatineau I can assure the hon. gentleman he occupies a very high place in my estimation. At the last meeting of Parliament I suggested the name of the hon. gentleman, as an organizer of victory, should be changed to that of Carnot that he might rank with the Moltkes and the other great military men of the day. I have borne cheerful testimony to the benefits he has conferred on our military organizations, for which I have the greatest respect. I never see one of our military men without instinctively taking off my hat. Those men have sacrificed everything, notably the rank and file, for the benefit of their country during the time of trouble, the time of the Fenian raids, and we were then very proud of them. But when the time comes when we do not require their services we are apt to laugh at and stigmatize them as being rather disposed to fuss and feathers. I would not insinuate that the hon. Minister of Militia went too far in this respect. I believe the æsthetic idea is a very important one. We had the apostle of æstheticism, Oscar Wilde, here last year, and the idea of the beautiful, among others, to develop humanity is most important, and in certain matters connected with military affairs there must be more or less of that influence. The red coat is very pleasant to look at and has figured in every battle-field. An hon. gentleman says that it is going to be done away with. Although we may be happy with our grievances—my hon. friend near me says they are very happy (the Opposition), for they have lots of grievances—and although mine are to be lessened by one-half, I hope the hon. Minister of Militia will see that it would be well to keep up the rank and file, notably among the men of the backwoods. I do not wish to say a word in disparagement of the force in the cities, for I have seen the gallant Irishmen, Frenchmen, and Englishmen of Montreal, at the time of the Fenian raid, march out—march out, amidst the waving of handkerchiefs of the ladies and the cheers of the population, to defend our country! With regard to my own county, it has always been its fate, that the hon. Ministers of Militia were not prepared—perhaps because they thought the fighting element might not be susceptible of being kept within discipline—to give them a chance of going to the front. I hope the hon. Minister of Militia, as a simple measure of justice, will see his way clear to grant us the organization of a regiment for the County of Ottawa.

Resolution reported.

Mr. CARON moved that the House again resolve itself into Committee on Bill (No. 31) to consolidate and amend the laws affecting the Militia of Canada.

Motion agreed to, and the House resolved itself into Committee.

(In the Committee.)

Mr. CARON. I wish to draw the attention of the Committee to clause 17, sub-section 3—"Whenever the exigencies of the service required, Her Majesty may raise and maintain a torpedo corps." I wish to substitute the words, "a corps of submarine miners," instead of "torpedo corps," as the former designation is the one used in England.

Mr. ROSS (Middlesex). What would the hon. Minister of Militia consider such an exigency as would justify the organization of torpedo corps?

Mr. CARON. The hon. gentleman knows so well, when and why torpedo corps are required, that I could hardly give him any explanation that would enlighten him.

Mr. ROSS. Nothing short of a threatened invasion I suppose.

Mr. CARON. Of course. The hon. gentleman will understand the peculiar geographical circumstances of the country, our large extent of sea-board, and numerous harbors which we have to protect, and the most inexpensive mode of protecting the sea-board is by torpedo corps organized for that purpose.

On section 18,

Mr. CARON. The form of oath does not cover the whole ground. I wish to introduce the words "The commanding officer of the troop, battery, company or battalion." It is merely to apply the same thing to the whole force.

On section 21,

Mr. CARON. This clause was not passed, owing to objections by some hon. gentlemen. The Military Schools which we are creating, are for the purpose of introducing that branch of the service, and we consider that it is indispensable so far as that branch of the service is concerned. When the discussion first took place, these clauses were not passed because hon. gentlemen stated that it was a matter that required to be brought down by resolution. After looking into the matter, I believe that hon. gentlemen will agree with me that it is not a question involving the expenditure of public money. What I am now asking, is authority to create the schools. When the Estimates are brought down, the items of expenditure for the establishment of these schools will be inserted, but if the House does not agree to those items in the Estimates, of course the project cannot be carried out.

Mr. BLAKE. I cannot accede to the view put forward by the hon. Minister. It is true we are not asked to vote the money on this occasion, but we are asked to place on the Statute-book a law authorizing the adoption of a particular policy, the policy of adding to the two batteries another battery of artillery, a troop of cavalry and three troops of infantry, making together a force not exceeding 750 men. We are entitled to receive from the hon. gentleman full explanations of what the carrying out of this policy will involve, and amongst other points what it will involve financially. It is true the hon. gentleman is not asking us to vote the money, but he is asking us to agree that these forces shall be created, and of course we know that this policy cannot be carried out without money being voted, and if we assent to the creation of this force, we cannot refuse the amount which may be placed in the Estimates when they come to be considered. The precise details of the outlay may form a subject for discussion on the Estimates, but some information as to the cost, as to the proposed location of the troops, and matters of that nature should be furnished on this occasion when the Committee are considering the proposed change, modification or extension of the policy which has hitherto prevailed with respect to a permanent active force.

Mr. CARON. The hon. gentleman is perfectly right in stating that all information should be given at this stage, and I have always been willing, and am still willing, to afford him all information that can be given upon the policy of the Government as to the establishment of the different schools of infantry and artillery.

Mr. BLAKE. May I ask where the new battery is to be stationed?

Mr. CARON. I was going to explain. The intention of the Government is to make the whole of British Columbia one arm of the service, and to place there a battery of artil-

lery which will be a school of instruction also, and which will be more useful in that Province than any other arm of the service. As hon. members are aware, British Columbia is at this time without a permanent Adjutant-General. Accordingly, we have sent, from one of our training schools of artillery, Major Holmes, who—and I can say this without being charged with flattery—is one of the best officers we have trained in our military schools, and he is to act for the present as Deputy Adjutant-General. When the regular battery is organized and stationed at Victoria or some other place, the Commandant of that school of artillery will become Deputy Adjutant-General, who will, practically, take charge of the whole district. We consider the question from a military stand-point, and after consulting professional officers who know the circumstances and requirements of the Province, we decided to turn the whole force into an artillery force, and the intention is to make it "C" Battery, as we have "A" and "B" Batteries at present. In regard to the infantry schools, one will be stationed in the Maritime Provinces, another in the Province of Quebec, probably at Montreal, the third in Toronto or some place in Ontario, but from the fact of our having military property and barracks in Toronto which can be fitted up for the accommodation of the force without any large expenditure, and because it is a central point, the school of infantry will be located there. With respect to the troop of cavalry I may say that the intention is to add to the permanent "A" and "B" Batteries a troop of cavalry which will be divided between those batteries; that is to say, we will add a number of horses to the batteries in Quebec and Kingston. We consider, in order to meet the requirements of the the service, that such is indispensable. If it is really our intention to keep up a permanent force we must have staff officers and cavalry officers, of course, drilled in that branch of the service, it will involve a very small addition to the expenditure, and we could not carry out the purpose which we have in view without having those two batteries already organized and by having a troop of cavalry added, one-half to "A" Battery and the other half to "B" Battery. The object contemplated is to afford all necessary training required for that branch of the service. As regards "B" Battery, or any other battery stationed at Kingston, the horses will be utilized for the purpose of giving drill instruction in that branch of the service to the cadets of the Royal Military College. It has been stated by the Commander of the Royal Military College, and by the officers of "B" Battery, that the battery horses were worked much more than they should be, in order that drill instruction might be given to the college cadets. Hence it is, we believe, and have thought, that by adding a limited expenditure of money to the expenditure applied by Parliament for Militia purposes, we could get this additional troop, or half a troop, at Quebec and at Kingston, and give all the instruction we require, and that this would help considerably towards the instruction which, under the curriculum followed in the Royal Military College, is expected to be given to the cadets.

Mr. ROSS (Middlesex). The hon. gentleman has not stated what he expects all this to cost. "A" and "B" Batteries cost between them about \$120,000, or say \$60,000 each, on an average; and to establish a battery in British Columbia will cost, I will assume, about as much as one of these, or \$60,000.

Mr. BLAKE. It will be more expensive in British Columbia.

Mr. ROSS (Middlesex). It is more expensive to do anything West than in these other Provinces. I think I am safe in assuming the cost to be \$60,000.

Mr. BLAKE. It will be more.

Mr. CARON.

Mr. ROSS (Middlesex). Say \$80,000; and the companies of infantry, which the hon. gentleman proposes to establish, will cost as much as a battery, or \$50,000 apiece.

Mr. CARON. They will not cost as much as a battery.

Mr. ROSS. Say \$10,000 each, and we are near \$200,000 now for the whole. Then there is this double-barrelled troop of cavalry which it is proposed to establish—one-half at Kingston and one-half at Quebec—and this certainly will cost a considerable sum of money. The hon. gentleman must add thus, at least, a fixed charge in the neighborhood of \$200,000 for this little addition to the service, which I think is not absolutely necessary by any means. I think that the hon. gentleman should consider before he asks the Committee to adopt this part of the Bill. It is really a very serious thing to add \$200,000 to the fixed charges, when there is for it no absolute necessity. We are in no danger of war. The hon. gentleman does not fear an invasion from any quarter. We seem to be at peace with all men, and we are already spending large sums of money in giving instruction to the men. I do not propose at this stage to offer any further objection to the clause, but I wish the hon. gentleman to think the matter over seriously before he asks the House to consent to a proposition which will involve such a large expenditure.

Mr. CARON. I can see that the hon. gentleman has been giving his attention to these figures.

Mr. ROSS. As always.

Mr. CARON. He is so near my calculations that I would almost imagine that we had consulted together about this expenditure. This will really not cost more than about \$200,000; and I think that the hon. gentleman must be congratulated upon the fact that he has, without any previous information, got so close to the amount which will be required to give to the force that efficiency which I consider to be really indispensable.

Mr. BLAKE. I am glad that the hon. gentleman is so near the hon. Minister's calculation, but I would like to get a little more information about them. I dare say my hon. friend is right as to the battery in British Columbia. I suppose that it will be placed at Victoria. I presume that the hon. Minister agrees that this will cost more money than it would here. No?

Mr. CARON. The hon. gentleman is perfectly right as far as the cost of living is concerned. We all know that is more expensive. The amount of money I am asking Parliament to vote for that battery is exactly the same which we pay for the batteries in Quebec and Kingston.

Mr. BLAKE. Then when we reach that point we ascertain, that if it does cost more to maintain a battery at Victoria, B.C., the hon. gentleman's estimate of \$200,000 will likely be inadequate, unless he overruns on some other portions of this large military force. I can hardly conceive from the accounts which we have always received as to expenditure in British Columbia, it can be otherwise than correct to say, as I stated a moment ago, that it will cost more for a battery there. The hon. Minister agrees that the expense of living is more. I fancy also that wages are higher; and unless the hon. gentleman, perhaps, gives extra pay he will have to submit to occasional departures—I will not call them desertions—from his battery. Then, when we get to the troop of cavalry the hon. gentleman says that it is to be divided, and proposes to add fifteen horses to each of the batteries, A and B.

Mr. CARON. A troop consists of thirty-four.

Mr. BLAKE. This will not be a full troop, then.

Mr. CARON. Yes; it is a full troop for cavalry.

Mr. BLAKE. An ordinary troop, I understand, is fifty.

Mr. CARON. Not in Canada.

Mr. BLAKE. But the regular army? My hon. friend from Digby (Mr. Vail) shows me that nine troops of cavalry which turned out last year averaged forty-six, from which I presume that a full troop is fifty. The hon. gentleman will find it in his report, on page 24.

Mr. CARON. They may have turned out an average of forty-six, but this was then over-strength. The hon. gentleman will find that by referring to the regulations that our troop consists of thirty-four or thirty-five. I refer to regular troops in the service. In very many instances, not only as far as cavalry is concerned, but in other branches of the service, there may be cases where an over-strength in the battalion or company, or whatever it may be, occurs; and it may be that in this particular instance they may have turned out over-strength.

Mr. BLAKE. It does not appear that this was a particular instance, but nine separate troops turned out with a number very nearly as much again as the hon. gentleman says is the strength. However, I do not dispute these things with the hon. gentleman, because I confess I do not have a great knowledge about them.

Mr. CARON. If the hon. gentleman will allow me to interrupt him. Of course, I have not the figures before me; but the hon. gentleman may not find forty-six horses in a troop of cavalry. If the hon. gentleman from Digby, who also seems to have studied this subject, would tell me exactly what information he wants to get about this troop of cavalry, I will be perfectly willing to supply it; but the hon. gentleman will see that in a troop of cavalry, as in a battery, all the men are not mounted.

Mr. BLAKE. No.

Mr. CARON. A certain number of men, besides the mounted men, is required. Of course, I am merely speaking without any reference to any statement made by the hon. gentleman; but I have no doubt that the hon. gentleman will not find troops of forty-six mounted men. The regulation number is thirty-five. Of course, it is difficult to explain how this increase may have occurred; but the regulation strength is thirty-four.

Mr. BLAKE. That is a statement of the financial part of the question. I observe that in Military District No. 7, in Quebec, two troops of cavalry numbered ninety-six; and a little below, a cavalry troop is mentioned, numbering eighty-one; but the number of horses is not stated here, and I do not know if it is stated elsewhere. I have not looked, but these are the numbers. The material point is what the strength of this particular troop is to be. The hon. gentleman states thirty-four, as I understand him, officers and men; would the hon. gentleman state what he expects the cost to be.

Mr. CARON. That troop which we mean to establish, and composed as I have stated, will cost about \$26,000.

Mr. BLAKE. And these companies, what are they estimated at?

Mr. CARON. The hon. gentleman must consider that they have only 100 men each, instead of 150.

Mr. BLAKE. And the infantry?

Mr. CARON. There will be 100 in each, or 300 men in all.

Mr. BLAKE. And the cost?

Mr. CARON. Each infantry school will cost \$44,300, including a number of officers and non-commissioned officers that will be trained yearly in these schools. The number of officers will be forty, and non-commissioned officers eighty.

Mr. BLAKE. Are those included in the 300 men?

Mr. CARON. No, these are outside.

Mr. BLAKE. This is considerably below what the infantry is estimated to cost in the British service?

Mr. CARON. Yes.

Mr. BLAKE. Although it includes the expenses of this training? Will the hon. gentleman give the particulars of this expenditure?

Mr. CARON. The captain who will be in command will be paid at the rate of \$1,460 per annum; two lieutenants will, together, receive \$1,460; four sergeants, \$1,314; four corporals, \$1,022; ninety-two men, \$16,201.

Mr. BLAKE. What is the rate of pay?

Mr. CARON. 50 cts. per diem, rations for 100 men, \$4,500; uniform, boots, kitted, greatcoats, &c., \$3,500. Barrack furniture, medicine, transports, fuel, light, and contingencies, \$7,533; making \$37,000 for the permanent establishment. Over and above that we have the forty officers and the eighty non-commissioned officers for each, involving an expenditure of \$7,300, making altogether \$44,300, as I have already stated.

Mr. BLAKE. That will be a total expense of \$240,000.

Mr. CARON. No, \$203,000.

Mr. BLAKE. I make that sum from the items.

Mr. CARON. If the hon. gentleman will trust me until I bring down the Estimates I will give him the full particulars, but he may rest assured that \$203,000 will be the amount asked for.

Mr. ROSS (Middlesex). I wish to propose an addition to clause 28, which provides that the Major-General must be an officer in Her Majesty's regular army. I would propose, after the word "army," to insert the words, "or in the active Militia force of Canada." This would make the clause so elastic that, in the event of the Minister finding in our active Militia force a suitable officer to take the position, he would have power to make such an appointment. I think the hon. Minister will agree with the view that it is well to hold out to the force in Canada the highest prizes in the service—that, while we are prepared to admit that the officers who have heretofore filled the position of Major-General have discharged their duties ably and well, it is possible in the future, with the extensive machinery the hon. gentleman is providing for the military education of the people, that he may find in the ranks a gentleman suitable for that position. I hope he will accept this suggestion.

Mr. O'BRIEN. I sincerely hope the hon. Minister will not accept the amendment proposed. If the hon. gentleman consults the officers of the force, especially those in command of battalions, he will not find one who does not prefer the Major-General to be an officer of the Imperial army, and should know more than any of us can have any possibility of learning. We do not want an officer at the head of this force to have any political character; there is enough politics in the force now. If the Major-General were one of ourselves, who has never seen any but Canadian service, he would certainly occupy a different position from a man in the regular army. I speak from my own personal experience, and I hope that the clause will be left as it is. I would like to take this opportunity of saying that the effect upon the force of last year's inspection and supervision by the gentleman who now commands it, was most satisfactory, and that the camps of 1882 were much superior to those of any previous year. I make that statement because I think it is due to the officer that it should be made in the most public way, and by some one who knows something about it.

Mr. CARON. The hon. member will remember that the only clauses held over were those relating to the expenditure of public money. This clause was discussed before,

and was adopted. Consequently we cannot go into a discussion of the matter at this moment.

Bill reported.

Mr. CARON moved that the Bill, as amended, be now taken into consideration.

Mr. ROSS. I have to propose an amendment. The House is aware that although canteens are established under the Queen's Regulations and Orders, and that notwithstanding the general impression that malt liquors are not sold there, they are sold to a great extent, and in order to prevent the demoralization of the force and to prevent our young men falling into the way of temptation, I think an effort should be made to prevent the sale of intoxicating liquor in camp. I am not prepared to say that anything serious has arisen on this score, but I think it is highly desirable to remove all danger. The matter was brought up the other night by one of the members from British Columbia and the hon. member for West Durham read from the Queen's Regulations to the effect that no spirituous liquors should be sold at the home stations. I think that regulation does not go far enough, and beg to propose in amendment:

That the said Bill be re-committed to a Committee of the Whole in order to amend the same, by inserting after the word "army" in line two, section sixty-four, the following words:—"but nothing in the said Regulations and Orders, so far as they relate to the establishment of canteens, shall render lawful the sale of beer or malt liquors of any kind whatever."

Mr. CARON. The hon. gentleman must understand that it is in the interest of commanding officers to prevent the sale of intoxicating liquors in camp. In the camps held last summer the orders were that no intoxicating liquor would be allowed in the different canteens. We cannot go beyond that. We have no control more than giving instructions to the commanding officers. I think the amendment is a step in the right direction, but I do not think we could legislate in a Bill of this kind upon that question in the manner the hon. gentleman now suggests.

Mr. BLAKE. I do not agree with the view of the hon. gentleman. The Queen's Regulations prohibits in the home canteen the sale of hard spirituous liquors, but not the sale of malt liquors. The Bill proposes the Queen's Regulations shall apply. The Regulations permit the sale of malt liquors, and that is proposed to be our regulation. Now, all that my hon. friend proposes is to recognize the provision which exists under the Queen's Regulations. That seems to me to be quite reasonable. The Queen's Regulations permits the one but prohibits the other; we want to prohibit the sale of both malt and spirituous liquors.

Mr. CARON. I did not say that malt liquors would be prohibited; I said that spirituous liquors would be, and the experience of the camps in the different Provinces has shown that no spirituous liquors were sold. I think we cannot introduce the amendment the hon. gentleman proposes.

Sir LEONARD TILLEY moved the adjournment of the debate.

Motion agreed to.

#### WAYS AND MEANS—CONCURRENCE.

Sir LEONARD TILLEY moved the second reading of the first resolution (April 13th).

Mr. BLAKE. I would like some explanations as to the hon. gentleman's policy on the item of books—a little more in detail than he gave in his Budget Speech, and with reference to several suggestions which have just been made. For my part, I feel some difficulty in understanding what the interpretation of the clause is: "books bound, which shall have been printed more than seven years." Whether the hon. gentleman means the first publication of the particular

book, or whether it is the specific book which has been printed more than seven years? I suppose what the hon. gentleman meant was a book of which any edition has been printed more than seven years. I doubt, however, whether that is distinctly carried out by the clause. Objections have been taken by the trade to this provision. It is said, as the hon. gentleman is, no doubt, aware, that it is a very ordinary practice now to print books without any date at all, and that the ascertainment of the date, even of the particular volume, may be a question of uncertainty in the case of a particular book which is imported. But beyond that, if it is intended, as I presume it is, that the question to be considered shall be, when was any edition of that book first published? That, of course, is not made to appear upon an old or recent edition of the book, and therefore, evidence has to be resorted to; one has to ascertain from other sources whether this is a book that is more than seven years old, or a later one. It is suggested that in many of the outports much greater difficulties have existed in this regard than in some larger places where there are skilled persons, having an extensive knowledge of books, who would be accessible, and that the result might be to lead to an undue advantage to importers who enter their books in some of these outports than in other places. It is also suggested that it will involve a considerable amount of difficulty and trouble with reference to invoiced books which come out together, some being subject to the 15 per cent. duty, and some being free, and the discrimination that will have to be resorted to, will produce additional difficulties to the trade. I have received statements from persons engaged in the trade, setting forth these difficulties, and stating that it will be found difficult for Customs officials to decide as to how long books have been published, and the majority of these officials will be guided by booksellers.

Sir LEONARD TILLEY. I am quite prepared to admit there will be some difficulty in carrying this arrangement into effect on the part of the Customs Department, and probably in some places, for a short time on the part of importers. But there appeared to be such an expression of public opinion in favor of a reduction of the duty on a certain class of books, such as books imported for certain public institutions, that the Government were exceedingly anxious to meet their views as far as possible. Under these circumstances it became a question of what steps could be taken to give them relief. If we could have said that all books should be free, that, of course, would have settled the question, but we were not in a position to say so, and therefore, we took the next best means to give them as liberal an arrangement as possible. In the United States books that have been published over twenty years are free; therefore we decided that it would meet very largely the case under consideration to say seven years, and the Government would then take means to ascertain, although it is surrounded with some difficulty, which books were subject to the duty and which books were not. Now, the hon. gentleman asks a question whether it is intended to apply to the book published seven years ago or to a book published twenty years ago, but printed only six years ago. Say originally it was published twenty years ago and now printed but six years, that will be subject to the duty. All books, no matter when they were first published, if they are printed within seven years, are subject to the duty. The point is the printing of them. Then another difficulty arises from the fact that all books do not bear the date upon which they are printed. The hon. member says there may be great difficulties in distinguishing 15 per cent. books from free books coming out that may be invoiced before the passage of this. The agent of the party will be asked to state on the invoice, that the books have been printed seven years, and the entry will be made accordingly. It will undoubtedly involve labor on the Customs Department, but the Government thought it better to throw that labor on the Department,

Mr. CARON.

than to deny to persons applying the advantages they sought. We used the word "bound," because if the work was printed in sheets it would be easy to take off the title page and insert such a date as 1878, but when books are bound that cannot be easily effected, because a title-page so inserted would easily be detected in the case of bound books, and would be evidence of fraud on the part of the importer. If books are received at the Customs Department without dates being on them, it will be necessary for the party shipping them to adduce evidence that they were printed before the date in question, and if the date cannot be given, the books will be subjected to the usual duty. But in a very short time order will be obtained, and books printed many years ago, fifteen, twenty or thirty, at all events, editions printed more than seven years ago, will have the benefit of free entry.

Mr. BLAKE. The hon. gentleman misunderstood me very greatly if he thought I was willing that he should keep his Tariff on books where it is. Not so. I am exceedingly anxious to see a still greater modification of the duty on books; but I was simply referring to the fiscal point of view, and how his proposal would operate. He has given me an admission of a result which I rather expected would flow from this system. He has frankly admitted that the working of the clause will be attended with some difficulty and inconvenience, and probably trouble to importers and the Customs Department, and, of course, trouble to the importers means cost to the public or reduced profits to the importers themselves. The Canadians are not to be entitled to receive the good editions, they will obtain the second-hand books, and the hon. gentleman declares that the cheap editions will be brought into the country. No doubt he is right. It will be the earlier and older editions—those more than seven years old—that will be called for by us, and the old books will be sent from the Old World into the new, because of the operation of this tax. I have always felt that the tax which the hon. gentleman imposed on books was one of the most objectionable character to be found in the whole of the Tariff of 1879, and I have long been anxious for an opportunity to address a few words to the House and the hon. Minister on the subject of that tax. I cannot but feel that we are not doing justice to ourselves in this country in impeding the widest possible diffusion of a taste for literature and knowledge to be acquired by our people. There are three interests to consider in reference to this tax: Those of the public, as readers of books, those of the writers of books, and those who print and publish the books in the country. When you talk of protecting the trade of the production of books, you must remember there are two sets interested in the production of books in this country: those who make the books in the sense of writing them, and those who engage in the trade of putting them into print and having them published; and I maintain the interest of the general public, as readers, and of the whole community, is damaged by the book tax, and that the interest of the writer of books in the country is also damaged by the book tax. Whatever may be the effect upon publishers of books in the country, we never have had, in any part of Canada, that I am aware of, in any degree of vigor or general use, the system which, with good or ill effects, has prevailed so long, and still so widely prevails, in Britain—the system of circulating libraries. We know the book trade there, although it is beginning to change, under circumstances which, it seems to me, intensifies the evil of a heavy tax upon books here, up to, at all events, a recent time, almost entirely, and I might say even to-day, consists not in buying but in using the large appliances of the reading and circulating libraries which exist there. We know one of the practical results of that system has been to limit the circulation of books, which has caused very high prices to be charged, the cheapness of books depending so much on the largeness of

the edition, so that those who did wish to acquire and own a book permanently have had to pay a very much larger price under a system of proprietorship instead of that of hiring. That does not exist with us here. There is a movement in my own Province which has extended so far to at least two cities, to establish free libraries, and it is intended to add, at all events in Toronto, the feature of a circulating and lending library. There are in several other centres of the country libraries which are circulating or free, or public libraries, of more or less importance, notably one established in the town of Portland by the hon. gentleman who sits at my right, an example of munificence, of which I could wish there were more examples in Canada. We have in Canada comparatively few centres which could maintain such libraries, and very few in which we have such libraries, and the bulk of the population must depend, for a long time to come, on the system of purchasing instead of the system of buying or hiring books. We as a people—I do not know whether the Finance Minister agrees in this view—are a democratic people. The principles of popular government are very deeply rooted and cherished by our people, and I am glad to know the root they have taken is one likely to be enduring, and the principles of democratic and popular government are likely to be more widely and extensively applied as years roll on than they have been in the past. It is the first essential of such a system of widely diffused popular Government; in fact the more widely it is diffused the more liberal the institutions, the more direct and extended the share which the people at large take in moulding their own future; the more fully they are permitted to assert the right to govern themselves the more important it is that there shall be spread among them a diffused intelligence, knowledge and apprehension, a quick and intelligent sentiment with respect to public affairs. It is one of the tasks which those who have to guide the concerns of a democratic people, have to address themselves to, to secure as far as possible, at any rate to do nothing that may hinder, popular education or elementary education, it is true, but also the education amongst adults, the widespread, widely diffused education, which is a work that does not end, and may be said hardly to begin, with the attaining of manhood, by the diffusion of literature. I say the more widely spread our popular institutions, the more it becomes the sacred duty of those who have the conducting of the affairs of the country, to see that the literature is widely spread. Well, now, I maintain, that under these circumstances, a serious increase in the cost of books is a thing that ought to be avoided. I maintain, that the Parliament of the country, that the Government of the country should do as little as it possibly can to interfere with the acquisition by individual citizens of the country of these means of knowledge, of improvement, of the widening of the circle of intelligent consideration of the public affairs, and the additional tax of the present Tariff, and so far as it is to apply, continue to apply to the imports of books, is very considerable—15 per cent; and of course we know that by the time the book gets into the hands of the consumer, this is equal to somewhere about 22 per cent.; that is what it means, and it means an addition, therefore, of about that much to the cost of the book. These, I may say, Sir, are the necessities of our moral and intellectual life, necessary to the higher life of the people, necessary to that life in that which a physical and material abundance furnishes after all, a very poor and imperfect existence indeed. Now, the hon. gentleman's proposal is, that the people of Canada, the people of this new country, and in this era of intellectual life and activity, when knowledge is overspreading the country; when new inventions crowd upon us with the utmost rapidity; when fresh notions and discoveries press upon us every day; when the printing press is doing a work greater than it has ever done before incalculably, the hon. gentleman's proposal, that is, that as

far as Government hindrances will enable him to do it, we shall be seven years behind the rest of the world. The hon. gentleman says: "Providing your book has been printed seven years ago, you may get it in free, but if it sins by having been printed within seven years, I shall charge a tax, the financial effect of which is to add to the bookseller's advance, with the duty, a cost of somewhere about 22 per cent. to the cost of the work." Now, Sir, this is an era, as I have said, not merely of the publication of numerous books, but also there is a revolution in the system of publication, and the system of cheap editions, which existed to a considerable extent in the United States some time ago, has there assumed most marvellous proportions. The enterprise which has been displayed, and the proof of the possibility of production, added to the almost nominal cost of the books, if only a wide-reading public could be procured, is wonderful, and it has followed in England also; and I find very cheap editions of many standard works, and many new works also, published in England. Now, the circumstance, Sir, the fact, that we are getting, that we can get books very cheaply, may be argued by hon. gentlemen as a reason why, after all, it is not a great imposition to have to add 22 per cent. practically to the cost of them; but, Sir, I want that we should be as well off as the rest of the world in this regard. I want those advantages, which the practical application of this idea within the last few years has produced for America, and largely for England, should not be limited to the other side of the line that separates us from the Republic; and I want to point out to the hon. gentleman that the widely extended application of this principle places the Canadian publisher in a position which renders it practically impossible for him to compete in many instances except at a largely enhanced price, because he must have, even at the best, a very limited circulation; he must have a very limited circulation for his books if the production is confined to Canada; upon the extent of the circulation is dependent, I may almost say, the whole of the cost, and the condition of things is such that it is impossible for him, without getting the circulation, practically to produce the works as cheaply as it is done abroad. Shall we, then, in view of that state of things, not merely arrange in reference to the publication here of some works which are peculiarly suited to our country, for which, as in the case of the school literature of Ontario, a very large circulation may be obtained. The production of such may be procured at a moderate rate; but shall we proceed for all time to come, to place a tax, to maintain a tax, the result of which, as I have stated, is to add not far from 14 per cent. to the cost of the book on all late literature, and on all late editions of old literature. Editions are coming out. I will give another example of competition in this matter. Take the classics. Take the ancient standard works, the classics; I do not mean in the languages of Rome and Athens only, but take the classics, the standard works of English and French literature. Of these gems of the world, new editions are being published, annotated, it is true, with fresh information as to the authors, with fresh suggestions as to passages which have puzzled and excited the curiosity and wonder and admiration of the world for a long time: I know not whether the circumstance that a new edition comes out—no, I do know now, that circumstances ought not to deprive us of the benefit of a new edition. We are not to know, what the latest discoveries, the latest suggestions are with reference to these great standards. If some new views are found with reference to Homer, or Shakespeare, or Milton, or Dante, or Esculapius, or Euripides, or any of the great men of the world in literature, a new edition is published, but the scholar, the investigator is told: My good man, seven years; you must go back seven years and find whatever is to be found seven years old, and you can have that free, but if you want a book which contains the latest information on this subject, the latest suggestions, you must

Mr. BLAKE.

pay your tax of 15 per cent., which means to you 22 per cent. Now the hon. gentleman made us a mention of novels in his Budget Speech, and he said he did not see much objection to novels being published in Canada. Neither do I, Sir. I am not going to pass any wholesale condemnation on novels. There are works of fiction, which I believe form part of a liberal education, which ought to be widely read, ought to be read by any who professes to call himself a cultivated or educated man; but had he imposed the tax on the season novels which appear, I should not object for my part, not merely to 15, but 30, 40 or 50 per cent. while the hon. gentleman in one clause of the Tariff resolutions proposes to prohibit the export of turkey, quail, and deer in the carcase. I should not object, in a word, if he prohibited altogether the importation, or even the publication in Canada of some of these novels, if the prohibition of publication were not inconsistent with the fundamental principles on that subject, but upon the mere question of the season novel I care little whether the Canadian publisher publishes it or the foreign edition comes in. But that is not the main question. There are Canadian publishers, if you will, that publish that class of works which may be published and get to a wide circulation; but for the sake of protecting them with reference to that particular kind of publication which they do publish, and which is the one thing which the hon. gentleman mentioned as being published by him, why impose a tax on all the standard works to which I have referred, of which it is not likely that one in one hundred, or perhaps one in one thousand will ever be published here, but on which we must all pay a tax who desire to have them? It does not seem to me that the circumstance that our people may be well told that the season novel is a luxury and they must buy it from the home publisher or pay 15 per cent. duty, is a reason why those who want more wholesome literature which they cannot get here should also pay 15 per cent. Our publications in the country, through the state of circumstances to which I have referred, as to the extent of their circulation, must be comparatively narrow. It is only within a very limited range that we can hope that they could at all compete, and for that we are called upon to retain this tax upon all that is fresh and new in the world of literature, and upon all the fresh discoveries, suggestions, annotations and editions of all that is old and well known in the world of literature. That is the view which the hon. Minister takes, and that is the view from which I venture very respectfully to dissent. But there is another view which I think it is important to present to the House upon this matter. The view with reference to the producer of books, not the publisher of them, has been stated better than I can state it by an accomplished gentleman of my acquaintance who, not long since, wrote a paper which has been published over his name in a Montreal newspaper. I refer to Prof. Murray, and I shall trouble the House with his references on that subject:

"Among the alterations in the Tariff introduced by the present Government has been a very serious increase of the import duty on books—an increase to three times its former rate. No other article that I can remember underwent such a serious addition to its cost; and, therefore, as nearly all the books that are read must be imported, it is no wonder that educated men in general, and especially those whose professional wants demand a large supply of books, should have complained all along about the injustice of this unusual burden. Their complaints have at last assumed form in petitions to the Legislature for the repeal or reduction of the tax on books. It would be little less than a useless impertinence to ask the present hon. Minister of Finance to make an alteration in the Tariff which would involve a reversal of his whole fiscal policy; and no sane man can expect the existing House of Commons to sanction a measure entirely hostile to the system which they have been elected to support. But the repeal of the duty on books would not involve any abandonment of the policy to which the present Government and House of Commons are committed. On the contrary, while freedom in the book trade should commend itself to the opponents of the popular policy, it ought, for many reasons, to be demanded by the supporters of that policy themselves. Occasionally extremes meet; and for once Protectionist and Free-trader may combine in demanding from the Legislature a very simple concession of justice. This must be evident from two

facts. In the first place, not only do the producers of books not require this duty for their protection; but, in the second place, the duty has the very opposite effect to that of encouraging the producer.

"The first of these assertions is based on the fact, that, without any protective duty, book-makers are already, in one respect at least, more effectively protected than any other class of producers. The law of copyright absolutely prohibits the importation of any foreign reprint of a book produced in Canada. This law is now so liberal, if not to Canadian authors, at least to the men interested in the mechanical work of book manufacture, that the works of British and foreign authors may be reprinted in Canada, and the reprinter is absolutely protected against the importation of foreign reprints. I am informed that Canadian editions of Tennyson's and Swinburne's works, which few men with any care for their eyesight would choose to read, have closed our markets against all the beautiful American editions of these poets, even though the poets receive a handsome royalty from the American publishers for the privilege of republishing, and from the Canadian importers a duty of 12½ per cent for the privilege of importing their works. The Canadian printer who is still unsatisfied with all this protection, must be extremely voracious in his demands.

"But the truth is that there is no other intelligible demand that can, in the circumstances, be made. It is conceivable, indeed, that, when a book is produced by a Canadian author, the tariff may be intended to compel Canadians to read his book by putting a high duty on all foreign books upon the same subject. If this was the object of the tariff, if it was designed to make it difficult for us to become acquainted with foreign literature or science, in order that we might restrict our literary and scientific tastes to the productions of Canadian authorship, it would be an interesting fact to know. But it would be unfair to suspect our legislators or publishers of such vandalic obscurantism; and, as for Canadian authors, the first has yet to be discovered, who, except, perhaps, by way of a jest at a protective tariff, has proposed to compel men to read his works by excluding the works of foreigners.

"Unfortunately the duty on books, so far from encouraging the sale of a Canadian author's works among his countrymen, has usually the very opposite effect. A Canadian author, be he French or English, has the good fortune to use a language which is spoken by many millions of people outside of his own country; and, whether for the sake of pecuniary remuneration, or fame, or intellectual influence, it would be folly to seek his readers, either solely or even primarily, within the limits of the Dominion. Consequently, every Canadian author of any note has found it an obvious requirement of prudence, if not of necessity, to publish his works in England or the United States, and even his occasional essays find the most desirable channel for their publication in the widely circulated periodicals of these two countries. The result, therefore, of the present tariff on books to the Canadian author is, that any work of his, which addresses itself to the great English-speaking communities of the world, or any magazine with an article of his seeking the same vast audience, is met at the frontier by a regulation imposing a fine on every one of his countrymen who wishes to read his productions. The only way in which this barrier can at present be broken down between the Canadian author and his readers in Canada is by restricting his literary production to works of such insignificant value or of such narrow interest, that it is not worth while to seek for them a circulation beyond the limits of the Dominion.

"Is it, therefore, an unfounded charge against the duty on books, that, so far from attaining the end of a protective tariff by encouraging native industry, it is a serious discouragement to one form, at least, of production which has always been regarded as the most unmistakable sign of a people's civilization? To a certain extent, indeed, the duty hampers every important industry in the country. There is scarcely a single occupation in life which is not instructed by a more or less valuable literature that is constantly increasing; and most of the agricultural, mining, manufacturing and commercial industries are the subject, not only of independent works appearing from time to time, but also of periodicals explaining the perpetual improvements in processes and machinery, by which the cost of production is diminished or the value of products is enhanced. The effect, therefore, of the duty on books is to discourage every producer in the country from keeping abreast of the new inventions by which his industry might be improved. But the men and women, on whom this duty falls with special severity, are those who are engaged in literary, or scientific, or educational pursuits,—forms of industry which, even in an economical point of view, ought to rank among the most valuable occupations in a country.

"It thus appears that the duty on books can be viewed in no other light than as a tax for revenue purposes; and, without urging that books are among the last articles that should be selected for taxation in a civilized country, it is satisfactory to know that the present state of the revenue puts the Government in a position to repeal this tax without any inconvenience. It is not yet a year since the Government, in answer to an appeal of the mercantile classes, abolished the stamp duties, even though these duties form a mode of taxation which may be justified as falling upon those who are well able to pay it, and falling upon them generally in proportion to their ability. Is it too much to ask that the Government shall now listen to the cry that is coming to them from every humble country parsonage, from every poorly remunerated teacher, from every retired student of literature and science, from all those classes, in short, which, while doing valuable service to the community, are seldom in a position to bear any unusual burden of taxation?"

That is the special view of the author and the literary man; and it seems to me from both the points of view to which I have referred, that it would be better to revert to the former

policy on the subject of books, and impose a general tax of 5 per cent. which, as far as I can learn, would produce upon the whole the same revenue which the hon. gentleman will obtain from his tax of 15 per cent. on the foreign editions. I would prefer to see them free—as free as the air we breathe, but if there must be a tax on them, public convenience, the convenience of the importer, and the convenience of everybody in obtaining the late editions at the same rate as the earlier, so far as the Customs Department is concerned, and the convenience of the Customs as a fiscal Department, would all be served by reverting to a uniform duty of 5 per cent. instead of what the hon. gentleman proposes. I have made these observations because I feel that the case is a special one. As I have said, books are one of the influences on the more important part of the existence of our whole people, the moral and intellectual life, and it does seem to me to be a matter that ought to receive the earnest and serious consideration of every man who indulges for this country those high aspirations which we hear so often repeated in this Chamber.

Sir LEONARD TILLEY. I have listened with a great deal of interest to the address, the very eloquent address, which has been delivered by the hon. gentleman who has just taken his seat. He has made a very powerful and a very feeling appeal to the Government to remove the duty on books. Now, Sir, while I was listening to the hon. member appealing to the Government to remove the duty entirely, I asked myself, why was it that when the hon. gentleman himself was a member of the Government, he did not secure its removal. I saw that he guarded himself with regard to the proposition of 5 per cent., but he was most emphatic—was he not?—in his declaration that he would be delighted to have the duty removed altogether. I thought it was strange, if the hon. member felt so deeply, as his speech indicated, that when the late Minister of Finance was preparing his Tariff changes, he did not go to him and say, "Sir, this is a most important question; it is at the bottom of the moral and intellectual life of the people of this country; these are articles from which we ought not to obtain any revenue at all." I can imagine, if he had appealed to his late colleagues in such a speech as he has just delivered, it would have been irresistible, and the late Minister of Finance would have come down with a proposition to remove the duty entirely. Well, there is some difference in being a member of a Government and a member of an Opposition, I do not say that the hon. gentleman did not feel as strongly then as now; but, at any rate, he did not impress his colleagues with the opinion that the duty should be removed entirely. "Well," he asks, "shall we be seven years behind the rest of the world?" No; and we are not. I have heard my hon. friend speak in glowing terms of our neighbors to the south of us—they were an enlightened, an intelligent, a progressive people, and still we are thirteen years ahead of the United States. We are simply asking that the duty shall be collected on books that have not been printed seven years; they demand that duty shall be collected on books not printed twenty years.

Mr. BLAKE. They have a circulation forty times as great.

Sir LEONARD TILLEY. We are not behind them. I think there might be a good deal said on the subject of this duty for revenue purposes alone. The necessities of life, whatever they may be, are as important to the people as books. All Governments have, from time to time, imposed duties on articles which are necessary to sustain life. I know it is important to do all we can for the moral improvement of the people. When I spoke of novels I had not reference alone to novels—and I agree with the hon. gentleman that there are a large proportion of novels and other publications

in Canada to-day which the morals of the people would be much better without. That is one of the reasons why we are justified in asking Parliament to keep the duty of 15 per cent. on these articles which are not necessary to the moral or intellectual welfare of the people. The article which the hon. gentleman read was written I suppose, two years ago when the duty was changed from 6 cts. per lb. to 15 per cent.

Mr. BLAKE. Not at all. This article was published on the 2nd of March, 1883.

Sir LEONARD TILLEY. Then it is not correct, and only shows that the writer did not know what he was writing on. It is not applicable to the present state of the case.

Mr. BLAKE. It was written before the Government had announced the change in the duty, and before the hon. gentleman made his financial statement.

Sir LEONARD TILLEY. Well, we have met the writer of that article half-way. We have given to the poor teacher to whom he referred his books of reference and his Greek and Latin books, with all the new discoveries to which the hon. gentleman referred.

Mr. BLAKE. Not at all. There are new editions of the classics published every day.

Sir LEONARD TILLEY. We have largely met the case presented by the writer of that article. We have not gone the whole length for the reason that we are not prepared to strike down an industry in the country from which thousands are obtaining a livelihood to-day. We are not prepared to put them back in a position where they cannot compete with foreigners in their own country. The hon. gentleman has referred to the fact that nearly all the books published in England are found in the circulating libraries. The reason of that is that the author puts such extraordinary prices on them—a guinea or half a guinea—that they are beyond the reach of the masses of the people. You do not find in that country the cheap editions that you find in the United States and Canada, though there is a movement there in that direction now. Therefore the masses have access to those books to which the masses in England have not access, except through these libraries. When it was proposed to the public that all books not published in the Dominion, nor likely to be published, should be free, I pointed out the difficulty of administering a law of this kind. I asked how should the different Custom House officers know whether the book was published, or likely to be published in this country, or not. A member of the deputation said: "We can give a list of the books, and they can be put in the hands of every officer." I asked what about those likely to be published? That question could not be very well answered. I have a list which embraces a large portion of the books published—between 600 and 700 in number.

Mr. BLAKE. In how many years?

Sir LEONARD TILLEY. That would have to be posted. What is the fact? The time was when American printers stole the brains of English authors, and published their works broadcast in the United States, and sent them over here. Our position is that we are stealing the brains of American authors, and publishing their works, not only in Canada, but they are finding their way largely into the United States. We have various publishing establishments in this country. It is just a question, therefore, whether we shall say all these establishments shall be closed, or that, in order to meet, as far as possible, the educational institutions of the country, and libraries of reference, that publish these standard books, encyclopædias and others, they shall have all those published seven years ago free, relieving them from duty on one-half of the publication. It is better that we should take the necessary revenue out of the

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light literature, which is one-half of the whole revenue collected. I think the proposition is a fair and liberal one.

Mr. FISHER. This is a question of such general interest to the whole community, as the hon. Finance Minister has said in his Budget Speech, that I regret it has only been discussed on this side of the House. I was in hopes that a question of such general interest as this would not assume a party form, but that, on the contrary, hon. gentlemen, supporters of the Administration, who, no doubt, feel the wants of the country, would have taken upon themselves to urge upon the hon. Finance Minister some further concession towards the popular demand than he has here granted; but, unfortunately, the matter seems to have been left entirely in the hands of the Opposition, and I feel bound not to let it pass without saying a few words. The hon. Finance Minister has intimated to us that the question was not one of revenue, that he did not retain the duty on books for seven years after publication for the purpose of collecting revenue, but almost entirely with the view of protecting the publishers of this country. In alluding to what the hon. member for West Durham has said, the hon. gentleman taunted the late Government with not having given us free books.

Sir LEONARD TILLEY. I did not taunt him.

M. FISHER. I beg the hon. gentleman's pardon; I suppose he only taunted the hon. member for West Durham for not having urged this on the late Government. But at the time the late Government were in power the finances of the Government were in a different position from that in which they are now. Hon. gentlemen opposite take great pleasure in telling us that at this time the country was passing through a period of deficits, and that since they have come into power we have had a succession of glorious surpluses. These facts are true, but although these hon. gentlemen seem to take pleasure in my saying so, they cannot make any capital out of it, because I am prepared to say here, as I have said many times in the country, that those surpluses are not due to the National Policy, and that the policy of the hon. member for East York and his friends was not the cause of the deficits that took place during his administration. However, this is beside the question. I simply wish to note the fact that under the Mackenzie Administration the country was not in possession of surpluses, and that there was quite sufficient reason for a slight duty being put on books. Fortunately for hon. gentlemen opposite, and the country at large, we have to day such surpluses that we can afford to give up this slight duty on books; but instead of doing that the Government increase the 5 per cent. rate to 15 per cent. on imported books. Last year the Government acquired about \$90,000 revenue from this source, and I understood the hon. Finance Minister, in his Budget Speech the other day, to predict for this year a surplus of about \$6,000,000. It seems to me, therefore, the small amount of revenue obtained from this source might well be spared out of our promised surplus for the year to come. In making this concession to us the hon. gentleman says he has given us half we asked; in other words we must be thankful for this half loaf, which is better than no bread. I venture, however, to differ entirely from the hon. gentleman in his estimate of the change. I believe that, instead of getting a half loaf, we are getting only a few crumbs, perhaps a crust which the hon. gentleman has taken care to dry for seven years before we get the benefit of it. He has acknowledged that there will be great difficulty in regard to the collection of the duty on account of that restriction of seven years, as the hon. member for West Durham has shown, a great many of the standard works are reissued, republished, and reannotated year after year. I have made some enquiries and I find from the booksellers of the country that not only are books republished and reissued, with the latest improvements, additions and annota-

tions, but more than that I find that books are kept by the publishers in England, printed and unbound, and they, as the market admits, year after year, put them together with new title pages bearing the date of the issue; in other words that no books of value are printed with a title page seven years old. Owing to this the increase of revenue will not be one-half as estimated by the hon. Finance Minister, but hardly anything at all.

Sir LEONARD TILLEY. The books are all right if printed seven years ago in the sheet.

Mr. FISHER. Does the hon. Minister mean to say that books which have been printed and published seven years ago, but which have a date on the title page within seven years, shall be entered free?

Sir LEONARD TILLEY. Printed seven years ago, though it is in sheets waiting to be ordered. If it is printed seven years ago and bound, it will be admitted free.

Mr. FISHER. I find from the book trade that the title pages are made when the book is issued to the country. The old title page is hardly likely to be placed upon a number of these books. They are prepared, not for the Canadian market, but the great market of the world, and when the Canadian bookseller sends to Europe for an invoice of books, the publisher there can hardly prepare a special title page for the Canadian market. But more than this: The hon. gentleman has spoken of school books which teachers have to use so largely, and which, unfortunately, their small salaries hardly enable them to buy. These school books are constantly being issued in new editions of important books. A good many school books are being published in Canada, and I believe it is hardly desirable that our Canadian school teachers should use our own books because they give fuller and more correct information of our own country than books published in England or the United States. But the School Commissioners in different parts of the country are empowered to select these books and to ordain that school teachers shall use Canadian books in preference to foreign books. Therefore, I do not see that this duty is needed in order to keep out foreign school books for the benefit of our Canadian schools of a similar class. I find, too, in the book trade that when a book is ordered, especially an expensive book, the latest edition is always asked for, and I do not believe the public will be content to wait for books until they are seven years old. Fortunately, in this country, we have a reading public, who desire to obtain the best and newest information upon all subjects connected with their business and trade, and they will always ask for the latest editions. Another class of works which would be entirely shut out by the proposition of the hon. Finance Minister, is the magazines, which, of course, from their periodical publication, cannot possibly come in free at any time, and this is a class of works which has lately assumed great importance, and which is much read by the mass of the community. The hon. gentleman almost told us that books were a luxury, as he told us that the necessaries of life ought to be taxed in a different way from books, and ought to come in free in a different way from books. Sir, I believe books are a necessity in this age. Especially in a community such as ours, where we have free schools, where almost every parent reads, I believe books are a necessity. But I regret to have to say, that it is not the richest class of our community who make the most use of books. The class who use books most, and who take the most advantage of free books, is a class of people comparatively poor, who really have to use books—not as a luxury, but as a necessity of their self-improvement; while the rich, if they use books at all, use them as a luxury. The hon. gentleman said that the United States were thirteen years behind us in this matter. I suppose he meant that in

the United States books twenty years old were admitted free, whereas he is now going to allow us to admit books seven years old free. The circumstances are very different. In the United States they are able to reprint books to such an extent as even to rival English publications, and their publishers are able to make a living where our own starve, owing to their immensely greater reading constituency. The consequence is, that in the United States, even though foreign books were shut out, the people would have a full supply of the best literature. This brings me to the point of our supply of native Canadian literature. The hon. gentleman tells us that he has done this for the purpose of protecting our publishers, and in order to do that he has increased the duty on books from 5 to 15 per cent. I have in my hand a list of the books reprinted in this country since Confederation. The hon. gentleman's policy was inaugurated in 1879, and I find that in the first year of Confederation the books, reprinted in this country increased in number from one in 1869 to twenty-two in 1878, in an almost regular progression. I find that from 1878 to 1882 the number of books reprinted in this country has regularly decreased, being twenty-two in 1878, fourteen in 1879, nine in 1880, five in 1881, and only three in 1882.

Sir LEONARD TILLEY. Where does the hon. gentleman get his information?

Mr. FISHER. From the Copyright Department in Ottawa.

Sir LEONARD TILLEY. Copyright is another question altogether.

Mr. FISHER. Does the hon. gentleman mean to tell me that books have been reprinted in this country which have not been copyrighted?

Sir LEONARD TILLEY. Yes; many of them are reprints of American authors, for instance, thousands and millions of them. Go to Toronto and you will get there very different statistics.

Mr. FISHER. These are copyrights, no doubt, but they are copyrights in both cases—copyrights since 1869 up to the time of the introduction of the hon. gentleman's policy, and since that time. But, Sir, this is a question that does not merely concern copyrights; it concerns also the question of protection to the publishers. By this increased duty the hon. gentleman claimed that he has protected the publishers, and the book-makers as to their material especially. I find that when the policy of the hon. gentleman was first introduced, a specific duty was put upon books, and in connection with that I have in my hand a memorandum which was issued by one of the publishing and book-selling firms of this country, in which a strong argument was made in favor of a specific duty. I am not prepared for an instant to support that argument, but at the same time a good deal of what this gentleman says—and I think the hon. gentleman will acknowledge the authority as being a good one on the question—is very pertinent to our present enquiry. What this gentleman says when he is condemning an *ad valorem* duty in favor of a specific duty must necessarily be true, as also what he says in favor of an *ad valorem* duty as against free books. This gentleman says that in consequence of the duty upon books being always a duty upon the paper, there is a great anomaly, and that in consequence of this duty upon paper to protect our publishers a duty ought also to be placed higher than that on the printed paper. That is quite true and it shows the difficulty by which this question is surrounded. If we wish to put a duty on books for the sake of protection, we find a beautiful illustration of the advantages of that protective system which has been introduced by the hon. Finance Minister and his colleagues. In consequence of the increased duty on paper, publishers turn to the Government and ask for an increased duty on books. In consequence of the raw material of the publisher

being thus taxed they are obliged to ask for protection for themselves. The consequence is that the book-sellers, who import the books or buy them, have to pay more for them, and the whole public at large is the sufferer from that policy. In consequence of taxation of the raw material of one individual the raw material of another individual has to be taxed, the result being that the consumer in the end has to pay the whole. I will not detain the House longer upon this question, but I think there can be no doubt that the public at large, when the changes in the Tariff were to be submitted by the hon. Finance Minister, indulged the hope that some greater measure of improvement would be meted out to them; they have obtained, as the hon. Finance Minister says, a portion, and the hon. gentleman says one-half of what they asked. I have endeavored to show that they have not obtained half, but only a very small portion, and in that they will be very much disappointed and will hold the hon. Finance Minister responsible for the disappointment.

Mr. HALL. I had the honor to be one of the deputation from the universities which waited on the hon. Finance Minister in regard to the remission of the duty on books. I am free to say that at the outset I held, in a considerable degree, the sentiments which have been expressed by hon. members on the Opposition side of the House: that there should be an entire remission of the duty if it was possible to accomplish it. We were told at the outset that the Government did not care for the imposition of the duty on books for the sake of revenue, which, of course, gave us a great deal of confidence in presenting our case. We were instructed to ask, first, for the entire remission of the duty. If that could not be obtained we were requested to ask that books should be allowed to be brought in free, if for the use of universities and schools, or for their libraries, and if that would not be conceded we were instructed to ask that at least two volumes of each work for the use of universities or free libraries, might be admitted free. A little reflection and investigation into the circumstances of the case, I think, satisfied a large majority of the deputation that their demands were unreasonable, that they were inconsistent with the protectionist policy of the country with which a large portion of the deputation were in sympathy, and that it would not be right that there should be an entire remission of the duty. It was very plain to us on reflection that the book-publishing trade would be driven out of the country, that with the reasonable duty and protection which exists, of 20 per cent. in favor of paper makers, if books were admitted free there would be an actual premium offered to parties to go out of the country, publish their works and bring them back into the Dominion. It was very plain, therefore, that the effect of the entire remission of the duty would be disastrous to the interests of the publishers in Canada, and we were, therefore, prepared to accept any reasonable compromise. I am free to admit, after an investigation of the case, that I am satisfied that the policy of the Government, which they changed to that which has been last in force, was probably the best, that is, a specific duty instead of an *ad valorem* one. It had the effect of imposing the duty on the material itself which went into the books and not on the mind of the author embodied in it, and I think that is the correct principle, though it is plain to see there are difficulties surrounding it. It does not follow that because there are difficulties about the enforcing of that, or our present system it is one which should be objected to, nor is it a fair comparison to say that because the republication of foreign books had diminished or almost ceased that the protection granted by the policy of the Government is not working advantageously for the interests of the country. It has effected the discontinuance of the republication of foreign books perhaps to some extent, but it has encouraged our authors to write and publish here. I know that to be the

Mr. FISHER.

case in connection with many school books, mathematical works, algebras and arithmetics, which were largely brought into the country at one time; and with the protection now existing, there is encouragement to our authors to write such books, and the result is that the necessity of republishing foreign books of that kind does not exist to the same extent. I would say, however, that the compromise and concession made by the Government was felt by that deputation, or at least by a majority of its members, to be a reasonable and satisfactory one. There is a simple addition which I would be very glad to see made. I have called the attention of the hon. Finance Minister to it, and I would be very glad if he could carry it into effect—it is the addition of books in foreign languages to the Free List. There is no possibility of these being republished here, and therefore the admission of this class of books would be a great advantage to universities, schools and public libraries, as well as to students who have not much money to spare. It would, moreover, reach another class who are fairly deserving of consideration. There is in the Province of Ontario—and this matter was called to the attention of the deputation—a large class of the German population who are a reading, intelligent and literary class, who are entirely dependent for their own literature on works brought in from Germany and the United States. I am told there is not a single German publication in this country, nor is there likely to be. It seems a great hardship therefore that this class of the population who wish to improve their minds, and are inclined to do so by reading and study, should be compelled to pay a duty of this kind when Government admit they do not care for the duty so far as revenue is concerned. I should be exceedingly glad if the hon. Finance Minister would add to the Free List, books published in foreign languages, which would include the German language; it would not apply to the French, which is not a foreign language, but it would cover Greek and Latin books as well as German. With that concession, I am sure the decision of the hon. Finance Minister will be accepted throughout the country as being a fair concession to the literary interests which were represented before him, and will be a sufficient protection also to the publishers of the country whose interests in common with those of other manufacturers he watches wisely and well.

Mr. WHITE (Cardwell). I think we must assume from the statements of hon. gentlemen opposite, that a duty on books is absolutely necessary. The hon. member for West Durham spoke of a class of literature on which he believed it would be not only advantageous to impose a high duty, but to exclude altogether if that were possible; and the hon. member for Brome (Mr. Fisher), described school books, and books of that kind, the duty on which tends to the production of the publications in the country itself. I desire, however, to say that I think the hon. Finance Minister will yet have to come back to the wise policy, as it seems to me, which he adopted in 1879. There is no doubt whatever, that 15 per cent. on a certain class of books is a very high duty; there is a large class of books which it is utterly impossible to hope can ever be printed in Canada—when I say ever, I mean within a reasonable time—a class where the value of the book is in its matter; and it is quite impossible that these can be reproduced with any advantage to publishers in Canada, for the reason that the market for them is so limited. I will give simply one illustration. Our own librarian wrote a book on Parliamentary Government. He went to the United States, I believe, and had it published. The importation of that book, under this duty of 15 per cent., involved the payment of a duty of 45 cts.; but if we had the duty as fixed in 1879, the specific duty of 6 cts. a lb., the charge for duty would have been about 15 cts. instead of 45 cts., rather under 5 per cent. than over it on that book, as it would be about 5 per cent. on books of that class generally. The hon.

member for West Durham read a very eloquent appeal, written, I think, by the Rev. Prof. Murray of McGill University, in favor of free books; but the Rev. Professor has attended a meeting held in the city of Montreal since that time, which was presided over by Dr. Dawson, the Principal of McGill, at which, while an opinion was expressed that books should be free, recognizing the difficulty of that request being conceded, they urged that the policy of the Government should be to impose duty by weight, a policy which would have the effect to a large extent, of putting a heavier duty on that class of literature to which the hon. member for West Durham referred, and of protecting the publishers of a class of literature, which can be reproduced in this country itself; while permitting the importation of higher class literature at a very low rate of duty. On the class of books that can fairly be reproduced in Canada, the specific rate of 6 cts. a lb. would be quite as effective of protection, if not more effective, than the present Tariff, while it would be a very moderate tax, an exceedingly low tax on books which we cannot hope to reproduce here, and which are required by scholars and literary men. The hon. member for Brome referred to the fact that rich men, as a rule, are not men who read a great deal, they are too busily engaged in trade as he said; and that there is another class, the middle class, who have more leisure. My own impression is that the middle class have no more leisure; but there is no doubt about this, that the literary class of the country are not a moneyed class; they are not given to money making; they are devoted to study, and the results are given to the world, the advantages of which are felt greatly by this community. They are men with just enough to live on, nothing more; and a heavy tax to them is a matter of very serious consequence. The difference between 45 cts. and 15 cts., as a duty upon a book, becomes to them a matter of very serious consequence, because they are compelled, by the very position in which they stand, to count the cost of everything they purchase, and count it very closely. If the principle were adopted of a specific duty, I am quite satisfied that this class of persons, a class who deserve the greatest possible sympathy and encouragement from the Parliament and people of this country, would be well satisfied with an arrangement. Then there is another advantage, which, as it seems to me, might be derived from the adoption of the principle of a specific duty on books, by weight, and that is, in the importation of single books through the Post Office. As the case stands to-day, a book imported has to be sent to the Customs. Notice is given to the person to whom it is addressed, and he has to go to the Custom House and make an entry, though I believe a not very formal entry is required; but some process has to be gone through to get the book out. I know the jealousy that exists between different Departments of a Government. This is one of those things that one outside cannot quite understand the reason for; but it exists nevertheless; and it may be that some difficulty might be met in getting the Department of the Postmaster-General and that of the Minister of Customs to agree to a process by which there would be Customs stamps, so that when a book came to the Post Office, and the importer went to get it, he would simply have to purchase the necessary number of stamps, the book being thrown into the scale to ascertain the duty, and put them on, and these stamps would be accounted for to the Customs Department. I think that this process might be adopted, although, as I said before, I know that a difficulty exists, especially on the part of deputy heads, who sometimes seem to consider that this country was made for the magnifying of their special office; and that difficulty is very considerable.

Hon. MEMBERS. Oh! Order.

Mr. WHITE. Unfortunately, there is too much truth in what I have just said. I merely rose for the purpose of urging very strongly that the hon. Finance Minister would,

not at this time—because I know it cannot be done now—but still to urge strongly that he should return to the policy which he adopted in 1879. I know that there were some binders who thought it affected their trade, and some book publishers who thought it affected their trade; but I am quite satisfied that, having regard to the interests of the great mass of the community, the policy of a specific duty by weight would be the true policy. At that time, if I remember rightly, a duty was imposed on magazines and periodicals and a great deal of feeling was shown in the country just after it had been imposed. People who had been in the habit of getting magazines free, went to the Post Office to get them, and found them weighed, and that there was a duty to pay on them—a duty which seemed to be pretty heavy. That difficulty does not exist now. Magazines are free; and, I believe, by a change in the Tariff to-day, even weekly periodicals are made free, so that there is no difficulty now arising in that way. The duty will simply be on books in the true sense of the word; and I think that, if we were to adopt a specific duty, we would really accomplish the object which everyone admits is desirable, of excluding to some extent, or at any rate, of not encouraging, a class of literature, cheap literature, which I think it would be very much better for the people if they did not get, while it would give the higher class of literature to the scholars and literary men of the country at a comparatively low rate of duty.

Mr. ROSS (Middlesex). I notice that the strongest objection that the hon. Minister of Finance makes to remitting the duty on books, is, that by so doing, it would stop the publication of books in Canada. Now, I think that if the hon. gentleman will enquire into this matter he will find that the only books published in Canada to any considerable extent at all, are school books, authorized first by the Council of Public Instruction, or which are expected to be so authorized. The books published in Toronto, or the greater portion of them, I know, I have reason to believe, in fact, I may almost say I know, consist of that class of publications. There is another class, however, published to some considerable extent recently, and that is the class which are sold by subscription. For instance, the biography of the right hon. gentleman is being published in that way, and sold by subscription, and we had recently a variety of works published in the same way. Now, if you exclude all other publications except those two, or the two kinds named, you will have almost, in those two classes, a complete list of the publications—the major portion of the publications—of the Dominion of Canada at the present moment. We have no publication of English poets, or English technical works; all the books that you will find on the book-shelves of the book-stores of Canada, consist of such works as I have already indicated. We have a few histories of Canada published, the production of native authors, but no publication of foreign works, to any appreciable extent, except such as may be used in the Public Schools.

Mr. BOWELL. What class of books are published by Rose & Co., and Belford & Co.?

Mr. ROSS. Rose & Co. publish the Rose-Belford Library. These are reprints, I believe, of American books. That is the extent of their publication in that line, but the Rose-Belford Co. are now confining themselves almost entirely to such books as I have named, which are being sold by subscription. I have in my possession now some books which have been published recently, and which occupy a large portion of their press. For instance, there is "Lord Dufferin's Administration in Canada;" the "Scot in America," and I do not know whether the "Irishman in America" was published by that firm or not; but, at all events, these books are sold by subscription to a constituency which is guaranteed in advance, so that that class of books would not be interfered with by the remission of a large portion of the heavy tax which we ask to be remitted. Now, the class of

readers which will be affected most seriously by this tax will be professional men, teachers and others, and men of other callings such as these. Every work required by the teacher for professional purposes is a foreign publication. Go in' o the Model Schools of Ontario, and, with one small exception, there is not a single publication used in these Model Schools but what is an American publication. The books authorized for use in the Model Schools of that Province—and we require about 2,000 annually—are of foreign publication, and these are all most valuable, and have been published very recently, because of the great advances which have lately been made from a scientific stand-point. Take, for instance, Professor Bain's "Science of Teaching," a most valuable work which every teacher should read, and which has recently been published. It comes under the tax which the hon. gentleman has imposed. Some of the most advanced algebraic and other mathematical works, some of the classics, and particularly some of the French books used in the High Schools of the Province, are foreign publications. There is one enterprising firm in Toronto which has done much to put Canadian publications in the hands of Canadian readers, but the professional works which advanced teachers require to use are all foreign publications, and upon such books the burden of this duty will fall most heavily. Take next the Schools of Art and Design in the Province of Ontario; nearly all the technical works which are required to be used in them are foreign books. I cannot think of a single publication of that kind used in these schools which is published in Canada. Even the primary or elementary books with which the student begins his education are published by Walter Smith, of Boston. The hon. gentleman will see that this heavy tax falls upon those who are pushing their way to the front, in order to train themselves for professional and useful pursuits in life. If the hon. gentleman is going to interfere with the development and intelligence of the people, he is striking a blow at one of the most important industries—shall I call it?—in the Dominion of Canada. Let me ask the hon. gentleman to take a simple proof of the effects of his Tariff. Let him go into the store of any book-seller in Ottawa and look over his shelves, and he will find that any literary or scientific work of any value is almost invariably an English or some foreign publication. He will scarcely find one of the poets published in Canada, or the writings of any of the English literary or scientific men. Take Macaulay's "Essays and Reviews," for instance. That, of course, is not a work which has been issued within seven years, but it may have been rendered much more valuable by recent annotations. He will find that those books which are new and fresh are not Canadian, but foreign publications, and certainly we want the newest and freshest we can get. These books all come under the hon. gentleman's heavy tax, and surely he ought to allow the utmost facility for the cultivation and development of the literary taste of young Canadians. It is certainly desirable, as was said when we were incorporating the Royal Historical Society, that we should endeavor to turn our attention somewhat in the direction of literary pursuits. The hon. gentleman cites the case of the United States as one in point, but, as the hon. member for Brome (Mr. Fisher) says, the two cases are not parallel. They have 50,000,000 of people, and any publisher is almost perfectly safe in publishing any work he may select with such a constituency of readers to appeal to.

Sir LEONARD TILLEY. That is your principle generally.

Mr. ROSS. It is a sound principle. It is the same principle that other manufacturers act upon. The publisher, like any other manufacturer, makes a book to sell it, and unless he can sell it he will not publish it. Some of these American firms are very enterprising—the Harpers, for instance Mr. Ross (Middlesex).

who publish the *Half-Hour Series*, and the *Franklin Square Library*, which are composed of the works of the best minds in England and Scotland. The 15 per cent. tax will be a heavy burden so far as these books are concerned. They are books which any ordinary reader can purchase for a small cost but for this duty. The hon. gentleman has put an obstacle in the way of the circulation of the healthiest kind of literature. He says there is an advantage in his high tax, because it keeps out cheap novels, and questionable literature, but I do not see why the innocent should suffer with the guilty. It is true, that perhaps this duty does tend to keep out a questionable class of literature, but it at the same time keeps out the antidote; it keeps out the most valuable books of the best minds of English and foreign literature. One reason why the dime novel is published, and purchased, is because it costs a dime.

Sir LEONARD TILLEY. And because it is a novel.

Mr. ROSS (Middlesex). Yes; but the best antidote against the dime novel is to cultivate the purchase of the best kind of books at the same price. Some of the *Franklin Square* books can be bought for 10 cts. or 15 cts.

Mr. BOWELL. How does this duty affect them injuriously?

Mr. ROSS (Middlesex). What we propose is that the duty should be remitted.

Mr. BOWELL. That is not the question I asked.

Sir LEONARD TILLEY. The duty will amount to just three-quarters of a cent on a dime book.

Mr. ROSS (Middlesex). We should endeavor to circulate books which are valuable, profitable, and instructive, and thus educate the public to reject the dime novel by cultivating a taste for better books. I regret that while the hon. gentleman has a large surplus; while he feels that the revenue is buoyant, he is not disposed to assist the great educational interests of this country, or elevate the educational and literary taste of the people to a higher plane, by placing within their reach every facility for the cultivation of higher and better literary tastes.

Mr. SPROULE. The hon. gentleman seems anxious to give the scholars of this country their literature as cheaply as possible. He is a member of the Literary Board of Ontario, which endorses a system a hundred times more injurious to the scholars of that Province, and imposes twenty times more duty upon their books than the present duty does. The Educational Department of Ontario, which is controlled by the friends of the hon. member for West Middlesex, imposes restrictions in this way. They will allow no books to be sold that do not belong to the Educational Series; they put their own price on these, change them as often as they like and compel the book-sellers to charge their price, and will not allow them to reduce the price.

Mr. ROSS. Not at all; nothing of the kind.

Mr. SPROULE. They will not allow them to do it. These books cannot be got at the cheapest possible price by the class who need them most, that is, the teachers in the schools. I know, as one who has been engaged in selling books, that the country has been put to a very heavy expense in obtaining school books, because scarcely is one book authorized when there is an order issued for it to be changed.

Mr. ROSS (Middlesex). That is not so.

Mr. SPROULE. It is so. We have had stock on the shelves that we had for less than a month, when we had to send for another stock. And these books had to be sold at 1\$, that used to be sold at 25 cts. and 30 cts. The Department will not allow them to be sold for less. If these are not unreasonable restrictions, I do not know what are; and

when the hon. gentleman is inclined to complain of restrictions placed on books by this small Tariff, I think that he would have greater reason to complain of the restrictions imposed from day to day, by the Education Department of Ontario—restrictions which it is not in the power of the people there to remedy in any way.

The first, second and third resolutions were severally concurred in; and it was resolved that the following take

effect on and after the 20th of April, 1883:—The first resolution, and in the second resolution, items 1 to 5 inclusive, 13, 20 to 22 inclusive, 24 to 44 inclusive, 45a to 55 inclusive, 79 to 98 inclusive, and 100 to 102 inclusive.

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and (at 1:10 o'clock a.m.) the House adjourned.

B

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FIRST SESSION, FIFTH PARLIAMENENT, 1883.

Abbreviations of well known words and Parliamentary expressions are used in the following:—1<sup>o</sup>, 2<sup>o</sup>, 3<sup>o</sup>, First Reading, Second Reading, Third Reading; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist; \*, without remark or debate; Acts., Accounts; Adj., Adjourn; Adj., Adjourned; Amt., Amendment; Amts., Amendments; Amalg., Amalgamation; Ans., Answer; Ass., Assurance; B., Bill; B. C., British Columbia; Can., Canada or Canadian; C. P. R., Canadian Pacific Railway; Com., Committee; Co., Company; Conc., Concur, Concurred, Concurrence; Consd., Consider; Consdn., Consideration; Cor., Correspondence; Deb., Debate; Dept., Department; Depts., Departments; Div., Division; Dom., Dominion; Govt., Government; His Ex., His Excellency the Governor General; H., House; H. of C., House of Commons; Incorp., Incorporation; Ins., Insurance; Intercol., Intercolonial; Man., Manitoba; Mess., Message; M. Motion; Ms., Motions; m. moved; Neg., Negatived; N. B., New Brunswick; N. W. T., North-West Territories; N. S., Nova Scotia; O. C., Order in Council; Ont., Ontario; P. E. I., Prince Edward Island; P. O., Post Office; Par., Paragraph; Priv. and Elec., Privileges and Elections; Prop., Proposed; Que., Quebec; Ques., Question; Recom., Recommit; Ref., Refer, Referred, Reference; Rep., Report, Reported; Reps., Reports; Res., Resolution; Ret., Return; Ry., Railway; Rys., Railways; Sel., Select; Sen., Senate; Sp., Special; Stmt., Statement; Sup., Supply; Suppl., Supplemental, Supplementary; W. & M., Ways and Means; Withdn., Withdrawn; Withdrl., Withdrawal; Y. N., Yeas and Nays. Names in italic and parenthesis are those of the movers.

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- BANK SHAREHOLDERS LISTS**: presented (*Mr. Speaker*) 40, 77.
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- BILL (No. 1) Respecting the Administration of Oaths of Office**.—(*Sir John A. Macdonald*). 1°\*, 3.
- BILL (No. 2) To amend an Act respecting Procedure in Criminal Cases and other matters relating to Criminal Law**.—(*Mr. McCarthy*). 1°, 29; 2° and ref. to Sel. Com., 87; incorp. with B. 6.
- BILL (No. 3) For constituting a Court of Railway Commissioners for Canada, and to amend the Consolidated Railway Act, 1879**.—(*Mr. McCarthy*). 1°\*, 29; 2°, 140; M. for Com., 558; neg., 571.
- BILL (No. 4) To amend the Law of Evidence in Criminal Cases**.—(*Mr. Robertson, Hamilton*). 1°, 32; 2°\* and ref. to Sel. Com., 93; incorp. with B. 6.
- BILL (No. 5) For the better prevention of Fraud in relation to Contracts involving the Expenditure of Public Moneys**.—(*Mr. Casgrain*). 1°, 32; 2°, 93; ref. to Sel. Com., 102; B. in Com., 287; on M. for 3°, Amt. (*Mr. Ross, Middlesex*) 302; neg. (Y. 49, N. 90) 306; 3°\*, 306.—(46 *Vic.*, c. 5.)
- BILL (No. 6) To provide that persons charged with Misdemeanor shall be competent as Witnesses**.—(*Mr. Cameron, Huron*). 1°\*, 32; 2°, 87; M. for Com., 315; B. in Com., 322; M. that Com. rise (*Mr. Curran*) 322; carried on a div. 322; M. to reconsd. B. neg. (Y. 77, N. 101) 332.
- BILL (No. 7) To amend the Criminal Law, and to extend the provisions of the Act respecting Offences against the Person**.—(*Mr. Cameron, Huron*). 1°\*, 32; 2°, 87; in Com., 116; Amt. to recom. (*Mr. Ives*) 195; carried and in Com., 200; Amt. 6 m. h. (*Mr. Bossé*) neg. (Y. 67, N. 101) 201; 3°\*, 302.

- BILL (No. 8) For the Discharge of Past Insolvents.—(*Mr. Beaty.*)  
1°\*, 35; 2° m., 118; deb. adjd., 123.
- BILL (No. 9) For the Equitable Distribution of Insolvents' Estates.—(*Mr. Beaty.*)  
1°, 35.
- BILL (No. 10) To provide for the Amalgamation of the Bank of Nova Scotia with the Union Bank of Prince Edward Island.—(*Mr. Tupper, Pictou.*)  
1°\*, 38; 2°\*, 77; in Com. and 3°\*, 374.—(46 Vic., c. 48.)
- BILL (No. 11) To amend the Law in reference to Trial of Cases before the County Judges' Criminal Court.—(*Mr. Robertson, Hamilton.*)  
1°, 38; 2°, 103; ref. to Sp. Com., 118.
- BILL (No. 12) To amend the Law with reference to Procedure in Criminal Cases, and the Duties of Justices of the Peace out of Session, in relation to persons charged with Indictable Offences.—(*Mr. Robertson, Hamilton.*)  
1°\*, 38.
- BILL (No. 13) To provide for the Punishment of Adultery, Seduction, and like Offences.—(*Mr. Charlton*)  
1°, 38; 2° and ref. to Sel. Com., 123; M. for Com., 220; B. in Com., 222; Order for consdn. read, 283; Amt. to recom. (*Mr. Charlton*) carried (Y. 91, N. 73) 286; in Com., 286; M. for consdn., 286; deb. adjd., 287; M. to recom. (*Mr. Cameron, Victoria*) carried (Y. 73 N. 61) 307; in Com., 313; rep., 314.
- BILL (No. 14) Respecting Carriers by Land.—(*Mr. McCarthy.*)  
1°, 38; 2°, 124; in Com., 202, 314; rep., 315; M. for consdn., 415; Amt. as to constitutionality (*Mr. Ouimet*) 415; resmd., 426; deb. adjd., 426; Order to resume allowed to stand, 558.
- BILL (No. 15) To amend the Consolidated Railway Act, 1879.—(*Mr. Mulock.*)  
1°, 39; 2°, 103; withdn., 281.
- BILL (No. 16) To incorporate the Central Bank of Canada.—(*Mr. Small.*)  
1°\*, 40; 2°\*, 77; in Com., 106; 3°\*, 161.—(46 Vic., c. 50.)
- BILL (No. 17) To further amend the Act 37 Victoria, Chapter 50, respecting Permanent Building Societies in Ontario.—(*Mr. Williams.*)  
1°, 40; 2°, 125;
- BILL (No. 18) To incorporate the University of Saskatchewan, and to authorize the establishment of Colleges within the limits of the Diocese of Saskatchewan.—(*Mr. Williams.*)  
1°\*, 52; 2°\*, 77; in Com., 244; consd. and recom., 261; 3°\*, 261.—(46 Vic., c. 47.)
- BILL (No. 19) To incorporate "Les Révérends Pères Oblats de Marie Immaculée des Territoires du Nord-Ouest."—(*Mr. Royal.*)  
1°\*, 52; 2°\*, 77; in Com., 244; recom. and 3°, 368.—(46 Vic., c. 96.)
- BILL (No. 20) To empower the National Insurance Company to wind up its affairs and to relinquish its Charter, and to provide for the dissolution of the said Company.—(*Mr. Coursol.*)  
1°\*, 52; 2°\*, 77; in Com., 426; 3°\*, 471.—(46 Vic., c. 82.)
- BILL (No. 21) To authorize the raising, by way of loan, of certain sums of money required for the Public Service.—(*Sir Leonard Tilley.*)  
Res. prop., 39; in Com., 53; 1°\* of B., 54; 2° and in Com., 81; 3°, 102.—(46 Vic., c. 3.)
- BILL (No. 22) Respecting the Crédit Foncier Franco-Canadien.—(*Mr. Desjardins.*)  
1°\*, 56; 2°\*, 77; in Com., 161, 261; 3° m., 215; Amt. 6 m. h. (*Mr. Auger*) 215; Amt. to Amt. (*Mr. Houde*) 218; ruled out of Order (*Mr. Speaker*) 219; Amt. to Amt. (*Mr. Orton*) neg. (Y. 18, N. 144) 219; Amt. 6 m. h. (*Mr. Auger*) neg. on a div., 220; 3° m., Amt. 6 m. h. (*Mr. Auger*) 307; Amt. to Amt. (*Mr. Ouimet*) 310; recom., 369; on M. for 3°, Amt. 6 m. h. (*Mr. Auger*) neg. (Y. 35, N. 145) 370; 3°\*, 371.—(46 Vic., c. 85.)
- BILL (No. 23) To further reduce the Capital Stock of the Quebec Fire Insurance Company.—(*Mr. Bossé.*)  
1°\*, 56; 2°\*, 77; in Com. and 3°\*, 375.—(46 Vic., c. 83.)
- BILL (No. 24) To incorporate the Manitoba and North-Western Fire Insurance Company.—(*Mr. Sutherland, Selkirk.*)  
1°\*, 56; 2°\*, 77; in Com. and 3°\*, 261.—(46 Vic., c. 84.)
- BILL (No. 25) To amend the Acts respecting Cruelty to Animals.—(*Mr. Richey.*)  
1°\*, 56; 2° m., 225; 2°\* and ref. to Sel. Com., 229; B. in Com., 781; 3°\*, 903.
- BILL (No. 26) To incorporate a Company under the name of "H. B. Rathbun & Sons."—(*Mr. White, Hastings.*)  
1°\*, 67; 2°, 77; in Com. and 3°\*, 471.—(46 Vic., c. 89.)
- BILL (No. 27) To amend an Act to incorporate the Ontario and Quebec Railway Company.—(*Mr. Wells.*)  
1°\*, 67; 2°, 88; in Com. and 3°\*, 261.—(46 Vic., c. 58.)
- BILL (No. 28) To continue an Act to incorporate sundry Persons by the name of the President, Directors, and Company of the Farmers' Bank of Rustico.—(*Mr. Davies.*)  
1°\*, 67; 2°\*, 77; in Com. and 3°\*, 501.—(46 Vic., c. 49.)
- BILL (No. 29) To incorporate the Bank of London, in Canada.—(*Mr. Dawson.*)  
1°\*, 67; 2°\*, 106; in Com. and 3°\*, 375.—(46 Vic., c. 52.)
- BILL (No. 30) To amend the Criminal Law, and to declare it a Misdemeanor to have unguarded and exposed holes, openings, &c., in the ice on any navigable waters.—(*Mr. Robertson, Hamilton.*)  
1°, 67; 2° and ref. to Sel. Com., 125; incorp. with B. 6.
- BILL (No. 31) To consolidate and amend the Laws affecting the Militia of Canada.—(*Mr. Caron.*)

- 1° , 67; 2° m., 516; 2°\*, 544; in Com., 544, 583; Res. prop., 693; Res. in Com., 721; B. again in Com., 729; Amt. to recom. (*Mr. Ross, Middlesex*) 731; deb. adjd., 732, resmd., 830; Amt. neg. (Y. 60, N. 113) 834; 3°\*, 835.—(46 *Vic.*, c. 11.)
- BILL (No. 32) To amend the Consolidated Railway Act, 1879.—(*Mr. Riopel*)  
1°\*, 77; 2°, 125.
- BILL (No. 33) To provide for the admission to the profession of Dominion Land Surveyors of Graduates of the Royal Military College.—(*Mr. Casgrain*).  
1°\*, 77; withdn., 1034.
- BILL (No. 34) To amend and consolidate the Acts respecting the Customs.—(*Mr. Bowell*).  
Res. prop., 100; Res. in Com., 101; 1°\* of B., 102; 2°\*, 546; in Com., 587, 694, 702; 3°\*, 702; Sen. Amts conc. in, 1037.—(46 *Vic.*, c. 12.)
- BILL (No. 35) To incorporate the Federal Life Assurance Company.—(*Mr. Kilvert*).  
1°\*, 88.
- BILL (No. 36) To amend the Act incorporating the Kingston and Pembroke Railway Co., and the Act amending the same.—(*Mr. Gunn*).  
1°\*, 89; 2°\*, 106; in Com., 371; ref. back to Ry. Com. 372; B. again in Com. and 3°\*, 556.—(46 *Vic.*, c. 64.)
- BILL (No. 37) To incorporate the Royal Society of Canada.—(*Mr. Tasse*).  
1°\*, 89; 2°, 262; in Com. and 3°\*, 471.—(46 *Vic.*, c. 46.)
- BILL (No. 38) To incorporate the Rainy River Improvement Company.—(*Mr. Dawson*).  
1°\*, 89; 2°\*, 138.
- BILL (No. 39) To amend the Act of the Dominion of Canada, 45 Victoria, Chapter 124, respecting the Temporalities Fund of the Presbyterian Church of Canada, in connection with the Church of Scotland.—(*Mr. Charlton*).  
1°\*, 89; 2°, 162; withdn., 238.
- BILL (No. 40) To grant certain powers to the Acadia Powder Company.—(*Mr. Tupper*).  
1°\*, 89; 2°\*, 138; in Com., 262, 372; 3° m., 872, 422; Amt. as to constitutionality (*Mr. Amyot*) 422; deb. adjd., 426; resmd., 498; Amt. to recom. (*Mr. Blake*) 499; carried, 501; in Com., 557; 3°\*, 557.—(46 *Vic.*, c. 94.)
- BILL (No. 41) To incorporate the Dominion Railway Trust and Construction Company of Canada, limited.—(*Mr. Small*).  
1°\*, 89; 2°\*, 164; in Com. and 3°\*, 749.—(46 *Vic.*, c. 75.)
- BILL (No. 42) To amend and continue in force the Act incorporating the Grafton Harbor Company, and for other purposes.—(*Mr. Guillet*).  
1°\*, 89; 2°\*, 106; in Com., 471; 3°\*, 557.—(46 *Vic.*, c. 93.)
- BILL (No. 43) To amend the Act to incorporate the Missionary Society of the Wesleyan Methodist Church in Canada.—(*Mr. McCarthy*).  
1°\*, 89; 2°\*, 138; in Com., and 3°\*, 471.—(46 *Vic.*, c. 95.)
- BILL (No. 44) To incorporate the Grange Trust, limited.—(*Mr. White, Cardwell*).  
1°\*, 98; 2°\*, 138; in Com. and 3°, 701.—(46 *Vic.*, c. 86.)
- BILL (No. 45) Further to amend and consolidate the several Acts respecting the Public Lands of the Dominion therein mentioned.—(*Sir John A. Macdonald*).  
1°, 98; 2°\*, 546; M. for Com., 860; in Com., 873, 935; on M. for 3°, 936; Amt. (*Mr. Charlton*) 940; deb. resmd., 943; Amt. neg. (Y. 49, N. 101) 951; 3°\*, 951; Sen. Amts. conc. in, 1310.—(46 *Vic.*, c. 17.)
- BILL (No. 46) Further to amend the Act intituled An Act relating to Banks and Banking, and the several Acts amending the same.—(*Sir Leonard Tilley*).  
Res. prop. 98; in Com., 99; 1°\* of B., 100; 2°, 187; in Com., 281; 3°\*, 383.—(46 *Vic.*, c. 20.)
- BILL (No. 47) To revive and amend certain Acts respecting the Union Assurance Company of Canada, and to change the name of the Company to the Crown Assurance Company of Canada.—(*Mr. Beatty*).  
1°\*, 106; 2°\*, 138.
- BILL (No. 48) To incorporate the Wood Mountain, Qu'Appelle and Prince Albert Railway Company.—(*Mr. Beatty*).  
1°\*, 106; 2°\*, 138; in Com. and 3°\*, 471; Sen. Amts. disagreed to, 767.—(46 *Vic.*, c. 74.)
- BILL (No. 49) To incorporate the Dominion Phosphate and Mining Company.—(*Mr. Cameron, Victoria*).  
1°\*, 106; 2°\*, 165; in Com., 373; 3°\*, 374; Sen. Amts. conc. in, 804.—(46 *Vic.*, c. 91.)
- BILL (No. 50) To amend an Act respecting the Credit Valley Railway Company.—(*Mr. Cameron, Victoria*).  
1°\*, 106; 2°, 164; in Com. and 3°\*, 471; Sen. Amts. conc. in, 1098.—(46 *Vic.*, c. 57.)
- BILL (No. 51) To amend the Act to incorporate the Chignecto Marine Transport Railway Company, limited.—(*Mr. Cameron, Victoria*).  
1°\*, 106; 2° m., 164; 2°, 244; in Com. and 3°\*, 701.—(46 *Vic.*, c. 60.)
- BILL (No. 52) To incorporate the Brant County Bank of Canada.—(*Mr. Paterson, Brant*).  
1°\*, 106; 2°\*, 165; in Com. and 3°\*, 501.—(46 *Vic.*, c. 51.)
- BILL (No. 53) To declare the meaning and effect of certain provisions of the Act to incorporate the London and Ontario Investment Company, limited.—(*Mr. Hay*).  
1°\*, 116; 2°\* 244; in Com. and 3°\*, 501.—(46 *Vic.*, c. 87.)
- BILL (No. 54) To incorporate the Quebec and James' Bay Railway Company.—(*Mr. Bossé*).  
1°\*, 129; 2°\*, 165; in Com. and 3°\*, 606.—(46 *Vic.*, c. 70.)
- BILL (No. 55) To incorporate the Royal Canadian Passenger Steamship Company.—(*Mr. Mitchell*).  
1°\*, 129; 2°\*, 165; in Com. and 3°\*, 501.—(46 *Vic.*, c. 88.)
- BILL (No. 56) To incorporate the Edmonton and Peace River Railway and Navigation Company.—(*Mr. Dawson*).  
1°\*, 129; 2°\*, 165.

- BILL (No. 57)** To further amend the Acts relating to the New Brunswick Railway Company.—(*Mr. Weldon.*)  
1°\*, 129; 2°\*, 165; in Com. and 3°\*, 767.—(46 *Vic.*, c. 59.)
- BILL (No. 58)** To amend the several Acts incorporating the Portage, Westbourne and North-Western Railway Company, and to change the name thereof to the Great Northern Railway Company of Canada.—(*Mr. White, Cardwell.*)  
1°\*, 129; 2°\*, 165; in Com. and 3°\*, 501.—(46 *Vic.*, c. 68.)
- BILL (No. 59)** To amend the Acts incorporating the Atlantic and North-West Railway Company.—(*Mr. Colby.*)  
1°\*, 129; 2°\*, 165; in Com. and 3°\*, 471.—(46 *Vic.*, c. 63.)
- BILL (No. 60)** To facilitate the Naturalization of Aliens, 1883.—(*Mr. Wells.*)  
1°, 129.
- BILL (No. 61)** To incorporate the Niagara and Railway Bridge Company.—(*Mr. Ferguson, Welland.*)  
1°\*, 140; 2°\*, 165.
- BILL (No. 62)** To incorporate the Atlantic, Pacific and Peace River Telegraph Company.—(*Mr. Cameron, Victoria.*)  
1°, 140; 2°\*, 165.
- BILL (No. 63)** To amalgamate the Presbyterian Ministers' Widows' and Orphans' Fund in connection with the Presbyterian Church of the Lower Provinces, and the Widows' and Orphans' Fund of the Presbyterian Church of the Maritime Provinces in connection with the Church of Scotland, and to create a Trust to administer the said Funds.—(*Mr. Bichey.*)  
1°\*, 140; 2°\*, 165; in Com., 372; 3°\*, 426.—(46 *Vic.*, c. 98.)
- BILL (No. 64)** To incorporate the Pacific and Peace River Railway Company.—(*Mr. Cameron, Victoria.*)  
1°\*, 140; 2°\*, 165; in Com. and 3°\*, 749.—(46 *Vic.*, c. 73.)
- BILL (No. 65)** To amend the Act incorporating the Ontario and Pacific Railway Company.—(*Mr. Bergin.*)  
1°\*, 140; 2°\* 165; in Com., and 3°\*, 556.—(46 *Vic.*, c. 66)
- BILL (No. 66)** To incorporate the Quinze Pier, Boom, and Improvement Company.—(*Mr. Taast.*)  
1°\*, 140; 2°\*, 165, M. for Com., 940; in Com. and 3°\*, 943.—(46 *Vic.*, c. 92.)
- BILL (No. 67)** Respecting the Citizen's Insurance Company of Canada.—(*Mr. Curran.*)  
1°\*, 140; 2°\*, 165; in Com. and 3°\*, 374.—(46 *Vic.*, c. 81.)
- BILL (No. 68)** To incorporate the St. Lawrence Bridge and Manufacturing Company.—(*Mr. Curran.*)  
1°\*, 140; 2°\*, 165.
- BILL (No. 69)** To amend the Consolidated Railway Act, 1879.—(*Mr. White, Renfrew.*)  
1°, 140; 2°, 287.
- BILL (No. 70)** To amend the Acts relating to the Great Western and Lake Ontario Shore Junction Railway Company.—(*Mr. Robertson, Hamilton.*)  
1°\*, 150; 2°\*, 165; in Com. and 3°\*, 607.—(46 *Vic.*, c. 65.)
- BILL (No. 71)** To incorporate the Cumberland Coal and Railway Company.—(*Mr. Colby.*)  
1°\*, 150; 2°\*, 165; in Com. and 3°\*, 607.—(46 *Vic.*, c. 77.)
- BILL (No. 72)** To incorporate the Qu'Appelle, Long Lake, and Saskatchewan Railroad and Steamboat Company.—(*Mr. Cameron, Victoria.*)  
1°\*, 150; 2°\*, 165; in Com. and 3°\*, 607.—(46 *Vic.*, c. 72.)
- BILL (No. 73)** Respecting the Montreal, Ottawa and Western Railway Company, and to change the name thereof to the Montreal and Western Railway Company.—(*Mr. Abbott.*)  
1°\*, 150; 2°\*, 165; in Com. and 3°\*, 471.—(46 *Vic.*, c. 62.)
- BILL (No. 74)** To incorporate the Great North-Western Railway Company.—(*Mr. Cameron, Victoria.*)  
1°\*, 150; 2°\*, 165; in Com. and 3°\*, 701.—(46 *Vic.*, c. 71.)
- BILL (No. 75)** To incorporate the Board of Management of the Church and Manse Building Fund, of the Presbyterian Church in Canada, for Manitoba and the North-West.—(*Mr. Ross, Lisgar.*)  
1°\*, 150; 2°\*, 165; in Com. 373; 3°\*, 426.—(46 *Vic.*, c. 97.)
- BILL (No. 76)** To amend the Act intituled: An Act to incorporate the Northern, North-Western and Sault Ste. Marie Railway Company, and to change the name of the said Company to the Northern and Pacific Junction Railway Company.—(*Mr. McCarthy.*)  
1°\*, 150; 2°\*, 245; in Com. and 3°\*, 767.—(46 *Vic.*, c. 67.)
- BILL (No. 77)** To fix the Rate of Interest in Canada.—(*Mr. Catudal*)  
1°\*, 150; M. for 2° reg., 903; M. to place on Orders, neg., 957.
- BILL (No. 78)** To amend the Act passed in the 45th year of Her Majesty, intituled: An Act to Repeal the Duty on Promissory Notes, Drafts, and Bills of Exchange, and to declare the Law relating to Stamps on Promissory Notes and Bills of Exchange.—(*Mr. Weldon.*)  
1°, 150; 2°\* and ref. to Sel. Com., 315; in Com., 426; 3°\*, 557.—(46 *Vic.*, c. 21.)
- BILL (No. 79)** To incorporate the Davies and Lawrence Manufacturing Company.—(*Mr. Curran.*)  
1°\*, 161; 2°\*, 245; in Com. and 3°\*, 631.—(46 *Vic.*, c. 90.)
- BILL (No. 80)** To amend the Act incorporating the Great Eastern Railway Company.—(*Mr. Massue.*)  
1°\*, 161; 2°\*, 245; in Com. and 3°\*, 557.—(46 *Vic.*, c. 61.)
- BILL (No. 81)** To amend the Criminal Law, and to make special provision for the punishment of persons convicted of wife-beating.—(*Mr. Wood, Brockville.*)  
1°\*, 161; 2°\* and ref. to Sel. Com., 287.

- BILL (No. 82)** To amend the Act to incorporate the North-Western Bank.—(*Mr. Beaty.*)  
1°\*, 185.
- BILL (No. 83)** To amend the Acts respecting Procedure in Criminal Cases, and other matters relating to Criminal Law.—(*Mr. Weldon.*)  
1°\*, 204; 2° and in Com. 322; 3°\*, 383.—(46 *Vic., c. 34.*)
- BILL (No. 84)** To amend the Law relating to Bills of Lading.—(*Mr. McCarthy.*)  
1°\*, 233; 2°, 428.
- BILL (No. 85)** To amend the Dominion Elections Act, 1874.—(*Mr. Bolduc.*)  
1°, 233; 2°, 903; in Com., 903, 1034; 3°\*, 1034.—(46 *Vic., c. 4.*)
- BILL (No. 86)** To consolidate and amend the Acts for the more speedy trial of persons charged with felonies and misdemeanors in the Provinces of Ontario, Quebec and Manitoba.—(*Mr. Robertson, Hamilton.*)  
1°, 233.
- BILL (No. 87)** To incorporate the Loyal Orange Association of British America.—(*Mr. White, Hastings.*)  
1°\*, 254; prop. M. to fix day for 2°, 254; Amt. 6 m. h. (*Mr. Coursol*) 254; neg. (Y. 89, N. 94) 260; Order for 2° allowed to stand, 501; 2° m., 632; Amt. 6 m. h. (*Mr. Curran*) 632; carried (Y. 106, N. 70) 657.
- BILL (No. 88)** To unite the Winnipeg and Hudson's Bay Railway and Steamship Company and the Nelson Valley Railway and Transportation Company, under the name of the Winnipeg and Hudson's Bay Railway and Steamship Company.—(*Mr. Cameron, Victoria.*)  
1°\*, 261; 2°\*, 426; in Com. and 3°\*, 749.—(46 *Vic., c. 69.*)
- BILL (No. 89)** Respecting Certificates of Masters and Mates of Inland and Coasting Ships.—(*Mr. McLelan.*)  
Res. in Com., 428; 1°\* of B., 431; 2° m., 702; 2° and in Com., 708; 3°, 743.—(46 *Vic., c. 28.*)
- BILL (No. 90)** To amend the Canada Civil Service Act, 1882—*from the Senate.*—(*Sir Hector Langevin.*)  
1°\*, 282; 2° m., 931; 2°, 933; Res. prop., 933; Res. in Com., 933; B. in Com., 1035; 3°, 1060.—(46 *Vic., c. 7.*)
- BILL (No. 91)** To amend and consolidate the Acts relating to the Superannuation of the Civil Service of Canada—*from the Senate.*—(*Sir Leonard Tilley.*)  
1°\*, 283; Res. prop., 791; in Com., 792; 2° of B. m., 1227; 2° [and in Com., 1234; 3° m., 1363; Amt. (*Mr. Ross, Middlesex*) neg. (Y. 47, N. 100) 1364; 3°, 1364.—(46 *Vic., c. 8.*)
- BILL (No. 92)** To amend the Post Office Act, 1875—*from the Senate.*—(*Mr. Carling.*)  
1°\*, 283; 2°, 1037; in Com. and 3°\*, 1037.—(46 *Vic., c. 18.*)
- BILL (No. 93)** Respecting the Northern Railway Company of Canada—*from the Senate.*—(*Mr. White, Cardwell.*)  
1°\*, 283; 2°, 375; ref. back to Com. on Rys., 803; 3° m., 1095; 3°\*, 1098.—(46 *Vic., c. 56.*)
- BILL (No. 94)** To amend an Act respecting the Offices of Receiver General and Minister of Public Works, as to the powers of the Minister of Railways and Canals.—(*Sir Charles Tupper.*)  
1°\*, 298; 2°\*, in Com. and 3°\*, 1037.—(46 *Vic., c. 5.*)
- BILL (No. 95)** Further to amend The Interpretation Act—*from the Senate.*—(*Sir John A. Macdonald.*)  
1°\*, 298; 2°\*, in Com. and 3°\*, 1310.—(46 *Vic., c. 1.*)
- BILL (No. 96)** Respecting Booms and other works constructed in Navigable Waters, whether under the authority of Provincial Acts or otherwise—*from the Senate.*—*Sir Hector Langevin.*)  
Introd., 298; 1°\*, 315; 2° m., 786; 2°, 788; in Com., 788, 935; 3°\*, 935.—(46 *Vic., c. 43.*)
- BILL (No. 97)** For the declaration of Titles to Land, and to facilitate its Transfer in the Territories of Canada.—(*Mr. McCarthy.*)  
1°, 572.
- BILL (No. 98)** For the better prevention of Fraud in connection with the Sale of Patent Rights.—(*Mr. Mulock.*)  
1°\*, 315.
- BILL (No. 99)** To provide for the Distribution of the Assets of Insolvent Traders.—(*Mr. Curran.*)  
1°, 367.
- BILL (No. 100)** To limit the Jurisdiction of the Supreme Court in Appeal.—(*Mr. Landry.*)  
1°, 383.
- BILL (No. 102)** To amend and extend the province of chap. 71 of the Consolidated Statutes of Canada, respecting Charitable, Philanthropic and Provident Associations.—(*Mr. Colby.*)  
1°, 497.
- BILL (No. 101)** Further to amend the Fisheries Act.—(*Mr. McLelan.*)  
Res. in Com. and 1° of B., 526; 2°\*, 860; in Com., 1200; 3°\*, 1207; Sen. Amts., 1383.
- BILL (No. 103)** Respecting Insolvent Banks, Insurance Companies, Loan Companies, Building Societies and Trading Corporations—*from the Senate.*—(*Sir John A. Macdonald.*)  
1°\*, 631; 2°, 791; in Com. and 3°\*, 791.—(46 *Vic., c. 23.*)
- BILL (No. 104)** Further to amend the General Inspection Act, 1874.—(*Mr. Costigan.*)  
Res. in Com. and 1°\*, 526; 2°, 828; in Com., 829; 3°\*, 860.—(46 *Vic., c. 29.*)
- BILL (No. 105)** To confer certain powers on the Canadian Electric Light Company.—(*Mr. Bergeron.*)  
1°, 547; 2°, 701; in Com. and 3°\*, 871.—(46 *Vic., c. 80.*)
- BILL (No. 106)** To increase the harbor accommodation of the city of Toronto, extend the Esplanade, and control the use thereof by railway companies.—(*Mr. Small.*)  
1°, 574; 2°, 709.
- BILL (No. 107)** Respecting the Electoral Franchise.—(*Sir John A. Macdonald.*)  
1°, 593; withdn., 1387.

- BILL (No. 108)** Further to amend the Act respecting the Harbor of Pictou.—(*Mr. McLelan*,)  
Res. in Com., 741; 1° of B., 741; 2°\*, 860; in Com. and 3°\*, 922.—(46 *Vic.*, c. 42.)
- BILL (No. 109)** To amend the Act for the final settlement of Claims to Lands in Manitoba by occupancy under the Act. 33 *Vic.*, chap. 3—*from the Senate*.—(*Mr. Royal*.)  
1°\*, 660; withdn., 1034.
- BILL (No. 110)** To amend the Act respecting roads and road allowances in Manitoba—*from the Senate*.—(*Mr. Royal*.)  
1°, 660; 2°, 1034.
- BILL (No. 111)** To amend and consolidate the laws relating to Penitentiaries—*from the Senate*.—(*Sir John A. Macdonald*.)  
1°\*, 693; Res. in Com., 1035; 2° of B., 1038; in Com., 1309; recom. and 3°\*, 1387.—(46 *Vic.*, c. 37.)
- BILL (No. 112)** To amend the Act to incorporate the North-Western Bank—*from the Senate*.—(*Mr. Beatty*.)  
1°\*, and 2°\*, 693; in Com., and 3°\*, 871.—(46 *Vic.*, c. 53.)
- BILL (No. 113)** To authorize the Grand Trunk Railway Company of Canada to extend their Traffic Arrangements with the North Shore Railway to fifty years from the date thereof.—(*Mr. Colby*.)  
1°, 692; 2°, 693; in Com., 803; recom. and 5°\*, 888.—(46 *Vic.*, c. 54.)
- BILL (No. 114)** Respecting the Canadian Pacific Railway.—(*Mr. Abbott*.)  
1°, 783; 2°, 784; in Com. and 3° m., 888; Amt. to recom. (*Mr. Sutherland*) 888; recom. and 3°\*, 889.—(46 *Vic.*, c. 55.)
- BILL (No. 115)** To consolidate and amend the several Acts respecting the Inland Revenue.—(*Mr. Costigan*.)  
Res. prop., 574; in Com., 790; 1°\* of B., 791; 2° and in Com., 915; 3°, 999; Sen. Amts. conc. in, 1279.—(46 *Vic.*, c. 15.)
- BILL (No. 116)** Further to amend the Act respecting the incorporation of a Company to establish a Marine Telegraph between the Pacific Coast of Canada and Asia.—(*Sir Hector Langevin*.)  
1°\*, 791; 2°\*, 860; in Com. and 3°\*, 935.—(46 *Vic.*, c. 45.)
- BILL (No. 117)** To define certain Offences against persons employed in Factories.—(*Sir Leonard Tilley*.)  
1°, 827; withdn., 1386.
- BILL (No. 118)** To amend the Act incorporating the European, American, Canadian and Asiatic Cable Company, limited, and to change the name thereof to the American, British and Continental Cable Company, limited.—(*Mr. Colby*.)  
1°\* and 2°\*, 828; in Com. and 3°\*, 943.—(46 *Vic.*, c. 78.)
- BILL (No. 119)** Further to amend the Tariff of Duties of Customs.—(*Sir Leonard Tilley*.)  
1°\*, 1251; 2°\*, in Com. and 3°\*, 1336.—(46 *Vic.*, c. 13.)
- BILL (No. 120)** To incorporate the Canadian Rapid Telegraph Company, limited—*from the Senate*.—(*Mr. Davies*.)  
1°\*, 922; 2°, 943; in Com. and 3°\*, 1098.—(46 *Vic.*, c. 79.)
- BILL (No. 121)** Respecting the Harbor Master of the Harbor of Three Rivers.—(*Mr. Bowell*.)  
1°\*, 999; 2°, in Com. and 3°\*, 1038.—(46 *Vic.*, c. 41.)
- BILL (No. 122)** To amend the Patent Act—*from the Senate*.—(*Mr. Pope*.)  
1°\*, 957; 2°, in Com. and 3°\*, 1227.—(46 *Vic.*, c. 19.)
- BILL (No. 123)** Respecting County Court Judges in the Province of Ontario—*from the Senate*.—(*Sir John A. Macdonald*.)  
1°\*, 1024; 2°, in Com. and 3°\*, 1386.
- BILL (No. 124)** Respecting the High Court of Justice for Ontario—*from the Senate*.—(*Sir John A. Macdonald*.)  
1°\*, 1024; 2°, in Com. and 3°\*, 1386.—(46 *Vic.*, c. 10.)
- BILL (No. 125)** To make provision for the taking of Evidence in relation to any Criminal matters pending in Courts of Justice in any other of Her Majesty's Dominions, or before foreign tribunals—*from the Senate*.—(*Sir John A. Macdonald*.)  
1°\*, 1024; 2°, in Com. and 3°\*, 1333.—(46 *Vic.*, c. 35.)
- BILL (No. 126)** To make further provision respecting the regulation and collection of Tolls on Government Timber Slides and other works constructed to facilitate the transmission of timber, lumber, and saw-logs.—(*Mr. Costigan*.)  
Res. prop., 709; in Com., 1037; 1°\* of B., 1037; 2° and in Com., 1207; 3°\*, 1227.—(46 *Vic.*, c. 16.)
- BILL (No. 127)** Further to amend the Consolidated Railway Act, 1879, and to declare certain lines of railway to be works for the general advantage of Canada.—(*Sir Charles Tupper*.)  
1°, 1084; 2° m., 1209; 2° and in Com., 1297; on M. for 3°, Amt. (*Mr. Blake*) to recom. neg. (Y. 42, N. 78) 1317; recom. and 3°\*, 1318.—(46 *Vic.*, c. 24.)
- BILL (No. 128)** For granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service for the financial year ending respectively 30th June, 1883, and 30th June, 1884; and for other purposes relating to the Public Service.—(*Sir Leonard Tilley*.)  
1°\*, 1338; 2° m., 1338; 2°\* and 3°\*, 1391.—(46 *Vic.*, c. 2.)
- BILL (No. 129)** To amend the Act 38 *Vic.*, chap. 56, intitled: An Act respecting the Graving Dock in the Harbor of Quebec, and authorizing the raising of a loan in respect thereof.—(*Sir Leonard Tilley*.)  
Res. in Com., 1213; 1°\* of B., 1213; 2°\*, in Com. and 3°\*, 1279.—(46 *Vic.*, c. 40.)
- BILL (No. 130)** To amend the Act 36 *Vic.*, chap. 62, and the Act 43 *Vic.*, chap. 17, respecting the Quebec Harbor Commissioners.—(*Sir Leonard Tilley*.)  
Res. in Com., 1213; 1°\* of B., 1214; 2°\*, in Com. and 3°\*, 1279.—(46 *Vic.*, c. 39.)

- BILL (No. 131)** To encourage the Manufacture of Pig Iron in Canada from the Canadian ore.—(*Sir Leonard Tilley*.)  
Res. prop., 593; in Com., 710—716; conc. in, 743; 1° of B., 1226; 2°, in Com. and 3°, 1336.—(46 *Vic.*, c. 14)
- BILL (No. 132)** Respecting the Sale of Intoxicating Liquors, and the issue of Licenses therefor.—(*Sir John A. Macdonald*.)  
Res., 1226; in Com. and 1° of B., 1227; 2° m., 1318; 2° and in Com., 1319, 1339; M. for 3°, 1364; Amt. (*Mr. Ouimet*) carried (Y. 148, N. 1) 1365; Amt. (*Mr. Ross, Middlesex*) neg. (Y. 66, N. 79) 1366; Amt. (*Mr. Blake*) 1366; neg. (Y. 46, N. 105) 1371; Amt. (*Mr. White, Cardwell*) carried (Y. 88, N. 63) 1372; Amt. (*Mr. Baker, Victoria*) neg. (Y. 49, N. 95) 1372; Amt. (*Mr. Cameron, Victoria*) carried, 1372; Amt. (*Mr. Patterson, Essex*) 1373, neg. (Y. 58, N. 80) 1374; Amt. (*Mr. Girouard, Jacques Cartier*) carried, 1374; Amt. (*Mr. Patterson, Essex*) neg., 1374; Amt. (*Mr. Robertson, Hamilton*) carried, 1375; Amt. (*Mr. Mc Carthy*) carried, 1375; Amt. (*Mr. Foster*) carried, 1375; Amt. (*Mr. Gigault*) neg., 1375; Amt. (*Mr. Fleming*) neg. (Y. 43, N. 90) 1375; Amt. (*Mr. Robertson, Shelburne*) neg. (Y. 43, N. 90) 1376; 3°, 1376.—(46 *Vic.*, c. 30.)
- BILL (No. 133)** To continue for a limited time the Acts therein mentioned (41 *Vic.*, c. 17 and 43 *Vic.*, c. 36).—(*Sir John A. Macdonald*.)  
1°, 1310; 2°, in Com. and 3°, 1366.—(46 *Vic.*, c. 133.)
- BILL (No. 134)** To provide for the Salaries, Superannuation and Travelling Expenses of certain Judges of certain Provincial Courts.—(*Sir John A. Macdonald*.)  
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- BILL (No. 135)** Relating to Bills of Exchange and Promissory Notes in the Province of Prince Edward Island from the Senate.—(*Sir John A. Macdonald*.)  
1°, 1316; 2°, in Com., and 3°, 1339.—(46 *Vic.*, c. 22.)
- BILL (No. 136)** To amend the Law respecting Lotteries— from the Senate.—(*Sir John A. Macdonald*.)  
1°, 1316; 2°, in Com. and 3°, 1339.—(46 *Vic.*, c. 36.)
- BILL (No. 137)** To authorize the Granting of Subsidies for the Construction of the Lines of Railway therein mentioned.—(*Sir Charles Tupper*.)  
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- BILL (No. 138)** To provide for advances to be made by the Government of Canada to the St. John Bridge and Railway Extension Company.—(*Sir Leonard Tilley*.)  
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- BILL (No. 139)** To amend the Act 36 *Vic.*, chap. 4, intituled: An Act to provide for the Establishment of the Department of the Interior, and to amend the Indian Act, 1880— from the Senate.—(*Sir John A. Macdonald*.)  
1°, 1335; 2°, in Com. and 3°, 1387.—(46 *Vic.*, c. 6)
- BILL (No. 140)** To legalize proceedings taken for the Naturalization of certain Aliens in the Province of Manitoba— from the Senate.—(*Sir John A. Macdonald*.)  
1°, 1335; 2° and in Com., 1387; on M. for 3°, Amt. (*Mr. Blake*) neg., and 3°, 1387.—(46 *Vic.*, c. 31)
- BILL (No. 141)** To amend the Act of the present Session, intituled: An Act to incorporate the Railway and Construction Company of Canada, limited.—(*Sir John A. Macdonald*.)  
1°, 2°, in Com. and 3°, 1336.—(46 *Vic.*, c. 76.)
- BILL (No. 142)** To make further provision for Deepening the Ship Channel of the River St. Lawrence between Montreal and Quebec.—(*Sir Leonard Tilley*.)  
Res., 1336; 1° of B., 2°, in Com. and 3°, 1338.—(46 *Vic.*, c. 38.)
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