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# APPENDIX

TO THE

## TWENTY-FOURTH VOLUME

OF THE

# JOURNALS OF THE HOUSE OF COMMONS

DOMINION OF CANADA.

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From the 16th January, 1890, to the 16th May, 1890, both days inclusive.

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BEING THE FOURTH SESSION OF THE SIXTH PARLIAMENT OF CANADA.

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*SESSION 1890.*



OTTAWA :  
PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY.

1890.

VOLUME XXIV.



# APPENDIX.

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## LIST OF APPENDICES—1890.

- No. 1.—Report of the Select Committee appointed to enquire into the statements made in reference to furs taken from Charles Bremner, a half-breed, residing at Battleford. *Printed herein.*
- No. 2.—Report of the Select Committee to whom was referred Bill No. 8, to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labour in Canada. *Printed herein.*
- No. 3.—Second Report of the Joint Committee of both Houses on the Library of Parliament. *Not printed.*
- No. 4.—Report of the Select Standing Committee on Privileges and Elections, to whom was referred all the questions involved in certain documents, letters and statements, published during the present session in the Votes and Proceedings of this House, under the dates of the 14th February, 18th February and the 10th of March, relating to the connection of John Charles Rykert, Esq., member for the County of Lincoln and Niagara, with a grant of certain timber limits in the North-West Territories, with instructions to enquire into all the facts and merits of the case, and into the conduct of the said John Charles Rykert in relation thereto. *Printed herein.*
- No. 5.—Report of the Select Standing Committee on Agriculture and Colonization. *Printed herein.*

# REPORT

OF THE

## SELECT COMMITTEE

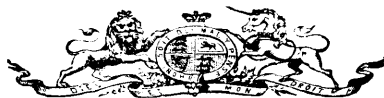
*In re*

# CHARLES BREMNER'S FURS

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*PRINTED BY ORDER OF PARLIAMENT.*

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OTTAWA:

PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY.

1890.



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## REPORT.

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The Select Committee appointed to enquire into the statements made in reference to furs taken from Charles Bremner, a half-breed, residing at Battleford, beg leave to report unanimously:—

1. That during the North-West Rebellion of 1885 and on the day of the surrender of the Indian Chief Poundmaker, who had been in arms against the Government of Canada, a number of half-breeds came into Battleford, among whom was Charles Bremner, a half-breed trader and farmer, a resident of Bresaylor, twenty-two miles from Battleford, having in his possession a large quantity of valuable furs.

2. General Middleton being in command of the Canadian forces engaged in the suppression of the rebellion and being in Battleford, and having information that these half-breeds had come in from Poundmaker's camp and that the furs were being carried away, gave orders that they should be put in charge of the Dominion Mounted Police, and they were accordingly placed in the Police Barracks at Battleford for safe keeping.

3. Some weeks later, while General Middleton was at Fort Pitt, Mr. Hayter Reed (a member of his staff), who had then just returned from Battleford, called attention to the furs, and reminded General Middleton that the person from whom they had been taken was said to be a rebel. Thereupon, after consultation with Mr. Reed and Mr. Bedson (another member of his staff), General Middleton assumed to confiscate the furs.

4. At the time of the confiscation General Middleton directed Mr. Reed to send an order in writing to the Police officer in Battleford who had charge of the furs. The exact wording of this order cannot be clearly established as it was destroyed a few days after it was written. But it is proved to have been of the following tenor:—

That General Middleton had confiscated the furs, and had ordered that two packages of them should be put up for himself, one for Mr. Hayter Reed, one for Mr. Bedson, and one for another member of his staff, selecting the best; and that receipts should be taken for, or a memorandum made of, the furs thus distributed.

5. Packages were put up in conformity with this order—two for General Middleton, one for Mr. Hayter Reed and one for Mr. Bedson. The furs thus put up were in quantity about one-eighth of the whole, but of much larger proportionate value.

6. It has been proved before your Committee that the furs put up for General Middleton and Mr. Bedson were placed on board the steamer which conveyed General Middleton and Mr. Bedson from Battleford to Winnipeg. But it would appear that Mr. Bedson, who had promised to give a receipt for the furs, refused to do so, alleging that they had not reached Winnipeg; and your Committee find that the packages of furs so shipped for General Middleton were not received by him.

7. The furs put up by Mr. Hayter Reed were forwarded to Regina and received by him there. He subsequently returned the package unopened to the Police authorities at Battleford, alleging as his reason for so doing that the propriety of the confiscation was questioned.

8. Your Committee consider the confiscation of the furs unwarrantable and illegal; and in his evidence General Middleton admits that he has recently become satis-

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fied it was not legally justifiable. Your Committee are further of opinion that, if the confiscation had been legal, the confiscated property vested in the Crown; and, while your Committee believe that General Middleton acted under an unfortunate misconception as to his powers, they are of opinion that the appropriation of any portion of the property, under such circumstances, by General Middleton to his own use, and to that of the members of his staff, was highly improper.

9. On behalf of Bremner it was stated to your Committee that he is willing to accept \$4,500 inclusive of interest in compensation for his loss, and this your Committee consider a fair compensation.

10. For the information of the House your Committee submit herewith the minutes of the evidence taken by them in this enquiry, also the minutes of the proceedings of the Committee, which, with this Report, they recommend to be printed.

All which is respectfully submitted.

A. McNEILL,  
*Chairman.*

COMMITTEE ROOM,  
23rd April, 1890.

## MINUTES OF EVIDENCE

Taken by the Select Committee appointed to enquire into the statements made in reference to furs taken from Charles Bremner, a Half-breed residing at Battleford.

HOUSE OF COMMONS, 19th March, 1890.

The Select Committee of the House appointed to investigate the alleged appropriation of furs belonging to one Charles Bremner, met at 10 a. m.

Mr. McNEILL in the Chair.

Mr. Lister handed the Chairman a copy of the charges, which were read as follows:—

“In compliance with the request of the Committee appointed by Parliament on the 3rd day of March, 1890, to enquire into the statements made in the House in reference to furs said to have been taken from Charles Bremner, a Half-breed, at Battleford:

I beg to say that, upon perusal of the said statements, I understand the statements therein made to be as follows:—

1st. That certain furs belonging to the said Bremner were, by order of General Middleton, while commanding the Canadian forces in the North-West, taken possession of and placed in the barracks at Battleford for safe-keeping, and the same were, subsequently, by a letter written by one Hayter Reed, Assistant Commissioner of Indians, on the 4th day of July, 1885, addressed to one Warden, who was their Quarter-Master Sergeant of Police at Battleford, stated to be written by order of General Middleton, directed to be put up, two bales for General Middleton, one bale for S. L. Bedson, and one bale for the said Hayter Reed, a copy of which letter is as follows:—

“DEAR WARDEN,—General Middleton has instructed and authorized me to send you the present letter desiring that you put up bales of furs for the undermentioned: two bales for General Middleton, one for S. L. Bedson, and one for myself. Please select the best and pack them at once, as we will be down there to-morrow by boat.

HAYTER REED,

*Assistant Commissioner of Indians.*”

2nd. That on receipt of said letter by the said Warden the furs were put up and addressed in accordance with the directions contained in said letter, and shipped by the boat which took General Middleton, Bedson and Reed to Winnipeg.

3rd. That this was not an isolated transaction, but was part of a series, comprising the following:—

(a.) That furs taken at Batoche were appropriated by General Middleton,

(b.) That horses were taken by General Middleton and appropriated to his own use.

(c.) That Bedson appropriated to his own use a pool table and horses taken from the settlers at Batoche.

(Signed)

J. F. LISTER.

On motion of Mr. Wood, seconded by Mr. Casgrain, clauses “A,” “B” and “C” of the charges in paragraph 3 were struck out, on the ground that there had been no authority given the Committee by the House to investigate such charges.

*The Chairman*—I ask General Middleton if he is ready to reply to this charge?

*Mr. J. J. Gormully*, representing General Middleton.—We simply say that the charge is not correct.

*Mr. Lister*.—Will the General make any explanation?

*Mr. Kirkpatrick*.—He wants to hear some evidence taken on the letter, then he will make a statement.

*Mr. Lister*.—It is the mere investigation, and if General Middleton has any explanation to give, I think in all fairness it should be made on the charge being made, either that there is no truth in that charge at all, or if there is some truth in it, if it can be satisfactorily explained. I think, in fairness to the Committee, General Middleton should now make an explanation. If he says there is no truth in that charge that is quite sufficient.

*Mr. Gormully*.—Of course, the charges as made there we do not admit, but the recollection of the General is not very clear. This is five years ago, in the heat of the rebellion, and the General has some recollection that there were furs belonging to the man called Bremner. That they came and asked him about some furs, that somebody came in and said they were taking furs or something of that sort. This was at Battleford, I think after Poundmaker had surrendered. I believe someone did come in and say to the General that they were taking furs, and suggested that the furs should be put in the barracks, and although he has no distinct recollection, he has no doubt but that the furs were put in the barracks. He says he does not actually recollect giving the order, but if they were put in the barracks, there is no doubt they were put there by his orders.

*The Chairman*.—That is the statement he makes through his counsel.

*Mr. Casgrain*.—My suggestion is this, that the charge be read in his presence.

*Mr. Gormully*.—He does not know what furs were put there. He went away.

*Mr. Casgrain*.—I think we ought to ask Mr. Gormully what is your answer to that statement?

*Mr. Gormully*.—I think I mentioned that, of course, the General, as a matter of fact, never saw the furs, and has never seen the furs to this day. He never saw them and, therefore, does not know what quantity was placed in those barracks. In some of the reports I have read, it was said that there were several cart loads of those furs and that people were taking them. The General then gave an order to put them in the barracks. He does not know who took them, or who was taking them. He has no doubt that he gave the order, although he has no distinct recollection of it. That occurred in May, and then he went in pursuit of Big Bear and came back to Fort Pitt after he had taken Big Bear, and he has a recollection that he was asked what was to be done with the furs that were in the police barracks and that were taken from this man Bremner, who was a rebel as they considered, and, believing he had the power, ordered them to be confiscated. Of course, he may have done wrong in that, or he may not. He does not recollect anything very distinctly after that. He has a sort of recollection that there was a request made for some of the furs, although he has no very distinct recollection of that. He might have given an order for some of the furs, giving a receipt to the storekeeper, so that either the receipt would be there or the furs. That is all he knows about it. He has never had any of those furs, and I do not think that the General has any recollection that he ever gave any written order. If there are, they will no doubt be produced. He has no recollection of it. It is all very well to sit around this table and listen to it now, but these people were in the North-West pursuing people with arms in their hands and in open rebellion. I have also stated that he never saw the furs, neither then nor thereafter, and never had any of Bremner's furs.

*Mr. Casgrain*.—The shorthand writer should be sworn. This declaration should be taken down at once and signed by the attorney; then we could ask General Middleton whether that declaration is correct or not. The point is, General, this declaration has been made in your presence. Do you admit the truth of it?

*General Middleton*.—Yes; it is substantially correct—I think it is substantially the facts of the case; but, of course, they are roughly put there. I do not know that I can make any alteration of it.

*Mr. Lister.*—I think that is a sufficient statement so far as General Middleton is concerned. I want to say one word to Mr. Girouard. I am sorry that he used the word "stealing." If General Middleton thought he had the power to confiscate these furs it was not stealing. The object of the statement made here to-day is to prevent costs being incurred in bringing witnesses from the North-West, since every witness brought from Battleford will cost \$208 in fares alone.

The statement made by Mr. Gormully on General Middleton's behalf was read over to him by the shorthand writer and its correctness acknowledged.

The shorthand writers employed to take the evidence were sworn to take down and faithfully transcribe the testimony given before the Committee.

*Mr. Lister.*—Mr. Hayter Reed is present. Does Mr. Reed desire to make any statement to this Committee? There is a charge made against him that he participated in these furs. Does he want to make a statement?

*Mr. A. Ferguson.*—I appear on behalf of Mr. Reed. In fact I have not got the charge, I only saw it this morning. There was no notice given to Mr. Reed of the charge and no copy of it was given to him. As far as the charges here made in this matter are concerned, I say, on behalf of Mr. Reed, that they are not correct. While he was at Fort Pitt, I think, in temporary charge of the transportation, the General being out, I think, in pursuit of Big Bear, he took a flying trip to Battleford in the course of his duty. While he was there, he saw certain furs in the Police storehouse. When he came back he reported to the General that there were furs in the storehouse. There was no name given, but it was said they belonged to some of the people who were supposed to be in the rebellion. In the course of his reporting this and in the course of conversation with the General, he also told the General there were other things there, and in the course of the conversation, the General said the furs should be confiscated, and that some portion of them might be put up for the General and his staff,—and that from that, and in pursuance of that authority and those orders, he did write a letter, but that the letter, a copy of which is embodied in this charge, is not the letter and does not correctly contain what were the contents of that letter; but he did write a letter to the officer in charge, the Quartermaster of the Mounted Police in charge of the stores, containing what I have said. That that letter was forwarded to the officer, who, I think, was Mr. Warden and that he, Mr. Reed, was not present when any action was taken upon the letter. There was a considerable quantity of furs there, in this place, open, and in a large room which was used as a sort of supply and provision establishment; a place also where the people were being rationed, as well as the troops coming in and getting their rations every day; that these furs were lying there in this place, and that he, himself has never received any of these furs. I do not think there is anything further to state in answer to the charge that was made. I do not wish to appear to be afraid to make a statement. I have nothing to keep from the Committee.

Mr. RONALD C. McDONALD called, sworn and examined:

*By Mr. Lister:*

1. Battleford is your home?—Yes.
2. Your occupation?—A contractor.
3. Were you employed by the Government during the year 1885, during the North-West rebellion?—No.
4. What were you doing during that rebellion—where were you?—I was an officer in the regular militia in Battleford during the rebellion, I belonged to the Home Guard.
5. You belonged to the Home Guards? Were you stationed at Battleford at any time during the rebellion?—I was there during the rebellion.
6. What position did you occupy at Battleford?—I was quartermaster in the Home Guard.
7. Do you know Charles Bremner?—Yes.
8. Where does he live? Where did he live, and what was his occupation?—He was a farmer and trader living at Bresaylor, about 25 miles from Battleford.



9. Do you know General Middleton and Hayter Reed?—I knew General Middleton to see him during the rebellion only. Mr. Reed, I had met before the rebellion and had known him.

10. How long had you known Mr. Reed, was your acquaintance at all intimate?—Our acquaintance was not intimate. I simply knew him as an officer of the Government. I had known him about 5 years at that time.

11. Did you remember seeing Charles Bremner near Battleford at any time during the year 1885 with furs?—At the time of the surrender of Poundmaker, he came within a couple of hundred yards of the barracks where my office was.

12. Did you see him there?—Yes.

13.—Did you observe whether he had furs with him or not?—Yes; I saw his furs there, I was over his camp.

14. Can you give the Committee any idea of the quantity of furs he had?—Yes. Do you mean the value?

15. Yes; the value and quantity. Can you form any idea of the quantity?—That is a difficult question to answer correctly. Do you mean the bulk of the furs, or the value of them? I judged they were worth \$5,000, \$6,000, or \$7,000.

16. Do you remember what they consisted of?—They consisted of beaver, bear, fisher, mink and other minor furs.

17. Do you remember anything being done by General Middleton, or do you remember anything being done with regard to the furs, the possession of them?—Well, I saw General Middleton and Colonel Otter in conversation with Bremner's clerk.

18. Who was that?—Caplette. I saw them at Bremner's camp.

19. Otter and General Middleton were in conversation with Caplette at Bremner's camp?—Yes. The same day the furs were brought into the quartermaster's store, where I was also stationed—by the transport teams.

20. By teams belonging to the Government?—Yes, in the employ of the Government by the North-West Mounted Police who had charge of them.

21. And they were brought into where you were?—Yes.

22. Where were they put?—They were placed in the corner of the quartermaster's store—that is the quartermaster of the North-West Mounted Police.

*By Mr. Casgrain :*

23. Do you know the name of that policeman that you spoke of?—Yes; the transport teams were in command of Sergeant Ross who is now at Lethbridge or Fort McLeod, I cannot say.

24. What is his Christian name?—Charles. He was in command of the teams that brought them in.

*By Mr. Lister :*

25. They were brought in and placed in the quartermaster's room?—The store.

26. How long did they remain there?—They remained there intact, until an order came presumably from General Middleton, a letter written by Mr. Reed. That was the 5th June, 1885, if I remember correctly; but I may be wrong as to the day and date.

27. The 5th June, the furs were taken out?—That day they were given out.

28. Do you remember when the furs were taken in?—No; I could only tell you by reference to date.

29. Approximately?—I could only tell you by the day Poundmaker surrendered.

30. They were taken there the day Poundmaker surrendered?—Yes.

31. They remained intact until the 5th June?—Yes.

32. What became of them then?—The day previous to this, a courier had arrived from Fort Pitt, where General Middleton, Reed and the staff were camped as far as we knew.

33. The day previous to this a courier arrived from where it was supposed General Middleton was camped at Battleford. He arrived at Battleford?—Yes.

34. What was his business?—The courier?

35. Yes. What did he come to Battleford for?—He was sent down for a specific purpose.

36. Did he bring any information from Fort Pitt of any kind?—Nothing beyond this letter.

37. Nothing beyond a letter?—No.

38. Now then, do you remember who the courier was?—No; I do not. There were a number of scouts in the employ of the Department, and I remember them coming in frequently.

39. He brought a letter from Fort Pitt?—Yes.

40. Will you look at the letter there and say whether that is substantially a copy of the letter you received, and that was brought down by this courier?—Yes; that is substantially the letter.

41. You speak from recollection?—That was the tenor of it anyway.

42. Did you know, and do you know Hayter Reed's handwriting?—I think I would know his handwriting.

43. Would you know his signature?—Yes.

44. Can you say the signature to that letter was in his handwriting or not?—Yes, it was.

45. The copy of the letter is the letter set out in the charge. When that letter was received, what did you do?—We complied with the request or command, as it might be taken, of the letter sent down to put up bundles of furs for the parties mentioned in the note.

46. You complied with the notice and put up bundles of the furs for the parties mentioned in the letter?—Yes.

47. How many did you put up for General Middleton?—Three bales the first day for General Middleton.

48. Go on and tell me what you did?—And a small one for Mr. Reed, and one for S. L. Bedson; but the day following the boat arrived from Fort Pitt, and I was not in the barracks at the time they came in.

49. Who came in?—The boat. In connection with myself, to make my story intelligent, I may say that Warden was quartermaster for the North-West Mounted Police, and there was also a storeman, and I myself was in the capacity of quartermaster of the Home Guards. These furs were put up partly by myself, but chiefly by the storeman. He was there for that kind of work. The day following I was not in the barracks at certain hours in the morning, but in the morning I was told—

50. Never mind what you were told. Tell me what you know then?—I know when I went back there were two boxes of furs put up and addressed to the boat for General Middleton. I was told by these people—

*Mr. Kirkpatrick.*—We do not want that.

51. There were two boxes put up and addressed to General Middleton. What was the address on the boxes?—I do not remember distinctly, but I was satisfied at the time that they were intended—

52. What was there to show they were for General Middleton?—His name.

*By Mr. Weldon (St. John):*

53. His name, or anything else?—I would not say: I have not a distinct recollection.

*By Mr. Lister:*

54. You swear that General Middleton's name was on the boxes?—I can swear distinctly they were on the packages, but I would not swear that they were on the boxes: but I am satisfied in my own mind that they were.

55. What do you mean by packages?—The bales that were put up first. I wrote the name 'General Middleton' and anything more with my own hand.

56. They put them up into bales the first day and he wrote General Middleton's name on two of these bales himself, and the next day they were put in boxes?—No; additional boxes. I presume so, that they were additional furs. These bales may have been put into the boxes, but I was told that they were not put into the boxes.

57. You were there in the afternoon and saw the boxes—two boxes?—Yes; filled with furs.

58. Where were the bales?—I did not notice them at that moment.

59. But the day before you put up in accordance with this letter two bales which had General Middleton's name put on them?—Three for General Middleton and one for Reed and one for Bedson. I saw them put up.

60. The day following you saw two boxes?—Yes.

61. Additional?—Additional.

62. Will you swear whether General Middleton's name was on those boxes?—I will not.

*By the Chairman :*

63. I do not quite understand your evidence with regard to these bales and boxes. You say that there were certain bales put up and then you saw furs in two boxes next day. What reason have you for supposing that they were additional to the others?—I was going to state that the Quartermaster of the North-West Mounted Police told me emphatically that they were for General Middleton.

64. You say you think that they were additional to the bales. Why could they not have been the bales that were in the boxes?—Because the bales would not fit boxes of that kind. They were not fitted or shaped to fit into square boxes.

65. These furs were loose in the boxes?—They were pretty tightly packed in.

*By Mr. Casgrain :*

66. Where did those boxes come from?—They had been used originally for excelsior saddles by the troops. The saddles had been taken out and left in the warehouse.

*By Mr. Tisdale :*

67. Do I understand that the covers had been nailed on before you saw them?—No; I saw the furs.

*By Mr. Casgrain :*

68. I want to know exactly from you as far as you can recollect what sort of furs were there?—In the bales or boxes?

69. In the bales first and the boxes afterwards?—In the bales I had put up, the majority of the furs were beaver skins. After that fisher, and some otter. The great majority were beaver. I think there were ten fisher skins, or eight put up, and about the same number of otter. Those are very valuable, if you know anything about furs.

69½. Were there any other furs of larger animals?—Not put in the bales. There were in the boxes, bear skins.

70. Were there any other sort of skins of that description, large skins?—No large skins.

*By Mr. Kirkpatrick :*

71. How do you know they were fur skins?—I saw the furs.

72. You only saw them after they were packed?—I saw them on top.

73. What did you see on top?—Bear skins.

74. You did not see what was below?—No.

*By Mr. Lister :*

75. It was packed up?—Yes; I saw the top.

*By Mr. Kirkpatrick :*

76. You did not examine to see what was below?—No.

*By Mr. Lister :*

77. You put up the bales yourself?—Yes; myself.

*By Mr. Wood (Westmoreland) :*

78. Did you see the bales the second day?—I would not say. I have forgotten.

79. You do not know yourself whether the bales were in the boxes or not?—No.

80. Could they go in?—Not very well. It would be a waste of room to put them in. They were plenty large enough to contain the bales.

81. And other furs?—Yes.

*By Mr. Lister :*

82. Were there enough furs there for the filling of the boxes?—From Bremer?

83. Yes. From furs that were there?—Yes; distinctly.

*By Mr. Casgrain :*

84. Were they all taken?—No.

*By the Chairman :*

85. What sort of bales were they?—Bound up in canvas.

86. Would that be a very safe way of sending furs?—Yes; it is frequently done from the North-West. In fact, they were simply sent often in bales without canvas.

87. Would boxes be safer than in canvas?—Well, it is very compact, and there will be less chance of knowing what is inside.

88. It would be safer you think?—You could pack more up in a box. These boxes were about four feet square and four feet high. You can understand, you could pack more furs in there than by tying them up with sinew or rope.

*By Mr. Kirkpatrick :*

89. What proportion of those packed up furs would they be of all the furs taken from Bremner?—In that order do you mean?

90. Yes?—I should say a little over half.

*By Mr. Wood (Westmoreland) :*

91. In the bales and boxes both?—Yes; perhaps a little over half.

*By Mr. Lister :*

92. That would be the proportion? Taking Bremner's furs you would say that about half were packed up in that way?—Yes.

*By Mr. Girouard :*

93. Would they be the best?—Yes.

*By the Chairman :*

94. Would one of the boxes hold more than one of the bales?—Yes.

95. Would the two boxes hold three bales?—Yes.

*By Mr. Girouard :*

96. What was the size of the boxes?—About four feet square and four feet high.

*By the Chairman :*

97. Do you remember seeing the bales?—No; I do not remember seeing them.

98. Are you certain the bales were not in the boxes?—I am satisfied that no person would put them up in that way.

*By Mr. Casgrain :*

99. Were there any other persons there besides yourself and those men mentioned?—Yes; there were two others who saw more of the furs than I did, perhaps.

100. What were their names?—Warden was one and Arthur Dorion.

101. Were they there with you all the time?—Yes.

102. Did they know anything about this transaction as you do?—Yes.

103. Where are they?—In the North-West.

104. Where do they live?—Warden lived in Battleford; Dorion in Regina.

105. Did they pack up the furs in your presence?—Dorion helped pack up the original bales, and Warden and Dorion, from hearsay to me, packed up the boxes.

*Mr. Kirkpatrick*—You can state only what you know.

106. Were they packed up in your presence?—You have to discriminate and say whether you mean bales or boxes.

107. Take bales?—Yes; in my presence and with my assistance.

108. You did not see them put them in the boxes?—No.

*By Mr. Lister :*

109. But he came back and saw the boxes were filled. What became of the rest of the furs?—I never heard. At least, a part of them I can tell you that they were given out on the orders of the Commanding Officers.

*By Mr. Gormully :*

110. Is this hearsay evidence?—No; I gave them out myself on orders from the Commanding Officers to young officers commanding the corps who wanted one or two or three furs as souvenirs.

*By Mr. Kirkpatrick :*

111. Written orders?—Yes.

112. Where are they?—I presume Warden has them.

113. You saw them?—I saw written orders.

*By Mr. Tisdale :*

114. Can you remember what were in the orders? Read us as near as you can recollect?—This is a long time ago; but the general tenor was that “General Middleton authorizes Captain or Colonel So and So to select four or five or six skins.”

115. Who would these be signed by?—I think on several occasions, if my memory does not fail me, that it was signed by General Middleton himself. “Please allow Mr. So and So to take so many furs.” These orders were filed by Warden.

116. Were these officers commanders of the different corps?—Nobody besides General Middleton and Col. Otter issued orders.

117. He was Commanding Officer there?—Yes.

118. No general officers gave orders?—No; but they got the furs.

*By Mr. Kirkpatrick :*

119. You swear that you saw an order signed by Col. Otter?—No; I do not say that. To the best of my knowledge it was signed in that way.

120. Do you swear that Col. Otter signed those orders?—It was not intended that I should say Col. Otter signed those orders.

121. You saw an order purporting to be signed by Col. Otter?—No; but we received orders day after day to issue these furs to different parties, and, as far as my recollection goes, they were signed by Gen. Middleton and Col. Otter. But I am not positive.

122. After you had packed up these furs?—Yes.

123. How many days after you had packed did these orders come in?—I believe General Middleton left next day and they would not come from him.

124. Do you think Gen. Middleton signed any of those orders after he left?—No.

125. You said that orders came in every day, some signed by Gen. Middleton?—No; I did not say anything of the kind. I said to the best of my knowledge they were signed, as far as my memory will serve me, on some occasions by Gen. Middleton and others by Col. Otter.

126. On what occasion were they signed by Gen. Middleton and when by Col. Otter?—I am not sure.

127. He could not have signed any orders after he left. That is General Middleton?—No; he left on the day following. If you will pardon me—if you want to facilitate this matter—I have no desire to keep anything back and I have no desire that you should twist any statement I should make; but if you wish to have those orders you can easily have them by referring to the Quartermaster of the North-West Mounted Police at Battleford, and who, I have no doubt, will bear out any statements I have made before this committee.

*By Mr. Lister :*

128. The main point is that orders did come to the men in charge of these furs to deliver furs to officers of certain of the troops, and those officers did take furs out of this pile of furs?—Yes.

129. And furs had been taken previous to packing up, and orders had been given and furs delivered to different officers previous to the day you packed them up?—I am not prepared to say. I do not think so.

130. Then it would be after that day, according to your recollection, that they were delivered?—The majority certainly were.

131. What is your recollection as to furs being delivered before bales were put up for General Middleton, Bedson and Reed?—I have an idea that Gen. Middleton sent some of those orders and I am positive he could not have done so after he left. Therefore, it must have been prior to this letter being received.

132. You are satisfied that orders were signed, or purporting to be signed, by General Middleton, were sent to you?—They were addressed to Warden and handed to me subsequently.

133. Your recollection is that these orders were signed by Gen. Middleton or Col. Otter?—Yes.

134. Now we left off at that part of the statement where you were stating that the furs were packed up. What became of those furs that were packed up? You will remember what boat was running then?—“The North-West,” but I am not sure.

135. This letter says "we will be down there to-morrow by boat;" do you remember whether they came down by boat?—Yes; they came down.

136. Who?—Gen. Middleton and his staff, as I understood his staff.

137. Can you speak positively about Gen. Middleton coming there?—Yes; I interviewed him that afternoon on another matter.

138. So that you expected them to come down on the boat as indicated by that letter?—Yes.

139. What became of the furs after they were packed up in the boxes?—I am not in a position to say from actual knowledge.

140. You are not in a position to say?—No.

141. Did they leave the barracks?—Yes.

142. In charge of whom?—I did not see them leave—only from hearsay.

143. You know as a fact they were taken from the barracks?—Yes; I know they were taken from the barracks.

144. You cannot say where they went to?—No.

145. Did you ever have any conversation with Mr. Reed about this letter—the letter mentioned in the charge—at Battleford?—Nothing directly. Mr. Reed came into the office of the quartermaster's store afterwards, and I gathered from the conversation, I think he admitted, that he had written a letter.

146. Were you there?—Yes.

*Mr. Kirkpatrick*—What does he mean by afterwards?

*By Mr. Lister :*

147. After the furs were packed up and shipped?—That is what I mean.

148. Mr. Reed was in the quartermaster's place and admitted he had written a letter?—Not in those words—by inference only.

149. What do you mean by inference only?—The subject was brought up that the furs had been shipped and Warden mentioned that he had shipped the furs, in consequence of a letter received by him—the letter written by Mr. Reed. Reed did not say he did not write it.

150. Warden told him he had shipped these furs in accordance of a letter received from Reed, and Reed did not deny he had written a letter?—Yes.

*Cross-examined by Mr. Girouard :*

151. You reside at Battleford?—Yes.

152. When did you come down here?—Two months ago.

153. What brought you down here?—I came down here representing Bremner, to endeavor to get this matter settled by the Government.

154. You are the agent of Bremner?—Yes; practically.

155. Have you any interest in this matter?—No, sir.

156. If the claim is settled by the Government, do you expect to share by it?—Not directly.

157. Directly, from Mr. Bremner, do you?—No; I do not.

158. You came down here in Bremner's interest for nothing?—I expect my expenses will be paid if he receives it.

159. That is all you expect to have?—Yes.

160. What is your business in Battleford?—Contractor.

161. Contractor for what?—Contractor of everything.

162. Do you contract for the settlement of claims, too?—No, not that altogether.

163. Can you say you saw that letter written by Mr. Reed. Excuse me, did you give the information to Mr. Lister in connection with this case?—Yes.

163½. You are the one who gave the information—

164. Is Bremner in the city?—No, sir.

165. Has he come to the city during the winter?—No, sir.

166. You represent him?—He is represented by a solicitor.

167. You gave your instructions to the solicitor?—He sent his instructions practically to his solicitor through me.

168. Have you a power of attorney from Bremner?—His solicitor has. You say Mr. Reed sent—

*By Mr. Kirkpatrick :*

169. Have you got a power of attorney?—Yes.

170. Produce it at the next meeting?—I understood it was in my name.

*By Mr. Girouard :*

171. Will you produce that power of attorney between now and the next sitting?—Yes.

*By Mr. Kirkpatrick :*

172. You say you have no interest in this claim?—No.

173. Has the solicitor an interest in it?—Nothing beyond his fees.

174. Nothing beyond his fees? He made no arrangement with Bremner if he gets a certain sum you will get what is over?—No, sir.

175. Nor the solicitor?—No, sir.

176. Was there some such arrangement talked over?—Yes, there was. I refused positively to have anything to do with it in that way.

177. What did Bremner offer you?—I think five per cent. of his claim. I would not take it in that way.

178. Did he offer it to you?—He might have made such an offer. He said he had offered through Mr. Macdowall representing that district to accept \$3,500. The man is starving. He offered to accept anything at all rather than not get anything. He said he would take \$3,500, and he would give anybody what they could make over, and I positively refused to accept it in that form.

*By Mr. Girouard :*

179. Why did you refuse?—I did not think it was right.

180. Do you think it was not legitimate?—Yes, I do.

*By Mr. Kirkpatrick :*

181. How are you employed in Ottawa?—As a sessional clerk in the buildings. *Mr. Lister.*—He is a perfectly respectable man.

*By Mr. Girouard :*

182. Now you say you saw the letter from Mr. Reed to Mr. Warden giving instructions to send some bales to General Middleton and others—you saw the letter?—I saw the letter.

183. You recollect you say the letter mentioned in the charge is in substance the original you saw?—Yes.

184. Will do undertake to swear that in that letter Reed did not mention that General Middleton had confiscated these skins or furs?—Well, I do not remember that term being used. I am satisfied if they were confiscated they should have been confiscated under proper and fair notice of confiscation.

185. I am talking to you about the letter?—I do not remember.

186. Was it mentioned in Battleford, where you were at the time, that General Middleton had confiscated these furs?—No, sir, I never heard it.

*By Mr. Kirkpatrick :*

187. You never heard it there?—I never heard it.

188. Did you ever state it was generally understood there that the General had confiscated these goods?—Not to my recollection.

189. You never stated that?—I do not say I did not state it, I say I do not remember it.

190. I want to know if he remembers making a statement that it was generally understood that General Middleton had confiscated the furs?—I think I can say safely now that the people who did not understand it might have thought so.

191. Did you write such a letter as that?—I do not know if I have written a letter.

*By Mr. Girouard :*

192. To whom? We want to see how far the witness is worthy of belief?

*Mr. Lister.*—If you want to contradict the witness as to writing you must show him the writing.

*Mr. Kirkpatrick :*

193. It was a letter to Colonel Morris, of the North-West Mounted Police at Battleford. Did you state that it was generally understood that General Middleton had confiscated the furs ?

*Mr. Girouard*—What is the date of the letter ?

*Mr. Kirkpatrick*—It was 1888.

*Mr. Girouard*—Where from ?

*Mr. Kirkpatrick*—Battleford.

*Witness*.—It is quite possible, I do not remember. Colonel Morris came to me and wanted me to set out the facts of the case and make it as mild as possible when I wrote the letter.

194. To make it as mild as possible ?—No, not that ; that is the inference I got.

195. You can make it strong at one time and mild at another ?—Most decidedly. You can color one way or another.

*Mr. Casgrain*—I rise to a question of order. The witness is here and as long as he gives his evidence he must be protected.

*Mr. Kirkpatrick*—This is the extract of the letter :

“ Next day, Monday, Mr. Reed called at the store and asked Warden for the order authorizing the packing of the furs. Warden professed not knowing where it was, keeping it I suppose for his own protection, as there was no other order either for receiving, storing or disposing of them, and it was generally understood that General Middleton had confiscated the furs.”

*Mr. Lister*.—The letter has been read and it is now before the Committee. He cannot read an extract and keep back the letter.

*Mr. Weldon (St. John)*.—The witness can be asked whether he made a statement in writing. The practice is that the judge in the court room may require the person to say if he has the original in his possession or if it can be produced. It seems to me if it is a copy, it is rather objectionable to read from the copy.

*By the Chairman :*

196. Are you prepared to produce the original letter ? I am prepared to say we can produce it. We want the whole of that copy.

*Mr. Kirkpatrick*.—The witness was asked if the word “ confiscated ” was used in that letter. If I remember right, the answer was, he did not remember, he had never heard the furs were confiscated goods, which ought to be done in some formal manner. What I asked him then was, if it was not generally understood in Battleford if they were not confiscated, and he said—no. Then I asked him if he ever made that statement.

*Mr. Lister*.—Reading from this letter ?

*Mr. Kirkpatrick*. Yes.

*Mr. Lister* then read the letter, as follows :—

“ BATTLEFORD, N. W. T., 16th March, 1888.

SIR,—In reply to your request for a statement from me on a quantity of fur taken from one Charles Bremner in 1885, I have to say :

During the rebellion of 1885 while acting as Quartermaster of the Home Guard I was by order of Col. Otter assisting the Quartermaster Sergeant of the North-West Mounted Police to issue rations to the settlers of this district, and that on the evening of Tuesday, 26th May, several loads of fur were brought to the police store from Mr. Bremner's camp. They were placed in a position by themselves and covered from view to ensure protection from theft.

On Saturday the 4th July, a messenger arrived overland from Fort Pitt, bearing a letter signed Hayter Reed, which stated that he (Reed) was ordered by Gen. Middleton to have Warden (the Police Quartermaster Sergeant) put up several packages of the furs placed in the store, one for S. L. Bedson, one for Hayter Reed, one for some name that I do not remember, and two for the General.

Warden being busy asked me to have the fur put up, which I did, assisted by one Dorion, a storeman, and addressed them as above. Next morning the 5th, the boat.



with Reed and the General arrived from Fort Pitt; the General and Reed went to the Barracks.

The General was not satisfied with the quality of the furs prepared for him and had the packages supplemented by a large saddle box filled with choice furs, which with the packages were sent to the boat.

There were a few remnants of fur left; but I am under the impression that they were given out on the order of the General.

Next day, Monday, Mr. Reed called at the store and asked Warden for the order authorizing the packing of the furs.

Warden professed not knowing where it was, keeping it I suppose for his own protection, as there was no other order either for receiving, storing or disposing of them, and it was generally understood that General Middleton had confiscated the fur.

I am, Sir, yours respectfully,  
(Signed) RONALD C. MACDONALD.

To COL. MORRIS,  
North-West Mounted Police, Battleford."

*Mr. Lister.*—I put that letter in.

*Mr. Kirkpatrick.*—I submit that is irregular. I am not objecting to it going in; but in cross examination you have the right to ask whether a certain portion of a letter was written, but the whole letter need not be put in.

*By Mr. Kirkpatrick :*

196½. I would like to ask the witness, did you see the General at the stores after the boat arrived?—No.

197. Then that statement is not based upon your own knowledge?—No.

198. He puts it in that letter that the General came and was not satisfied with the furs. Now, you never saw him and never heard him make that statement? No.

*By Mr. Gormully :*

199. You say about one-half of the furs were taken away? Yes; I should judge that.

200. What became of the other half?—I have explained of the other half that some orders were given to other officers. Of the balance left in the stores, I do not know.

201. Was any portion returned to Bremmer?—I do not know.

202. What is the quantity of the furs you saw in the camp first?—I can only judge.

203. Did you count them?—No.

204. You did not examine them one by one?—No.

205. You cannot tell exactly the value?—No.

*By Mr. Tisdale :*

206. How do you fix your value? You say you saw them packed in bales?—Yes.

207. How do you account for their value?—After they were brought into the barracks they were brought to me and I placed them in rows. I should judge at least 50 or 100 beaver skins were packed together. Each were kept separate.

208. What did beaver skins bring there by traders at that time?—\$7 to \$8.

209. They would pay that for them in bulk at Battleford?—Yes, \$7 to \$8.

*By Mr. Kirkpatrick :*

210. Were any furs taken by any persons before the General came down?—No.

211. There were a great many people in and out of the stores?—Yes.

212. You do not know whether any persons helped themselves?—I know they could not. The inner office was at one end and there were large doors that were not opened except when Warden, Dorion or myself were in there.

213. If Mr. Warden says he cannot be responsible for them and says some were taken, you do not agree with him?—I was not there all the time. I was in and out. I differ in my judgment from that.

After some discussion relative to the summoning of witnesses the Committee adjourned.

HOUSE OF COMMONS, 1st April, 1890.

Committee met. MR. McNEILL, in the Chair.

STUART HENDERSON, Barrister, called, sworn and examined :

*By Mr. Kirkpatrick :*

214. Have you, Mr. Henderson, in your possession any document signed by Mr. Bremner relating to these furs?—I think I have; I have not looked at the papers. There are a number of papers in my office in connection with the North-West.

215. Is there a power of attorney?—I think there is a power of attorney, from Bremner to Mr. McDonald.

216. Is there an agreement as to the amount he will take?—No. At least, I am not sure. I have several papers from different parties in connection with this. I think I have some of them in my office.

217. Will you produce any agreement, power of attorney or papers?—I will produce any papers that does not reflect upon the interest of my client.

218. This is not the interest of any client?—Yes. Mr. Bremner is my client, and I have papers at the office. I refuse distinctly to disclose, or I reserve that right distinctly. I might not show the papers, after I bring them.

*Col. Tisdale.*—If you bring them to the Committee, the Committee will settle the question then. You bring the papers, and we will decide afterwards.

*By the Chairman :*

219. Is there anything to prevent your getting the papers now?—I won't present any papers without consulting my client. I am a solicitor, you know.

General MIDDLETON then made the following statement, after being sworn :—

GENTLEMEN,—My object in asking the Government to grant this inquiry, was that, in justice to myself and others, the real facts of the case should be made public officially, and with that object, with your permission, I beg to make the following statement :—I must premise by pointing out that, owing to the lapse of time, nearly five years since the occurrences took place, I have experienced considerable difficulty in recalling all the circumstances connected with an affair, which, I confess, to me then, was considered of little importance; still I think the following embraces the principal and most important points. After making a prisoner of Poundmaker at Battleford on the 26th May, 1885, I was informed some half-breeds had come in from his camp and that there was some reason to believe them to be rebels, as some of them had been recognized as having fought against us at Cut Knife. Shortly after (the same day, I think) it was reported to me that the people about were carrying off furs belonging to these half-breeds, and it was suggested that the furs should be sent to the Police barracks, which I believe I ordered to be done and the matter passed through my mind. I may remark that, to the best of my belief, I never went near the half-breed camp, nor did I see nor speak to Bremner nor his clerk, though it is possible I may have done so. Two or three days after this I left for Fort Pitt, and started from there in pursuit of Big Bear; returning, finally, to Fort Pitt on the 19th June, 1885. It was some time between then and the beginning of July, that I received some information confirming the opinion that those half-breeds who had come into Battleford from Poundmaker's camp were rebels. I cannot remember exactly what all this information was but I remember that a rifle, belonging to one of the men killed at Cut Knife or the Eagle Hills, had been found in the possession of this very Bremner, and it was probably then that I ordered the whole of these half-breeds to be sent to Regina, and that Mr. Hayter Reed who had been down

to Battleford, reminded me that the furs were in the Police barracks, and asked what was to be done with them. I cannot pretend to remember all that passed on this occasion, but I have no doubt now that I ordered the furs to be confiscated, and that I authorized some of my staff to take some of the furs and said I might have some myself, perhaps. I did not know what orders were sent to Battleford after this conversation, and from that time all thoughts of the furs passed from my mind. On arriving at Battleford on the 5th July, I landed with the funeral party of the late lamented Colonel Williams, and after the service was over I returned at once to the steamer, accompanied by Lieut.-Colonel Smith (now commanding at London, Ont.) and some other officers whose names I cannot remember now. I did not go to the Police stores at all, nor did I see or select furs whilst at Battleford; and any statements that have been made to that effect are wholly untrue. I remained on board until the steamer left for Prince Albert in the afternoon. If any furs were put on board the steamer at Battleford addressed to me it was done without my knowledge, and I can positively say that I never got such furs or any of them, and, to the best of my belief, never saw them. I fully believed at the time that, having directed the confiscation of furs belonging to a rebel, I was not exceeding my powers in allowing some of my staff to take a few of them as mementoes of the campaign, or even in taking some myself. The letters sent will show by whose orders the furs were taken, and the receipts will show the amount taken, the principal part of the furs remaining with their original custodian, as, I believe, can be proved by the late Quarter master Warden. I may add that the statement made the other day by Mr. McDonald, that he believed the remainder of the furs were disposed of by numerous orders for young officers to be allowed to have some, and that these orders were signed some by myself and some by Lieut.-Colonel Otter is, I believe, quite untrue. Col. Otter has authorized me to state that he never signed any such order, and I say that I, myself, never signed any. It will be remembered that I left Battleford by steamer on the evening of the 5th July, and it is not, I believe, insisted that the orders were given before that date. To the best of my belief I have never at any time received any of the Bremner furs. If it is in order, I should like also, as other cases were referred to, to make the same statement about the horse that I was said to have appropriated.

*Col. Tisdale*—If the General makes a statement it will open up the whole question.

*Mr. Lister*—I have no objection to the General making a statement as to the Batoche furs, and the charge of having got furs at Batoche which were shipped from Prince Albert.

*The Chairman*—We cannot inquire into it.

*Mr. Lister*—If the statement is made I shall have to go into it, that is all.

*Col. Tisdale*—It has already been decided that we cannot go into that.

*The Chairman*—That has been fully discussed and the Committee has already decided that we cannot go into that.

*Mr. Casgrain*—It has been decided that we cannot go beyond the range of Bremner's furs.

*Mr. Weldon (St. John)*—If the statement is made it is open to the parties to contradict that statement.

General MIDDLETON was then cross-examined :

*By Mr. Lister :*

220. Who were your aides at Battleford and during the campaign, General Middleton?—Capt. Wise was until he was wounded, and then Capt. Freer.

221. Was Bedson in any way employed under you?—Yes; he was employed as chief of the transport; I think that was the title he had.

222. Was Mr. Reed filling any position?—Yes; Mr. Reed was also attached to me. He was lent to me by Mr. Dewdney and attached to my staff. He was with me for his knowledge of the country and his knowledge of the Indians.

223. Were these two gentlemen with you from the time you left Fort Pitt up to the time you went to Battleford?—From what time?

224. From the time you left Battleford to go to Fort Pitt?—They were both with me, to the best of my belief.

225. Were they both with you when you returned to Battleford?—On my way down?

226. Yes?—I think so. Yes; to the best of my belief, they were, as far as I can remember.

227. You knew that Bremner was at the Fort?—When I returned?

228. At the time when the furs were taken?—I knew he was there; I do not think I knew exactly whether he was or not.

229. Do you remember who told you, who communicated the fact that Bremner was there?—After he had come in?

230. Yes?—I do not know. It was reported to me by some one of my staff that those half-breeds were coming in from Poundmaker's band. I cannot remember who it was.

231. Was it, or was it not, reported that there were a quantity of furs there?—Yes; I have stated that.

232. What was the report made to you as to the furs?—Simply that those men had a lot of furs and they were being taken away.

233. You ordered, what, to be done?—As far as I can remember, I suppose I must have ordered them to be taken to the Police barracks.

234. Did you or did you not?—I do not remember, but I have not the slightest doubt, I ordered them to be taken into charge.

235. How long after you ordered them to be taken in charge, assuming you did make such an order, or was it before you ordered the arrest of the half-breeds?—That I cannot say at all. I suppose it must have been about that time; I do not know whether he was left at his camp or not. I left two days afterwards.

236. It would be before you left Battleford?—I think so—yes.

237. Were these half-breeds arrested and taken to Regina?—I know as to that only by hearsay, I never saw them again.

238. You ordered their arrest?—I believe I did. I must have done it, because I was the only person, I fancy there, who could have done it.

239. Do you know of your own knowledge they were kept in prison at Regina?—I do not know anything about that.

240. You left Battleford and went where, after taking in these furs?—I went to Fort Pitt.

241. Did Reed and Bedson accompany you?—Yes, I think they both did. Bedson, I know, did. And I think Reed went up with him.

242. You are positive about that?—Yes; I think so.

243. Now, was anything said at Fort Pitt about these furs of Bremner; the furs that had been taken from the half-breeds that had been brought into Battleford?—Not until I had returned to Fort Pitt, after the pursuit of Big Bear.

244. How long were you engaged in that?—I can easily tell by referring to some of my reports. I must have been a fortnight, or something of that sort.

245. Then you returned to Fort Pitt?—Yes.

246. Then the conversation took place respecting the furs?—Yes.

247. Between whom did the conversation take place?—As far as I can remember, it was between Mr. Hayter Reed and myself, and some of the others. I suppose there were some of the others present.

248. What was the conversation?—Simply that after having talked about those men being rebels, he reminded me that the furs were there. They were, he said, in bales in the Police barracks. He had been down to Battleford, I think.

249. Reed had been down to Battleford, and he reminded you that the furs were there?—Yes.

250. And those men having been proved to be rebels you decided that they were rebels?—Yes.

251. There was no proof about it?—No.

252. You ordered, what?—Some furs to be confiscated.

253. In what manner did you indicate that order—by writing or by word of mouth?—By word of mouth.

254. Was there any writing signed by you, directing that those furs should be confiscated?—Not that I know of.

255. Did you give an order respecting the furs in writing?—Not to my belief. No; I did not.

256. Did you direct Hayter Reed to give any orders?—Well, I told him that the furs were confiscated. He then asked what was to be done with them, and then, as far as I can remember, as I have said, some of the members of the staff might have some—they said they supposed they might have some.

257. What members of the staff were to have them?—Well, the only ones I can remember who were there, were Mr. Hayter Reed, Bedson and Freer, I think.

258. Did you say Freer was to have any of them?—I do not know that I said personally whose name.

259. Do you remember whether you named Reed or Bedson?—I was talking to them.

260. The furs were to go to them?—Yes.

261. And they were to go to yourself?—I have no doubt I said I might as well have some too.

262. You might as well have some too?—Not the slightest doubt.

263. Did you ask Mr. Hayter Reed to instruct the man at Battleford as to what quantity he should put up for you, and what quantity he should put up for himself and Bedson?—No; I do not think I gave any directions at all further than the general ones. I had a lot to do, and my staff did everything regarding that, and after that the matter went away from my mind.

264. Will you say, General, you did not tell Hayter Reed to have two boxes put up for you?—To the best of my belief I did not tell him that.

265. Was there anything passed between you and Hayter Reed on that occasion or any other whereby it was agreed or understood that two boxes were to be put up for you?—Well, no; not that I can remember.

266. Was the letter that was written by Reed, written in your presence? It was in a tent, was it not? Was it in a tent?—I do not know. I was in a tent.

267. Was the letter written in a tent?—Not that I know of. I have not the slightest remembrance about the letter, or what was written or anything about it.

268. Did Reed communicate to you at all about the quantity of furs at the fort?—No; merely they talked generally as to the quantity.

269. As to the quantity?—As to the quantity.

270. Did you know that Reed had sent the letter off by a courier?—Well, I certainly cannot remember. In the first place there was no other means of sending letters that were sent.

271. Do you remember the fact?—No; I do not. I do not think he ever thought it necessary to tell me.

272. You were to get the furs? Was anything said as to when they were to be delivered to you?—Not that I remember at all.

273. You were going down on the boat, of course?—I was going down on the boat. Of course, I do not remember what day it was exactly.

274. Was there anything said about the furs being ready for the boat as it went down?—Nothing at all that I can remember.

275. Have you any recollection, General, as to what took place on that occasion at all, more than the general conversation that there was a quantity of furs, and you would take some of them and some of them might be put up for yourself and staff?—I have no general recollection of anything else.

276. That is a general recollection?—That is a general recollection.

277. You do not pretend to tell the Committee what was said literally on that occasion?—No.

278. Now, if Reed did write a letter directing the man in charge, Warden, to put up these furs, two for General Middleton, one for Bedson, one for himself? You

will not say that these were not instructions given by you?—No; I will not say he was not justified in giving those instructions.

279. You won't say that these were not instructions given by you?—I never gave any instructions that I was to have two boxes or two anything.

280. If Hayter Reed wrote such a letter, he wrote it on his own responsibility without any instructions from you?—I considered he had received instructions. That I would confiscate the furs and might have some of them.

281. Now, I suppose you are satisfied now you had no power to confiscate the furs?—Well, I suppose virtually, really and legally, I had not.

282. When did you acquire a knowledge of that?—Only lately. I do not think I ever considered the point at all.

283. You give the Committee to understand that at the time you gave these directions you believed you had the right to confiscate the furs—that is, to appropriate them to your own use?—Yes. I thought I was the ruling power up there, owing to the state of the country, owing to the state of war, that I could do pretty much as I liked, as long as it was within reason. I did not think it was unreasonable to allow a few of those furs to be taken and the bulk left behind.

284. Was the bulk left behind?—That I do not know.

285. You did not take the trouble to inquire?—I never asked any questions about it.

286. Were you on the boat that day?—I came down on the boat.

287. Did you see, or did you not see, any parcels there on board addressed to you?—No; distinctly not.

288. Did you speak to either Reed or Bedson?—No; I did not. I do not think I saw Reed again; he was left behind.

289. Did you speak to Bedson?—No.

290. Nothing was said to Bedson, coming down?—No.

291. Did Bedson and Reed go to the fort?—I do not know.

292. Did you go to the fort?—I went wherever the funeral service was read.

293. That was all?—Yes.

294. Nothing said at all coming down—no mention made about the furs?—No; not that I remember.

295. All that you remember about the furs is what took place in your tent on the day this letter was written by Reed?—That is all I remember.

296. Did you give any receipt to Warden for the furs?—Who, me?

297. Yes?—Certainly not, that I know of. I never did.

298. Did you authorize anybody to give a receipt for them?—I do not know. I think that when I told them they could take the furs, I rather think I said they would have to give a receipt. I rather think I told them they would have to give a receipt.

299. That they would have to give a receipt. Did you, prior to meeting on the boat that day from Battleford, ever give any order for furs to any of the officers?—No.

300. Did you ever authorize anybody to give orders?—No, not to the best of my belief; I never did.

301. Did you know that officers were getting furs there from time to time?—No, I did not.

302. Do you know how many furs were left?—I had not the slightest idea.

*By Mr. Casgrain :*

303. Did you know, as a matter of fact, whether any of your officers had any of these furs?—No, it was never told to me or brought to my notice.

*By Mr. Lister :*

304. Where were the furs to go, General. You were on your way to Ottawa, I suppose?—Yes, I was on my way to Winnipeg.

305. To Ottawa *via* Winnipeg?—I did not go to Ottawa then. I went to Regina first and then to the Rockies.

306. Where were these furs to go?—Which furs?

307. The furs of Bremner: the furs at Battleford?—I left them there, I never thought any more about it.

308. Your instructions were to put up some furs for yourself, some for Reed and some for Bedson. Where were your furs to go—where were they to be taken to?—I do not know. I never gave any orders for them to be taken anywhere. I supposed they would be put on board the steamer.

309. For Ottawa?—No, for Winnipeg: I was only going to Winnipeg.

310. Did you ever make any inquiries about these furs?—No; I did not.

311. Never inquired of the captain of the boat, coming across the Lake?—I never even saw them. My baggage was looked after by my aides-de-camp.

312. Who were they?—Both were on board then—Wise and Freer. They would look after my baggage and make any inquiries or anything of that sort.

*By Mr. Casgrain :*

313. Would they know about these two bales spoken of—whether they were on board?—Well, I should think so.

*By Mr. Lister :*

314. Then you never saw the furs, to your knowledge?—Never.

315. You have no personal knowledge as to whether they were put on the boat or not?—None whatever.

316. The directions were that the furs might be put up some for yourself, some for Reed and some for Bedson?—That is the original.

317. These were the original instructions. Did you sell furs to John Martin & Co., or any other person in Montreal?—No, I bought some from John Martin.

318. Did you sell any?—No.

319. Did you send any to him?—No, not that I know of. I never had anything to do with Martin in selling furs.

320. Did you to Henderson & Co.?—I never sent any there at all.

321. Did you ever authorize any to be sent?—I had some, I sent to Devlin; I do not know what he did with them. He told me he was going to send them to New York, I think.

*By Mr. Casgrain :*

322. What Devlin is that. Is that the Ottawa man?—Yes.

*By Mr. Lister :*

323. Were they sold to him?—I do not know—I do not know what Devlin did with them.

324. How did Devlin get them?—I sent them to him.

325. Did you sell them to him?—To sell them for me.

326. Any in Toronto?—I do not know. I have not the slightest idea. I had some minks, and I did not want them. I had a great many of them, and I sent them down.

327. Did you make presents of furs to different people?—Yes, a few.

328. Did you telegraph to Col. Morris at any time to dispose of the furs left at Battleford?—No.

329. You do not know whether your aides did or not?—No, I do not think so.

330. Of course, you do not know how many furs were left at Battleford?—Not the least.

*By Mr. Casgrain :*

331. What quantity of furs did you deliver to Mr. Devlin?—I do not know. I bought a lot of furs when I was up there, and had a great number given to me. There were some that I did not want to use—they were of no use—and the money I got from these was to pay for the dressing of the others.

332. Were there any of the Bremner furs?—None whatever.

*By the Chairman :*

333. I just want to ask the General whether, in point of fact, you knew that two bales of furs had been sent?—No, I did not.

*By Mr. Kirkpatrick :*

334. You said that the furs you sent to Devlin were some that you bought in the North-West, and some had been given to you?—Yes.

335. You are sure none of them were Bremner's furs?—I am perfectly certain.

*By Mr. Lister :*

336. Why are you certain, General?—Because I know the exact number of the furs I bought and I know the exact quantity, and I also know that the furs I did get were most of them very bad and worth very little.

337. The Bremner furs were good ones, were they?—I was told they were. And moreover, another thing which made me certain was, that there were beaver in Bremner's and I had very few beavers indeed.

338. Bremner had not many beaver?—And I had no valuable furs whatever.

339. You had 400 to 450 skunks?—Yes.

340. 350 to 400 minks?—I do not know exactly.

341. 500 to 600 muskrats.

*Mr. Kirkpatrick*—They were not Bremner's.

*The General*—I happen to know that I had forty-three and a-half beaver.

342. You said the only furs you brought down were such as you had bought or which were given to you?—Yes.

343. Do you state here that you did not get a quantity of furs from Prince Albert—the Batoche furs?—Part of those furs given to me were those taken at Batoche.

344. Who gave them to you?—That is the thing I want to know now.

*Mr. Lister*—My instructions are that a cart load of these furs were taken from Batoche to Prince Albert, and they got into the hands of the General.

*Mr. Kirkpatrick*—It is very unfair to make a statement of that kind.

*General Middleton*—There is not the slightest truth in that.

*Col. Tisdale*—If he asks the General about any other furs, in justice to himself, the General ought to be allowed to make a full statement.

*Mr. Weldon (St. John)*—Certainly, a full statement.

*Col. Tisdale*—Mr. Lister stated if he was allowed to do that he would go into the whole question.

*The General*—I think I can make a statement and there will not be the least necessity to call witnesses to attempt to disprove it.

*Mr. Lister*—I wish to ask the General about the Batoche furs. If the Committee say they do not desire it, why that is an end to the matter.

*Col. Tisdale*—We have already decided that that is irrelevant to this case.

*Mr. Lister*—If General Middleton wants to make a statement regarding the Batoche furs, I am quite content he should do so.

*General Middleton*—I would like very much to make a statement, merely with a view that this fact has been made public.

*By Mr. Lister :*

345. Did you, or did you not get a quantity of furs at Prince Albert or Batoche, or at any other point in that portion of the country?—I afterwards did, but I would like to relate to you how. After Batoche was taken, of course, I am perfectly aware that there were furs and things taken at Batoche, and that I do not think is to be wondered at in the circumstances of the case. In the middle of hard fighting, the men found these things, but the private houses and property of loyal people, anywhere near the place, was not touched. But I did not consider it was my duty to protect the property of the rebels that we had just been fighting hard with. Had the men of the force not helped themselves to these things, they would have fallen into the hands of the teamsters and camp followers, who were always around. They would have carried everything off, and therefore nothing would have been safe. But all the property of the women and children who were left behind, and I suppose, the fighters put their most valuable property in the camps, where these women were to be taken care of, and these were taken care of by our men. I would like to take this opportunity of saying that I am perfectly certain in a general way that the conduct of the force during that campaign was most creditable. They did nothing that would not have been done by the highest trained troops in the world, and they behaved in that way. I am borne out in this, to a considerable degree by letters which I have, and which I was



very glad to get from Bishop Grandin. As I say, there is no doubt there were furs. When I got to Prince Albert, my aide-de-camp, who was wounded and put on the steamer, told me at Prince Albert, that somebody had put a box on board the steamer and said it was for me. I asked him, "Do you know what it is?" and he said, "Yes, it is furs," and I said, "Who put it on board?" and he said, "I have not the slightest idea; it was brought to me. It was a heavy box which was put on board, and I was told it was for you." I asked, "where it was?" and he said it was at the house he was staying at. He was staying at Macdowall's.

346. Who was this person who gave you the information?—Captain Wise. I left it there with him. Of course, I supposed it was some of these furs from Batoche, but I did not trouble myself about it. It did not much matter when they were furs—I did not see them and went away. Afterwards he told me he had opened the box, to put in a buffalo head which Mr. Macdowall had given me, and he opened the box to put it in, then closed it, and afterwards sent it by team to Qu'Appelle, where it went down to await my arrival at Winnipeg. That was the box that was stated to have been sent to Qu'Appelle. That is all I know about it.

347. Did that box come down?—Yes, I got that box. That box held those furs which you have down there on that paper.

348. You did not know who put them up for you?—I have not the slightest idea—I have not the slightest doubt it was done by some men of the force who got them, and they thought it was a nice compliment to pay me, so they put in on board. I did not want to ask about it.

349. The box came to Ottawa, and you got them, I suppose?—Having got so far as that, I would like to be allowed to touch also on the horse business. I was accused of appropriating a horse. I say it is perfectly true I used a horse that was taken—one of the rebel horses taken at Batoche. I used it during the rest of the campaign. You must remember that, as Major General in the field, I was entitled to five horses, whereas I contented myself with one, and I found the work so hard on this horse that I must get another horse, and I gladly took possession of this horse that was brought to me, so I used that horse all through the rest of the campaign. As soon as the campaign was over, I brought it down to Winnipeg, and it remained there while I went to the Rockies, and when I came back, and was starting from Winnipeg for home, I left the horse there. It was handed over to the Government auctioneer and sold. The horse I got is not a white horse. It was really a light iron-grey.

350. Did you bring him to Ottawa?—No; I left him at Winnipeg.

351. Did you bring any horse to Ottawa?—My own horse.

352. That you took up?—I did not take any up. I got them all there

353. There were half a dozen horses?—No; certainly not.

*By Mr. Casgrain :*

354. Do you know to whom that horse belonged?—I do not know. I do not know whether the man was killed at Batoche or not.

*By Mr. Lister :*

355. The man who had the horse told you it was a horse he had found on the plains?—No. He said it was found in the stable with another horse belonging to one of my officers, who at Fish Creek, had got off his horse and lost it and the enemy had got hold of it, and the officer who brought it to me said he found two grey horses in the stable.

356. Having lost one horse, he took two?

357. Was it Captain Wise who told you these furs had been put on board at Prince Albert?—They had been put on board at Batoche.

358. Were they not taken up at Prince Albert?—Captain Wise was on his way up from Batoche and took these furs with him. They were put on board and he went up to Prince Albert. Being wounded he remained at Prince Albert.

359. Captain Wise took the furs up to Prince Albert?—Yes. They were put in a box for me, so Captain Wise told me.

360. He was stopping at Mr. Macdowall's?—Yes.

361. These furs were taken from Batoche to Prince Albert?—Yes; he took them out of the steamer.

362. Who put them on the steamer?—That is what he says, he does not know—he never knew who put them on the steamer. He was told by one of the crew, who said, “There is a box for the General on board.” When he heard this it was the first he knew of it. I never gave any orders, and never had the remotest idea of it.

363. The furs belonged to Batoche in the first place?—I suppose so.

364. You went to Prince Albert with Captain Wise?—No; I did not.

365. Did Captain Wise go to Prince Albert?—Captain Wise went on board the steamer, and I marched.

366. These furs went to Prince Albert on the steamer?—Yes.

367. Captain Wise told you the furs were on the boat?—I never saw Captain Wise on the boat.

368. He told you the furs were on the boat?—Captain Wise told me he had landed these furs at Prince Albert.

369. That he had landed the furs?—He told me the whole of this story, that some one had put these furs on board. He did not know who they were, and he had brought them on.

370. He had never taken the trouble to look for them?—I fancy he must have known they were furs.

371. That you might have them?—He said they were put on board for me.

372. Did not say who put them on?—I did ask him who put them on, and he said he did not know.

373. What quantity of furs were they?—I have got a list of them.

374. A considerable quantity?—Yes; only they were a bad, inferior fur.

375. (Producing a list). Were these the ones?—I think so, what you read there.

376. You said you authorized some one to sell some for you?—These were the minks.

*By Mr. Weldon (St. John):*

377. Is it the same steamer that went down from Battleford?—It is a different occasion.

378. Was it previous to this?—This was in May, the steamer left Batoche with Captain Wise and a few other people who were wounded and sick. I think it was the 30th May, and they went straight to Prince Albert and landed there. We marched.

*Col. Tisdale*—The General knew nothing about it, until he arrived at Prince Albert.

*By Mr. Weldon (St. John):*

379. Was that the same steamer that you afterwards went down from Battleford in?—The steamer I went in afterwards, was the “Marquis,” I think.

*By Mr. Kirkpatrick:*

380. Did you get any furs when you went to the Rocky Mountains?—Yes, I bought a lot of furs at the Stoney Reserve.

381. Did you know Mr. McLean?—I got some from him.

382. He is the man at Fort Pitt?—The only order, I think I got from Mr. McLean at Fort Pitt.

*By Mr. Weldon (St. John):*

383–4. Is that the same steamer that came down to Battleford?—I forget now. I came down from Fort Pitt to Battleford, I think, about the 2nd, or 3rd, or 4th of July.

*Col. Tisdale*—This all happened in May.

*By Mr. Weldon (St. John):*

385. What steamer was it you came in from Fort Pitt to Battleford?—I think it was the “Marquis.”

386. Where did you first see this box Capt. Wise referred to—when?—In Ottawa. I never saw any of my baggage until I got to Ottawa.

387. How many boxes or packages of furs had you?—They were contained in little boxes—three or four, as far as I can remember. The boxes were small ones put into a large one, so as to reduce the bulk of my baggage. That is, I believe,

what was done. When I got down here I saw all these boxes, and that is the first time I had seen them opened, or had seen them.

388. Was it only one large box or more than one?—I do not know at this moment—I cannot remember. I think there was one large box and one small one.

389. And this large one contained the other packages inside, boxes or bales?—Boxes. Because, as it happens, I got a great many of these boxes. There were most of them small American boxes that we found in pursuit of Big Bear. He used to throw them away when they were hard pressed, and we used to find two or three of these boxes in different parts.

*By Mr. Casgrain :*

390. Was it the large box used for packing saddles?—I do not think so. Whatever it was, I got it at Winnipeg.

*By Mr. Kirkpatrick :*

391. You say McLean and other people gave you a lot of furs?—I had innumerable furs given to me.

392. These were the furs that you sent to Devlin's?—These were the furs, and the ones that I got which were sent to me at Batoche. These were the whole of the furs I have ever had, and some of the furs I happen to be able to particularize. For instance, the only otter I had, were those I had got up at Stoney Reserve, and the fisher. I had only one fisher. I really did not know what a fisher was, and I got one that was shot, on the line of march, by poor Capt. French, and he skinned it himself, and gave it to me, telling me it was a fisher.

*By Mr. Weldon (St. John) :*

393. You never saw Bremner at all?—To the best of my belief, I never did.

394. Do you recollect seeing his clerk, Caplette?—I have no recollection whatever; he certainly never came to me, to complain about anything.

*By Mr. Lister :*

395. Did you see him in Winnipeg about his furs?—Bremner?

396. A little after he got out of prison?—Bremner? I never saw the man in my life, that I remember.

397. He says he went to Sir Adolphe Caron, you and somebody else, about his furs, in Winnipeg?

*By Mr. Kirkpatrick :*

398. Were you in Winnipeg when Sir Adolphe Caron was there?—I have been there every year.

*By Mr. Lister :*

399. He says he went to see you in Winnipeg?—I am perfectly certain that if he had come to see me, I should have remembered. You cannot expect me to remember every trifling conversation that took place five years ago. I do not pretend to do that. Certainly, prominent things I can remember. If Bremner had come to me and spoken to me about the furs, I am perfectly certain I should have remembered it. Moreover, if he had come to me and appealed to me, I certainly should have listened to him.

400. He says he did, General?—I never saw him at all, to the best of my belief.

HAYTER REED called and sworn, after which he made the following statement:—

I was on the General's staff, from Prince Albert west, during the North-West troubles in 1885. When we were at Fort Pitt in June, he placed me temporarily in charge of the transport service, while the troops were making a forced march after Big Bear's party. On the return of the troops to Fort Pitt, I made a hurried trip on Indian affairs to Battleford. While there I saw a lot of furs in a Police storehouse. Quartermaster-Sergeant Warden was in charge of this storehouse. I was told that these furs had been taken from persons who were rebels. On my return to Fort Pitt a day or two afterwards, I reported these facts with reference to the furs to the General. He then decided to confiscate them, and directed me to write, saying they were to be confiscated. He requested me, at the same time, to have some of them put up for himself, and he said that some might also be put up for members of his staff. I accordingly at once wrote a letter addressed to Warden, informing him of the General's order for the confiscation of the furs, and that he desired to have

some put up for himself, and also that some were to be put up for Bedson and myself, and I think another member of the staff, but I do not remember. I further requested Warden to take a receipt, or make a memorandum of who got furs, and the quantity. I gave a letter to the proper officer to be forwarded to Battleford, and I expected that the furs would be put up ready when we reached that place by boat in two or three days afterwards. We got to Battleford by boat on the following Sunday. The General was also on board. He did not, so far as I know, go to the storehouse. I went there, accompanied by Mr. Bedson, and saw one box, which I was told contained the furs put in in accordance with my letter, except the parcel for myself, which was not in this box. I cannot remember what I saw put in the second box, beyond a package of lynx and two or three small packages of mink furs. The contents of the two boxes would not, I believe, be more than one-eighth of the total quantity of furs in the storehouse at the time. When Mr. Bedson and I were in the storehouse the furs were loosely piled upon the floor. None of the furs in either of the boxes were for me. It was understood that Bedson was to give a receipt for the furs in the boxes, but as there was a great hurry to get off by steamer, he could not do so, but promised on arrival at Winnipeg, on knowing the contents of the boxes, to send a receipt back to Battleford. I do not remember whether I saw the boxes taken out of the storehouse or not, nor whether there was an address on them or not, but I think the first-mentioned box was addressed to the General. I do not know what became of them afterwards, except that I understood they went on board the steamer. The parcel of furs intended for me was not put on board the steamer, but was sent overland to me at Regina, reaching me several months afterwards. I kept none of the furs, but sent back the parcel to Battleford to the Police storehouse shortly after I got it, and I believe it has remained in the Police storehouse at Battleford ever since. After the steamer left Battleford, I myself remained there for two or three days on Indian affairs, and I then went west attending to my official duties, and was absent some months, when I returned to Regina. During the whole of my service connected with the North-West trouble I never received or obtained any furs, except one skin which was given to me for assisting in relieving the white people who were prisoners in Big Bear's camp, and this I received long after the rebellion was over and after I returned to Regina.

*Cross-examined by Mr. Lister :*

401. Do you know who the furs in Battleford belonged to?—I believed they all belonged to rebels.

402. To what rebel?—To the rebels.

403. Did you not hear they belonged to Bremner?—I did.

404. Then it was to a rebel—not rebels. You heard they were Bremner's furs. That is what they were called at the Fort?—Yes.

405. Were you there when they were taken into the Fort?—I was not.

406. How long afterwards was it, after they were taken into the Fort, that you first saw them?—It must have been at least two weeks, I fancy. I do not know when they were taken into the Fort only from what I heard.

407. Did you examine the furs at all?—No.

408. Did you look at them?—Nothing more than a casual glance.

409. Where was it you saw General Middleton after the taking of the furs into the fort?—At Fort Pitt.

410. What conversation took place between you and General Middleton respecting those furs?—I reported what I had seen.

411. What did you report?—That I had seen those furs, and I was told to whom they belonged.

412. You told him they belonged to Bremner; that is, you told General Middleton?—Yes.

413. That you had seen the furs; did you intimate to him the quantity?—I think not.

414. Will you swear you did not do that?—As far as I can remember.

415. You did not tell him whether there was a large quantity or a small quantity of furs?—I may have said a large quantity.

416. That was the truth—there was a large quantity?—Yes.

417. Of valuable furs?—Well, I cannot tell, because I did not see the inside of them.

418. You did not go over them?—No.

419. They appeared to be good furs?—As far as a man could judge. They were packed in bales and things of that sort, inside out, as a rule.

420. You told them they were Bremner's furs?—As far as I remember, I did.

421. You knew that they were Bremner's furs before going to Fort Pitt?—Yes, I must have known that.

*By Mr. Casgrain :*

423. Did you know Bremner at the time?—I do not think I ever saw Bremner before that time.

*By Mr. Lister :*

424. You said they were furs taken from Bremner, and when you saw General Middleton, you told him that they were Bremner's furs? Now, who first commenced the conversation as to the confiscation of the furs? Who suggested that the Bremner furs should be confiscated?—I cannot remember that.

425. Had you considerable talk about it?—There was talk.

426. Who was present besides you and the General?—Mr. Bedson, and, I fancy, Mr. Freer, the General's aide.

427. Do you remember that he was present?—I cannot swear positively.

428. Will you swear positively that Bedson was present?—Yes.

429. You are sure the General, Bedson and yourself were present?—Yes.

430. Did Bedson say anything about furs?—I cannot remember the exact conversation which took place.

431. What did you tell the General that induced him to confiscate them?—I don't know that I told him anything but saying that these furs were there.

432. What more?—Nothing more that I know of.

433. Did you tell him Bremner was a rebel?—I do not know as I did, because I thought the General understood.

434. You do not remember, then. The idea of confiscation came from the General?

435. What did he tell you to do?—He told me to write and confiscate them.

436. And how to dispose of them?

437. What did he tell you as to their disposition?—He told me to have some put up for himself, and some to be put up for Bedson and myself, and, it was understood, for his staff, if they wanted any.

438. He authorized you to write that there should be some put up for himself, some for Bedson, and some for yourself. Will you swear he authorized you to put up any more?—It was understood that, if the others wanted them, they could have them.

439. Do you know if any others wanted them, as a matter of fact?—Yes.

440. Who?—Captain Hague wanted to get furs.

441. Could he get them if he went there for them?—Went where?

442. To Battleford. Could he have got the furs if he had asked for them?—If he had asked, he would have had some of these.

443. Do you know if he got some of these?—I believe some were put up for him.

444. Do you know if furs were put up for any other officers?—I cannot remember.

445. Now, what you do remember is, that General Middleton directed you to order, that some of the furs should be put up for himself, some for yourself, and some for Bedson and the other officers. But you are not sure about that. Did you write the letter?—I did.

446. Where?—At Fort Pitt.

447. In the General's tent?—I think so.

448. Do you remember that?—I must have been there, I fancy. I had not a tent of my own, and I had not writing material, and I fancy it must have been in the General's tent.

449. Did you write the letter in the presence of General Middleton?—I think so.
450. Have you any doubt about it, Mr. Reed?—If he was not in the tent, he was close by.
451. Did you read the letter to him before sending it away?—I do not think I did.
452. Did you intimate to him what the contents of the letter was?—He understood what the contents were.
453. Did you, after writing a letter, intimate what the letter contained?—He knew at the time of writing.
454. Then he knew the contents of the letter?—Yes.
455. Did that letter direct that two boxes should be put up for General Middleton?—No.
456. You will swear to that?—I will swear to that.
457. Positively?—Positively.
458. And that one should be put up for yourself and one for Bedson?—I will swear that they were not boxes; they were packages.
459. How many of these for the General? Two for the General, one for you and one for Bedson?—Yes.
460. Instead of boxes it was packages?—Yes.
461. The letter directed that it should be two for the General, one for yourself and one for Bedson?—Yes.
462. You are distinct on that?—Yes.
463. Did you give any directions as to where and when they should be shipped?—Yes.
464. How were they to be shipped, and when?—They were to be ready to be placed on the steamer as they went by.
465. What steamer?—The steamer the General was on.
466. Who was on the steamer with the General?—His staff.
467. Did you go down?—I did not.
468. You were not there?—I went as far as Battleford, but not further.
469. You went as far as Battleford with the General?—Yes.
470. Bedson, the General, and the rest of the staff, were on board?—Yes.
471. Did you direct in your letter to pick out the best furs, to select the best furs?—I think I did.
472. You did not want any common furs, I suppose, as they were going a long distance? Was the letter to this effect: That, by order of General Middleton, Warden was to put up four packages of furs, two for the General, one for yourself, and one for Bedson; that he was to select the best furs, and that they were to be shipped on the boat that brought the General down to Prince Albert?—Yes.
473. Now, you reached Battleford with General Middleton?—Yes.
474. Bedson was with you. Did you go up to where the furs were?—I did.
475. Who accompanied you?—Bedson.
476. Bedson and you went up to where the furs were? Why did you go there?—To see that they were shipped.
- 476½. Had you had any conversation with the General about the furs on the way down?—I do not remember.
477. Will you swear that you did not or that you do not remember?—I do not remember.
478. You do not remember having any conversation? At all events, you and Bedson went to Battleford to see that the furs were shipped?—Yes.
479. Where did you find them?—In the storehouse.
480. How were they packed?—When we went in, there was a box standing there, and I was told that the furs were in this box.
481. All the furs?—I understood that, except the package for myself.
482. Now, the furs were directed to be put up?—Yes.
483. There was a package put up for you?—Yes.

484. You saw that package?—I have no distinct recollection, but I believe there was one put up for me.

485. Did Bedson ask, now, about the package for him?—I do not remember that.

486. Did Bedson have a package put up for himself there at that time?—Yes.

487. So, in addition to the furs in the box and the package for you, Bedson had another package put up for himself?—I do not know whether it was exclusively for himself. It was intended for himself and the rest of his staff.

488. You saw them put up?—Yes.

489. Did you go through the box of furs at all; were they looked over?—I do not know.

490. Will you swear that Bedson did not look through the first box?—No; because I think it was nailed down when we got there.

491. Did you open up your box of furs?—No; I think not.

492. How many furs did Bedson have put up in this other package?—All I can remember is what I stated in this statement, a bundle of lynx and some minks.

*By Mr. Weldon (St. John):*

493. That was in Bedson's package?—Yes.

*By Mr. Lister:*

494. Now, your directions to the man at the barracks were, that the furs should be shipped on the boat?—Yes.

495. Who did you give these orders to?—When the letter was written.

496. Of course that letter was forwarded asking that they be ready for shipment by boat that brought down the General?—Yes.

497. You saw the furs packed?—Yes.

498. Was there anything said about when the boat would leave?—Yes.

499. What was that?—I cannot say exactly what was said.

500. Did you tell Warden the boat would leave at a certain hour, and to have the furs down there?—No.

501. Did you hear Bedson tell him?—Yes; I think so.

502. Have you any doubt at all but what the furs were taken down and put on the boat?—No.

503. No doubt whatever?—No.

504-5. Then your bundle of furs went to Regina and you followed?—Yes.

506. Did you open the bundle?—No.

507. How long was it after your visit to Battleford before you saw that bundle again—after the day those furs were put on board, how long was it before you saw this bundle of furs that had been put up for you?—Some months.

508. They were sent to you at Regina?—Yes.

509. How long did you keep them?—Two or three months, I think.

510. Why did you not keep them altogether?—Because of a question of propriety. It was a question as to the confiscation, and I sent it back.

511. You questioned the propriety of the confiscation?—The question was asked about the propriety of that confiscation.

512. Who asked the question?—I heard it spoken of.

513. The question of the propriety of the confiscation, was the question?—Yes.

514. You immediately sent the furs back or kept them a couple of months?—I wish to explain this. I was intending to go to Battleford and I thought I would take them myself, and, finally, I found I could not go and they were sent up.

515. Where were they taken to?—They were sent back to the storehouse.

516. They were sent to Regina for you, and, after two months, the question of propriety arose, the legality of the confiscation, and you returned them to Battleford?—Yes.

517. How many years ago was that?—That would be four years ago.

518. You say they are there now?—I think so. My belief is they are there.

519. When did you enquire?—I have been told by the police officers, and I have also been told by the officers in command, up there, that they are there.

520. When?—On several occasions.

521. Of late years?—Last year. I think I was told by Commissioner Herchmer himself, and I can remember distinctly that Major Cotton told me they were there.

522. When was that?—A couple of years ago.

523. How did you send them back—by rail?—No, through the police.

524. How long did you remain at Battleford after General Middleton left Battleford on that day?—A few days.

525. Were you ever in the room where these furs were again, between the time the General left and the time of your leaving?—Yes.

526. Did you notice whether the packages had been taken off?

*Col. Tisdale*—He said positively they were taken on the boat.

*Witness*—They were not there, except the package for myself.

*By Mr. Lister :*

527. The other packages had gone?—Yes, I did not see them.

528. Do you know what became of Bedson's furs—the ones he got?—I do not.

529. Did you ever have any talk with him about it since?—Except asking him for the receipt, and that is the first time I found out he had not received the furs, and that he did not give a receipt at Battleford, and I asked him for the receipt and he said he had not received them. He said they had been taken on the way down on the steamer.

530. By whom—stolen?—He saw the box had been opened and that it was taken out on the way down.

531. He never got them in consequence?—Yes.

*By Mr. Casgrain :*

532. That large box you saw, was there any address on it?—I think so, as far as my memory goes.

533. What address was it?—General Middleton.

*By Mr. Lister :*

534. One question, Mr. Reed. Did you ever see Warden about this letter afterwards?—Yes.

535. Did you try to get that letter back from him?—Yes.

536. What for?—Because it had some private correspondence in it.

537. Any more correspondence than I have given you here, namely, that the furs were to be put up and shipped, and the quantities? Was there anything more in that letter than what I have stated?—Yes; I think there was.

538. Will you swear there was?—As far as my memory goes.

539. Your letter is, that by General Middleton's orders he was to put up so many packages of furs, and the best were to be selected, and they were to be shipped on the boat that brought the General and his staff down. Was there anything more in the letter?—I think I told Warden not to make this public.

540. That was in the letter?—Yes.

541. Was that done at the General's request?—It was.

542. When was it that you saw Warden about getting that letter out?—When we came down from Fort Pitt.

*By Mr. Weldon (St. John) :*

543. While you were at Battleford, these few days?—Yes.

*By Mr. Lister :*

544. What excuse did Warden give for not giving up the letter?—He did give it to me.

545. You got the letter, as a matter of fact?—Yes.

546. Where is the letter?—It is torn up.

547. When was it torn up?—At that time. I want to say this, it was only the private part, and I gave the formal order back to Warden.

548. You got the letter and you gave him a copy of the letter with the exception of the private part, and Warden got back all, except what you consider private?—Yes.

549. In order that he might hold it as a voucher for the furs?—Yes.

550. The original letter contained the statement that this was not to be made public?—Yes.



551. You got the original back, all but the order?—Yes.

552. Was the original torn up?—The original was torn up, and the formal part rewritten and given back to Warden.

553. Why was it destroyed?—Because he had shown this about, apparently, and owing to this private part in it.

554. He had apparently shown it about?—Yes.

555. You had heard he had been showing it, and owing to the private part you got the letter containing all, except that?—Yes.

*By Mr. Girouard :*

556. Was the private part, that part that Warden was not to make it public, was there anything else in that private part?—No.

557. Are you sure about it?—I do not know anything else.

558. Did that letter mention that the goods were confiscated by order of the General?—Yes.

*By Mr. Weldon (St. John) :*

559. I understand that the original one you wrote from Fort Pitt was destroyed, and you wrote out a new one leaving out the parts you refer to?—Yes.

*By Mr. Lister :*

560. Coming back to the letter, you say you destroyed that letter and it was last in your possession, that original letter that was written in the General's tent?—Yes.

561. Now, was there one word in that letter about confiscation?—Yes.

562. Do you say there was any?—Yes.

563. Was there a word about confiscation. The original letter says, by order of General Middleton?—I think it went on that General Middleton had decided to confiscate and then it read on that he had directed me, &c.

564. To put up, &c.?—Yes.

565. And to select and to ship by the boat that would bring the General down. That was the letter was it? That was substantially the letter?—Yes.

*By Mr. Girouard :*

566. The original letter?

*Mr. Lister :*—Here is a copy of the letter upon which we based the charge. The letter reads thus:—

“DEAR WARDEN,—General Middleton has instructed and authorized me to send you the present letter, desiring that you put up bales of furs for the undermentioned : two bales for General Middleton, one for S. L. Bedson, and one for myself. Please select the best and pack them down, as we will be down there to-morrow by boat.

“HAYTER REED,

“Assistant Commissioner of Indians.”

567. Do you undertake to swear, Mr. Reed, that that is not the letter?—It is substantially correct, however, but I put in the word confiscation.

568. Will you swear in writing the letter you put in the word “confiscate”? Be careful about your answer?—It is my firm belief I put in the word.

*By Mr. Girouard :*

569. And in the re-written, too?—Yes.

*By Mr. Lister :*

570. You will swear that in the re-written letter you put the word “confiscate”?—It is my firm belief.

571. Are you sure that the letter you give there, in the original specifically contained the word “confiscate”?—I firmly believe that both did.

572. Look at that letter, and say whether it is substantially a copy of the substituted letter?—I would not express myself in that way: “General Middleton has instructed me or authorized me to send you the present letter.”

573. How would you express yourself?—I think it would be in this way: “General Middleton has decided to confiscate the Bremner furs, and desires that these packages be made up.”

574. “And please select the best”?—I think it said that.

575. And stating that the boat would be down next day with General Middleton?—Yes.

576. And not to make it public?—Yes. Then these names, as intimated in my statement, were on there.

577. You think there was some other officer?—Yes.

*By the Chairman :*

578. Do I understand you to say you commenced the letter with the statement that General Middleton had confiscated the furs?—Had decided to confiscate.

*By Mr. Lister :*

579. That letter was written by order of General Middleton?—Yes.

*By Mr. Girouard :*

580. Where is the second letter; is that in the hand of Mr. Warden?—I do not know.

581. Could you tell the Committee where it is?—No.

582. Where did you see it last?—In the hands of the police.

583. Which police?—In Battleford.

584. You can give the name of the policeman?—Mr. Warden.

585. That is where you last saw the re-written letter?—No; I would not say that; I have seen that; I have seen it since.

586. Where did you see it last?—I have seen that letter in Ottawa here.

587. When did you see it?—because it is important we should have it—When and where?—In the hands of the police.

588. What police in Ottawa?—In the North-West Mounted Police Department.

589. In the Department of the North-West Mounted Police; who had it there? What is the name of the officer who had it?—Mr. Fortescue or Mr. White.

590. You saw that letter in their hands?—I saw it since I have been down here.

591. Within a week, or two weeks?—Six weeks or two months.

592. Who gave it to that officer?—I do not know.

593. You saw it in his hands?—I went there—

594. To look at it?—No; to ask questions about this case.

595. And they showed you the letter?—Yes.

596. Do you know where it is to-day?—No.

*By Mr. Lister :*

597. How long ago was this?—Six weeks ago.

598. Was that Department presided over by Mr. Fortescue or Mr. White?—Mr. White.

599. Did you believe at the time you wrote this letter, and at the time these furs were taken, that General Middleton had the power to confiscate?—I certainly did, or I should not have taken action.

600. You were acting in good faith?—Yes; and I sent this package back because I thought I had no right to them.

*By Mr. Weldon (St. John):*

601. Under what circumstances did you see this letter in the Department recently?—I went to ask questions about this case.

602. (Producing letter). This is the letter you wrote at Battleford, and which you saw in the Department?—Yes.

603. You recognise it as your handwriting?—Yes.

*By Mr. Wood (Westmoreland):*

604. I understand you, Mr. Reed, that the General knew the contents of the first letter written?—Yes.

605. Did he give instructions that it should be kept private and that that should be inserted?—Yes.

606. Did he know that you wrote the second letter?—No; he did not.

607. That was issued without his authority?—Yes.

608. Of your own motion?—Yes; that was done simply because his private clerk was in, and Warden had been showing it to people and it was being talked about. I said "I will give you the formal part of the order."

609. This private part was not the formal part?—No.

610. Do you think the General intended it should be part of the order?—He desired me to send that.

611. You wrote this second letter of your own accord, because you had heard rumors?—Yes.

*By Mr. Casgrain :*

612. Have you known Mr. Bremner since that time?—Yes.

613. When did you see him first after this—after these furs were packed?—I had seen him before this.

614. Did he claim these furs then?—I did not speak to him.

*By Mr. Holton :*

615. Did you open the package of furs while it was in your possession?—No.

616. Did you get a list of the furs from Warden put up for you?—No.

617. Then you cannot speak of what was put up for you?—No.

618. You do not know what the contents of your package were?—No.

*By Mr. Tisdale :*

619. When you say that General Middleton knew the contents of this letter, what do you mean by that, that you showed it to him, or that he knew from the orders he had given you?—From the orders he had given me.

620. You gave the Committee to understand that you had communicated its contents to him. He knew it from the orders he had given you?—Yes, I think so.

621. Or do you mean you read it to him?—No, I did not read it to him.

622. You acted within the orders he gave you, and under them you afterwards wrote the letter?—That is what I firmly believe.

*By Mr. Weldon (St. John) :*

623. There was nothing in that letter except what you were ordered to write?—No.

*By Mr. Kirkpatrick :*

624. You saw the quantity of furs that were in the storehouse?—Yes.

625. What proportion did those packed up and that came down on the steamer that day bear to the whole quantity?—About one-eighth; something like that, or one-tenth.

626. Bedson's package and yours?—These two cases and mine.

*By Mr. Girouard :*

627. What became of the rest?—I do not know.

628. Were they all confiscated, that is those that were in the room, as well as those that were on the steamer?—Yes.

*By Mr. Casgrain :*

629. Do you know how those furs first reached that store?—No; I do not.

630. Do you know of anybody who knows how they came there first?—No. I did not know they were there until I saw them.

*General Middleton*—I would like to say that I perfectly agree with all that Mr. Reed has said, with the exception of that part where he intimated that I directed him to say it should be kept quiet. I certainly never directed him to put that in the letter, to the best of my belief, neither did I think it necessary. At any rate, there was no secret made of the thing at the time about these furs, and I certainly do not remember ever having suggested to keep the thing quiet. I did not hear or see what he had written. I, merely having given the order, trusted the carrying of it out to him, and I never saw or heard what he had written. He says he wrote it in my tent. I cannot remember that. I think it is very likely he may have, but I certainly did not know the contents. Had I seen the thing, I certainly should not have let it go.

General MIDDLETON was then further examined, as follows:—

*By Mr. Kirkpatrick :*

631. Was it an ordinary tent?—The Adjutant had a tent there. However, I dare say, he did write it in my tent.

*By Mr. Wood (Westmoreland) :*

632. The part you would object to would be the private part?—I do not think I suggested to him to keep it private.

633. You would not have let it gone?—No, not this part.

*By Mr. Tisdale :*

634. In other words, you gave him no authority to keep it secret?—Not to the best of my recollection.

*By Mr. Girouard :*

635. Did you authorize Mr. Reed to say in that letter you had decided to confiscate the goods?—I have no doubt I did. You see the conversation took place and I decided that they were to be confiscated, and he wrote this letter, whatever this order was, after the conversation we had had. He was quite justified I think, from the conversation we had had, in writing what he did, with the exception, that I do not think I ever told him to keep it secret, because it was not secret.

*By Mr. Casgrain :*

636. Did you ascertain in what manner these furs reached that store—how they came to be in that store?—I do not quite understand you.

637. Did you enquire or ascertain how these furs reached that store where they were stored in?—In what state do you mean?

638. How they came to be there?—I have not the slightest idea, except that it was reported to me that they were being stolen, and, as far as I can remember, it was suggested that they should be sent to the Police barracks.

639. They were put there for protection?—The only person capable of giving the order was myself, and therefore I assume I gave it: but as to the quantity that was put there I cannot tell you. The object was to prevent them being taken indiscriminately by people about.

MR. HAYTER REED recalled, and further examined:—

*By Mr. Kirkpatrick :*

640. Identify that letter and say whether it is the letter you referred to as the second letter?—This is it.

641. Read it?—It reads as follows:—

“FORT PITT, 1st July, 1885.

“To the Officer in charge of the property taken from Rebel:

“The General having decided to confiscate the furs now in your care and taken from Rebel, desires that you should make up a select bundle of beaver and fisher for him and a selection also for those of his staff. Have them properly packed and addressed, and keep a memorandum of what is packed.

(Signed) “HAYTER REED.”

*By Mr. Girouard :*

642. When did you write this?—After I went to Battleford the second time.

643. How many months after the 1st July, 1885?—It was immediately after the General left—within a day or two after the General left on the steamer.

644. Who told you to change this letter for the second one?—No one.

645. You did that of your own motion?—Yes.

*By Mr. Lister :*

646. This is not the shape of the letter at all. Will you swear this is a copy of the letter you wrote at Fort Pitt, in all respects excepting that it is not to be kept quiet?—And those names.

647. Did not your letter from Fort Pitt commence “Dear Warden?”—I think it did.

648. You do not pretend to say that is a copy of your first letter?—No.

649. Either in phraseology or anything else?—So far as the formal order goes, it is the same.

650. But it is not a copy of the letter you wrote at Fort Pitt?—No; that is not.

651. That is the letter mentioned in *Hansard*. In that letter you stated there were to be two packages for General Middleton. Was it bales or packages?—I think it was packages.

652. Will you swear it was packages?—I think it was packages. They are synonymous terms. If I said bale I meant package.

653. In your original letter there were to be two bales put up for General Middleton?—Yes; it says so here.

654. It does not. It says “put up a select bundle of beaver and fisher?”—Then it means two.

655. Then it was two for General Middleton and one for yourself and one for Bedson? Now it means two bundles in this substituted order?—Yes; it means two.

*By the Chairman :*

656. Do you recollect that that is not a correct copy of what you said with regard to letter in *Hansard*—I believe that it is not a verbatim copy, unless I were shown the original or some person swore it was. That would be the only way the doubt could be created in my mind. Otherwise I believe that is not a verbatim copy.

657. Do you say you still recollect having said two bales for General Middleton?—Yes; to the best of my belief.

*By Mr. Weldon (St. John.) :*

658. You addressed the letter “Dear Warden” and informed him that the General had confiscated the goods and directed him to put up two packages for General Middleton, one for yourself and one for Bedson?—Yes; and mentioning another name, I think.

*By Mr. Girouard :*

659. What is the other name; do you recollect?—I do not know.

660. Who do you think it was?—It would likely be Captain Hague. I know he was asking very frequently for furs.

*By Mr. Casgrain :*

661. Why did you write that second letter?—Because there was a private part to the original letter.

662. Where did you write it?—At Battleford.

663. Did you put the former date to it?—Yes, I think so.

664. Did you write that letter after having torn the other one?—Before.

*By Mr. Weldon (St. John.) :*

665. When you applied for the receipt to Mr. Bedson, he told you that he had been plundered on the boat?—Yes.

The Committee then adjourned.

## HOUSE OF COMMONS, 18th April, 1890.

Committee met: Mr. McNEILL in the Chair:—

STUART HENDERSON recalled and further examined:—

*By Mr. Kirkpatrick:*

666. You have been sworn. Have you brought with you all the papers you have in connection with this case?—I have brought the paper under which I act. I have not brought any papers which disclose matters of evidence in connection with Mr. Bremner and myself, or between the gentleman with whom I do most of the correspondence—Mr. J. M. Skelton—and myself. Telegrams relating to witnesses I have not produced.

667. Have you produced all the papers signed by Mr. Bremner?—Mr. Bremner signs as a marksman. I have to take a great deal of what he says through Mr. J. M. Skelton.

668. What papers have you produced?—They are there.

669. There is another paper. This is not the power of attorney. There is a power of attorney from him, as well as some other paper?—I have not got it in my possession.

670. You had it in your possession?—No. I drew up a different paper from it altogether last year—an agreement. That agreement Mr. Bremner refused to sign.

671. There is some other paper you had in your possession?—Signed by Mr. Bremner?

672. Or made by his mark?—Yes; I have other papers signed by his mark.

673. Relating to this claim of the amount he would take?—No; I had a telegram that I received since.

674. To whom did you give it?—Mr. Macdonald must have it.

675. Mr. Macdonald says you have it?—A power of attorney signed by Bremner?—No: not the power of attorney.

676. What was it?—An agreement. I sent up an agreement last year, but Mr. Bremner would not sign it.

677. I do not mean the one he did not sign, but the one he did sign?—I have not got it.

678. Did you see one?—Yes? I think I have.

679. When?—This Session.

680. To whom did you give it?—Macdonald had it, and I had it. I read it over.

681. To whom did you give it?—Macdonald must have it. I did not give it to anyone else.

682. Who has it now?—I cannot tell you. Macdonald would be able to tell you that.

*By Mr. Girouard:*

683. Have you any papers relating to this inquiry that you have not produced?—Yes.

684. Will you produce them?—I would rather not. Surely no lawyer will ask me to produce them.

685. Here we make no distinction. Have you any papers from your client or anyone else—not instructions from your client on the subject of this enquiry?—I have, but they are of that nature—

686. Then produce them?—I will not produce them. Mr. Bremner has not a footing before this Committee. If I were counsel for one of the members before this Committee I would produce them; but Mr. Bremner has no footing before this Committee, and I will not produce them.

687. What do you mean by no footing?—I positively refuse to produce any other papers than I have produced.

*By Mr. Tisdale:*

688. Are these the only papers you have, showing the arrangement Mr. Bremner made to collect from him?—In my possession?

679. Any others you have had are not now in your control?—I suppose I could get any papers from Macdonald that he had.

690. There are none anywhere else, except those that Macdonald had?—No; I have not destroyed any.

*By Mr. Kirkpatrick :*

691. There is another paper?—That paper has nothing to do with anything that comes up before this Committee. That paper has to do with a civil suit that may be going on.

692. We want to see that paper. He admits that he has a paper signed by Bremner, and we want to know where that paper is. If he says there is no paper concerning this inquiry there is an end to it?—I say that that paper has no connection with this inquiry.

*By Mr. Girouard :*

693. Has it no connection with the subject matter of this inquiry?—Yes; it has.

694. Then they ought to be produced?—We have an abundance of papers coming in from men who wish to get a rap from the Government, and I have not read them all through.

695. You should have done it since the last meeting. You were instructed to look into the papers.

*By Mr. Kirkpatrick :*

696. I have never seen the paper. There is a paper which Mr. Henderson states that he has seen?—It is an agreement, not a power of attorney.

Mr. KIRKPATRICK—I think this Committee ought to insist upon the production of that paper.

The CHAIRMAN—(To Mr. Kirkpatrick).—You say this is the paper you want?

Mr. KIRKPATRICK—I suppose it is.

The CHAIRMAN—That settles it. Mr. Henderson says he has not got that paper.

WITNESS—I sent an agreement which was binding both on Bremner and Macdonald, and Bremner refused to sign it, and another agreement was signed, which, in my opinion, was of no legal validity whatever; otherwise, I might have kept the paper. It was of no legal validity whatever.

Mr. KIRKPATRICK—We want to find out why they are keeping this paper back.

Mr. A. M. BURGESS, Deputy Minister of the Interior was called and sworn:—

Mr. KIRKPATRICK stated that he did not ask for Mr. Burgess' evidence, but Mr. Girouard stated that he wished to examine him.

*By Mr. Girouard :*

697. Have you in your possession, Mr. Burgess, any papers relating to the subject matter of this enquiry?—Yes.

698. What kind of papers are they? Will you produce them?—There is the evidence taken before, and the report made by, the commission appointed to inquire into the North-West Rebellion losses.

699. You have the evidence under oath?—Yes; under oath.

*By Mr. Casgrain :*

700. These are the original papers?—Yes.

*By Mr. Tisdale :*

701. Can you distinguish between those in this particular case?—Yes; the papers I have brought now are all in connection with this case.

*By Mr. Girouard :*

702. You produce them?—Yes.

Mr. TISDALE—The papers state that the claimant was a party to his own loss—not allowed.

Mr. KIRKPATRICK—Here are counsel for Major-General Middleton and Hayter Reed. I submit that they should be asked if they have any statements to make. Have you, Mr. Gormully, on behalf of General Middleton, any statement to make?

Mr. GORMULLY—If further evidence is going to be taken I do not know what course we might pursue; but if the matter remains as it now is I do not think I have any further evidence to give. I have given the General's evidence, which I think is the best evidence I can give.

Mr. FERGUSON—I do not think there is any further evidence to give with respect to Mr. Hayter Reed.

Mr. GIROUARD—I think that the evidence of Mr. Bremner before the Claims Commission should be taken down in connection with this case.

The following documentary evidence, produced by Mr. Burgess, was then read:—

(No. 421.)

#### NORTH-WEST REBELLION CLAIMS, 1885.

Before J. ALPHONSE OUMET, Esq., of Montreal; HENRY MUMA, Esq., of Drumbo; THOMAS MCKAY, Esq., of Prince Albert, Commissioners, duly appointed and sitting as a Royal Commission at Battleford, District of Saskatchewan, North-West Territories, to investigate the said rebellion losses.

Personally came and appeared Mr. Charles Bremner, of Battleford, farmer and merchant, forty-seven years of age; married—Claimant.

And the said Charles Bremner, said Claimant, being duly sworn, deposes and says as follows:—

I live at Bresaylor Settlement, between the two rivers, about twenty-two miles from town. I lived there at outbreak of rebellion, and was there on the 14th and 15th April, 1885. We sent a letter down here in April to the Chief of the Police, begged for an answer, but got none. I have no copy of this letter. We were ready to leave our property if he had said so, and we got the priest, Father Cochin, to write for us, and he told us that, perhaps, they were about through with the affair, and it might be that we would be all right if we did not leave the place. The letter was an application for assistance or advice. We got no reply, so we remained at my place. On the evening of the 13th April about 200 Indians came and said they had come for us, we refused to go; and that night they broke into my stable and took all my horses, and what I had in the pack (?) as well. The next day they went into my store alongside my house, and took my goods, and told us to get ready and go with them. So we had to go; they hitched up for me, and started to shoot the dogs, pigs and hens, and they took us away, driving with them at the same time about 300 head of cattle at least, mine among the rest. There were about 15 families taken then; they had all camped about my place, and we were all taken over Battle River to Poundmaker's Reserve. We remained there until the fight of Cut Knife Hill took place, when just before sunrise we heard the attack. Our little camp was about one-quarter of a mile from the Indian camp; the troops were about three-quarters of a mile across

a big bridge from us, and I put up a big white flag; before this we had sent His C + B down Tom Dennison as a messenger to let the police know to come for us, and to say to them to not shoot at the square tents, but at the Teepees only. Mark.

The second cannon ball came near our camp. While with the Indians we were treated badly. I then hitched up the horse and sent my family away to hide themselves in a deep creek, and we went up into a high hill on horseback, intending to go to the police, and they fired at us twice with the cannon, and I saw some of our party of Half-breeds get ready to fight the police, and I said to them: "The first Half-breed I see shooting at the police I will blow his brains out;" and we went back, found our families, and had breakfast at our old camp of that night about 1 p.m. The police just then gave in, and a lot of Indians then got ready to follow them, when I told Poundmaker to stop his men, and he said he would. I came in then on the



day Poundmaker came in and surrendered; we were kept with them until then, and were not able to leave; we had to follow the dancing tent like the rest. The food we got we had to buy from the Indians. All this time I was a prisoner against my will, and held by force. The Indians had 21 Canadians, prisoners captured when the bull team was taken, and they were sent on ahead by Poundmaker with me and three or four others. I wanted him to come along, but he was scared, and I was told by Colonel Otter and Colonel Herchmer that if the Indians would let the horses and captured property go and give up their arms it would be all right. This was put in a letter and taken by Father Cochin and myself back to the camp and read to the Indians, and they were glad. We asked the chief to leave with our families; he said to leave myself and five men with him and he let the others go. We did so, and that evening he got news, and let us all go, and we came to our families who were on the way here. I was arrested here by order of Colonel Herchmer, because I had a rifle which I had bought from a Half-breed. It was a Government rifle, a Winchester, but I did not know it. I bought it from John Wells to keep it from the Indians. He is one of my neighbors. I was held here almost a month and was then sent to Regina for trial, and was held there, but no charge was made against me and we were let go to appear if called upon. I got home here about 18th September; came here same evening as released. ——— I took no part in the Rebellion one way or the other, except as stated as to capture by the Indians. On my return I found my house and store barely standing—windows, stoves, furniture smashed, flooring gone and ceilings torn down. I saw a lot of new hats and clothing on the Indians when they came out of my store. They shot some of our cattle along the road to camp. I do not read, but I recognise the accounts now shown to me of goods that were in the store. I now fyle the original invoices from Winnipeg of goods sent to me in fall and summer before Rebellion, (Exhibit "A") and were all in my store on 14th April, except such as were sold. My books were lost. I find these invoices afterwards. I had them in a tin box. The goods from W. Macdonald were bought here, and I paid, as shown on these invoices. I paid \$150.00 freight on these goods to the Canadian Pacific Railway to Swift Current, and \$400 land freight to Bresaylor. Almost one-half of this stock remained unsold in my store on 14th April. The furs were at my place in the carts, and went with us to the Indian camp, but the Indians did not take possession of them. Middleton gave orders to put the furs in a safe place. I have not seen it since. I enquired for it, but have not recovered it. The list now read over to me is a correct list of my furs as list Exhibit "B." The list now read to me is a true and correct statement of my losses in house and on farm separate from the store (Exhibit "C.") And Exhibit "D" is the general statement of my claim as at

Chairman. present put before the Commission. My residence is about 22 or 25 miles from town. I have a farm, and had a store and house there; had been there four years last July. Was there at outbreak of Rebellion. There are in that settlement about twenty or thirty families altogether. I never heard word of the Rebellion until shortly or about the beginning of 1st April, 1885. When I heard of the Rebellion the settlers there in the Bresaylor were all on their farms; some of them came to barracks here, about ten or twelve families, for protection at once. I did not come here to barracks but remained on my farm with about ten or twelve families—John Wells, Andrew Pozer, Alexander Pozer, Cornelius Pruden, one Breland (name illegible), David Poitras, Narcisse Ducharme, Andre Ducharme, Louis Caplette, Lusette Genoux, and my own family, and James Bremner and their families, who remained in camp with me, and went to the Indian camp on Poundmaker's Reserve. We were notified by Edward Payton at midnight that they were hitching up, and that if we wanted to get away to come then. But my horses were away eighteen miles, and my own mother, 95 years of age, was with me, so I asked him to wait until the next night, when I could get my horses in; but he said he could not wait, there is quite a stir, and the Indians are coming and will kill us all. I sent for the horses, but they were lost and could not be found the next day; and this is the reason we did not come in with the others; the horses were

His  
C + B  
mark  
the next day.

afterwards found. I packed my furs as I bought them, and they were near the store; we did not leave to join Poundmaker for a while after this. Almost ten days, at least, had elapsed before I saw the 200 Indians. We could not come in when the horses were found because of Indians. I had no reasons not to come at once, instead of sending the letter to the fort. Father Cochin, already referred to, advised us to send the letter by the Brother. We remained there then until the store was pillaged, when we were forced to go with them. The priest was there, and went with us, and I remained there until about the time of Poundmaker's surrender. I was in my house on the 14th of April; when the pillage commenced my store was locked. I had no reason to try and prevent the pillage; the Indians were too wicked; they were all armed and broke open the store. The furs were there in the carts that day, but I am positive the Indians left in the morning, and I and all the people there as named went with them, and they took my goods along. The furs were in my carts, and I brought them with me along with the Indians. I can't say what became of the goods, but my furs were brought in here at the time of Poundmaker's surrender, and were delivered to the police here then. It was on the 2nd of May, at Cut Knife fight that I saw some Half-breeds preparing to fire on the police, and while I was in the Indian camp. I and all my party was armed; we refused several times to give up arms to the Indians. We had just a little bit of ammunition with us. I had a breech-loading gun. On my arrival here I was arrested, and sent to Regina, but I am sure no charge was made against me there. I do not remember to have pleaded guilty to any charge made against me there. No sentence was passed on us there. We were released on bail on our security of \$400. I was brought with the others before Judge Richardson in the court room; the clerk read nothing to us; I can't recollect if the judge read anything to us, but I never pleaded guilty—I am positive of this.

The furs in Exhibit "B" are the furs I lost. I can't say if I had counted them all; I had counted what was packed. I made out my lists from memory as soon as released, when I went to Winnipeg, and I have not received any of them. Personally I can't say who took them. The prices mentioned for my furs are what I paid for my furs, and the prices mentioned for the goods are prices in Winnipeg and freight added. I sent my first claim about end of November last. I did not send my list of cattle at same time as other claim, as I wished to be paid for furs and goods first. I had hoped to find some horses and cattle after. I have made a statutory declaration in Winnipeg before James Fisher on November 9, 1885. ———

Mr. McKay. I swear that I never took part in the Rebellion in any way never aided or assisted them in any way while I was with them. I never took part in any of their movements, never acted as scout or went away with any party whatever of Half-breeds or Indians. I was coming (illegible) when La Fontaine, a Police scout, was captured, and my nephew, Alexis B. Sayers, was with me, and the Half-breeds came and caught us when we were crossing the Battle River, and we crossed first, Sayers and I, and galloped off pretty lively when over, and came 7 or 8 miles this side of the river, and they again caught us, and we came with them a piece, until we saw the Police scouts and then went at once straight after the Scouts and I saw Fontaine then ahead. This party overtook me at the river; I did not know then that they were after the scouts they had started after the cattle only. When Fontaine went into the woods it was not me who told him if he came out he would not be hurt. I could have escaped at any time with the men on horseback, but we could not leave our families. When we sent our families away at Cut Knife the Indians sent a guard of 50 men after them and a lot of Indians came and watched us. It was Louis Sayers asked for Henry Sayers' rifle to shoot the Police; he is a young man; he was the only one I heard, but if he had begun, all would have begun. I know a party of Indians and Half-breeds, so I heard, came down here. Otter arrived when Rouleau's house was burnt, but I can't say who they were. I do not know anything about the raid on the teamsters. I do not know if any of our party had any Government or private property; I had traded my fur from all around,

some from Turtle Lake, Cold Lakes, other side of Frog Lake, from Chippenzo Indians, from the Big Mountains south of Fort Pitt. I had three men and myself trapping. I had six carts and two waggons when I went to the Indian camp and the same number when I came in here and was arrested. I can't say how many bales I had; I can't at all remember. I had over ten packs—pretty near twenty packs, I suppose. I had been with the Indians seven or eight days before Cut Knife fight. There were about twenty men of Half-breeds, and between 200 and 300 Indians in camp when it was fought.

His  
C + B  
mark of furs.

Mr. Muma.

*In re* JAMES BREMNER.

I know the claimant. I know he has a claim. And I know he had and lost the articles mentioned in his claim as read to me. I saw the wages paid to the men. I paid him out of my store for (illegible); he was one of the settlers at the Bresaylor, but was away from home.

His  
C + B  
mark.

And further deponent sayeth not.

The present deposition having been read to the witness, he declares it contains the truth, nothing but the truth, persists therein, and— has declared he cannot sign.

Taken, sworn and acknowledged before us, Commissioners duly appointed by Royal Commission as aforesaid at Battleford, District of Saskatchewan, North-West Territories, on the seventh day of June, in the year of Our Lord one thousand eight hundred and eighty-six.

(Signed) CHARLES <sup>His</sup>+ BREMNER.  
mark.

(Signed) J. ALPHONSE OUMET,  
“ THOS. McKAY,  
“ H. MUMA,

*Commissioners.*

B.

CLAIM of Charles Bremner—Schedule of losses of property stolen and destroyed during the Rebellion of 1885.

Muskrats, 1,836, at \$1.00 per doz.....	\$ 156 00
10 Fishers, at \$10.00 each.....	100 00
377 Lynx, at \$3.00 each.....	1,131 00
20 Wolf skins, at \$1.25 each.....	25 00
54 Bear, at \$10.00 each.....	540 00
19 Martin, at \$2.50 each.....	47 50
479 Beaver, at \$4.00 each.....	1,916 00
604 Mink, at \$1.00 each.....	604 00
239 Skunk, at 75c. each.....	179 25
200 Red fox, at \$1.25 each.....	250 00
3 Silver fox, at \$50.00 each.....	150 00
6 Cross fox, at \$5.00 each.....	30 00
8 Otter, at 10.00 each.....	80 00
35 Wolverine, at \$4.00.....	140 00
21 Badger, at 75c. each.....	15 75
Total.....	<u>\$5,364 50</u>

(Signed) CHARLES <sup>His</sup>× BREMNER,  
mark

(No. 421.)

## NORTH-WEST REBELLION CLAIMS, 1885.

Before J. ALPHONSE OUMET, Esq., of Montreal; HENRY MUMA, Esq., of Drumbo; THOMAS MCKAY, Esq., of Prince Albert; Commissioners duly appointed and sitting as a Royal Commission at Battleford, District of Saskatchewan, North-West Territories, to investigate the said Rebellion Losses.

Personally came and appeared Mr. Charles Bremner of Battleford, merchant and farmer—Claimant. And the said Rev. Father Louis Cochin, of Poundmaker's Reserve, Missionary Priest, on behalf of the said Claimant, being duly sworn, deposes and says as follows:

At time of outbreak I was at Bresaylor Settlement. I know all the circumstances attending the capture of Charles Bremner and party by the Indians; I was in the camp at Charles Bremner's place with 10 or 12 Half-breed families, and I say they were not rebels. They did not come here, because they did not believe that the Indians would rob or injure them at all, and they had no certain news, they were separate from the others who came in here, from the English Half-breed settlement near the river. Charles Bremner, I would say, was not a rebel at all. And those people acted on my advice. I told them that probably the best thing to do was to remain and work on their farms. A portion of them were willing to come here and the rest thought it best to remain there. Some of them were very poor, and had no horses, and while they were discussing what to do the Indians came. Before this I had written a letter to the Police captain signed by C. Bremner and H. Sayer, asking what we had to do, and we received no reply to this. The Indians forced us to go along with them. I was kept as a prisoner under guard, but not in a tent, but the camp was all guarded around and we could not escape; we were not close prisoners, and our camp was visited frequently to see if we were there. The Brother sent with the letter was kept at barracks and not allowed to return. These people have all lost property. James Bremner was the same, and was very quiet all through the trouble, and was with the party. Louis Caplette and the others, and John Wells, and all the party, lost their animals and property. Chas. Bremner had a large band of cattle, and lost many, and he had a large quantity of fine furs, I should say I saw from \$2,000 to \$3,000 worth. He had about 80 head of cattle, he had also a good stock of boots in his store, and had merchandise in his buildings as well. It was not a very large store, but can't say as to the amount, and I think it was all pillaged, and he has found some animals, but no goods, I think. Many of the animals I saw killed by the Indians.

I was with Poundmaker during the entire time of the captivity of these people, and I did not see any disloyal act on his part.

And further deponent sayeth not.

The present deposition having been read to the witness, he declares it contains the truth, nothing but the truth, persists therein, and has signed.

Taken, sworn and acknowledged before us, Commissioners duly appointed by Royal Commission as aforesaid, at Battleford, District of Saskatchewan, North-West Territories, on the seventh day of June, in the year of Our Lord one thousand eight hundred and eighty-six.

(Signed) J. ALPHONSE OUMET, }  
 " THOS. MCKAY, } *Commissioners.*  
 " H. MUMA, }

(Signed) L. COCHIN, O.M.I.

Mr. HENDERSON, further examined:—

*By Mr. Casgrain:*

703. Have you any knowledge of the value of those furs as established by your client—the value of them?—No, sir; not the slightest.

704. Have you any idea of the amount that he has claimed?—I think he has claimed too little.

Mr. CASGRAIN—I wanted to find out whether he would accept \$3,500.  
The Committee then adjourned until Wednesday, 23rd April, 1890.

HOUSE OF COMMONS, 23rd April, 1890.

Committee met: MR. McNEILL in the Chair.

RONALD C. MACDONALD, recalled and further examined:—

The CHAIRMAN—You are already sworn.

*By Mr. Kirkpatrick:*

705. Have you any agreement signed by Mr. Bremner about these furs?—I have no agreement with me.

706. Who has it?—My solicitor has it.

707. Your solicitor said the other day, when under examination, that he did not have the agreement?—I had it then.

708. You have since passed it to your solicitor?—Yes. It has no bearing upon this case whatever.

MR. KIRKPATRICK—Let the Chairman look at it?—The document was handed over to the Chairman.

*By Mr. Kirkpatrick:*

709. What proportion of Bremner's furs do you think were put up on that order signed by Mr. Reed?—On the first order?

710. Yes?—About one-eighth of the whole—I should say about that.

*By Mr. Lister:*

711. There were two orders?—Yes; I stated so in my previous evidence.

712. And so far as the written order was concerned, under that order one-eighth of the furs there at that time were put up?—Yes.

*By Mr. Kirkpatrick:*

713. But none had been taken before that?—I have given my evidence on that point already; my memory does not serve me exactly, but it can be easily determined by referring to the order to Warden. To the best of my knowledge, it was subsequent to that time.

*By Mr. Tisdale:*

714. The "other" person referred to who was to receive some of the furs was perhaps Col. Otter?—I said it was only hearsay. I was not there but I understood someone went to the Quartermaster's store and said there was not a sufficient quantity put up for the General.

*By Mr. Weldon (St. John):*

715. I understood you to say that when General Middleton came down from Fort Pitt you saw him in the room where the furs were?—I did not see him there; I was only told he was there.

MR. A. M. BURGESS.—Recalled and further examined:—

*By Mr. Girouard:*

716. You were asked at the last meeting to produce copies of the evidence adduced before the Claims Commission by the Claimant Bremner and Caplette?—Yes.

717. Have you those copies with you?—Yes.

718. Do you produce them?—Yes.

*(For this evidence see page 35.)*

719. Have you got with you a list of the furs claimed by Bremner before the Claims Commission?—This is a copy of the original list furnished by the Royal Commission to the Department. *(For this list see page 38.)*

720. The total amount claimed by Bremner for furs was?—\$5,364.50.

721. That is the amended claim?—That was the claim submitted to the Commission when it met at Battleford.

722. Did you find in your Department another claim by Bremner for furs before this one?—Yes.

723. How much does it come to?—\$4,374.66. (*For this claim see page 41.*)

724. Mr. Bremner, I believe, swore to the value of those furs as mentioned in Exhibit B and produced by you this morning?—Yes.

725. Did not his clerk, Caplette, swear to the same effect?—Not before the Commission, I think. I think only Rev. Father Cochin and Bremner were examined before the Commission.

726. Are you in a position to say whether this Schedule A is a correct copy of the claim originally submitted to the Commission by Bremner?—It is vouched for by me.

MR. LISTER.—I have no further evidence to offer. We accept the evidence given before the Royal Commission as evidence given before the Committee.

Messrs. Gormully and Ferguson respectively said they had no more evidence to submit.

The enquiry was then closed.

(*Exhibit filed by Mr. Gormully.*)

CLAIM of Charles Bremner, Trader in Furs, for losses sustained during the late rebellion in the North-West Territories.

The Claimant resided at Bresaylor, near Battleford.

Compensation is asked for furs taken by the Government authorities at Battleford at the time Claimant was arrested on certain charges made against him for complicity in the Rebellion. Claimant was discharged without trial, but has not since been able, he alleges, to recover his property.

SCHEDULE A.

Statement of Claims.	Amount Claimed.		Amount recommended to be Paid.	
	\$	cts.		\$
371 beavers, at \$4.00.....	1,484	00		
9 wolverines, at 4.00.....		36		
376 lynx, at 3.00.....	1,128	00		
1,736 rats, at 1.00 per dozen.....		144		66
160 red fox, at 1.25.....		200		00
494 minks, at 1.00.....		494		00
5 wolves, at 1.25.....		6		25
10 fishers, at 10.00.....		100		00
4 com. fox, at 2.00.....		8		00
31 bears, at 10.00.....		310		00
233 skunks, at 0.75.....		174		75
19 martin, at 2.50.....		47		50
23 badgers, at 0.50.....		11		50
8 otters, at 10.00.....		80		00
3 silver fox, at 50.00.....		150		00
60 days' use of horse by scout.....		60		00
Value of horse not returned.....		200		00
Schedule B.....		4,634		66
				895
Total.....		5,530		61

Certified to be a true copy of the original document of record in the Department of the Interior.

April 15th 1890.

A. M. BURGESS, D. M. I.

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 MINUTES OF PROCEEDINGS OF THE COMMITTEE.

 HOUSE OF COMMONS, COMMITTEE ROOM,  
 Friday, 14th March, 1890.

The Select Committee appointed to enquire into the statements made in reference to furs taken from Charles Bremner met.

## PRESENT :

Messrs. McNeill,	Casgrain,
Tisdale,	Holton,
Wood (Westmoreland),	Lister, and
Girouard,	Kirkpatrick.
Weldon (St. John),	

On motion of Mr. Tisdale, Mr. McNeill was chosen Chairman.

Mr. McNeill took the Chair, and the Order of Reference was then read, as follows:—

 HOUSE OF COMMONS,  
 Monday, 10th March, 1890.

*Resolved*, That a Select Committee be appointed to enquire into the statements made in reference to furs taken from Charles Bremner, a Half-breed residing at Battleford, and that said Committee be composed of Messrs. McNeill, Tisdale, Wood (Westmoreland), Girouard, Weldon (St. John), Casgrain, Holton, Lister and Kirkpatrick—the last two mentioned without power of voting; and that the Committee have power to send for persons and papers, and to employ a short-hand writer to take down evidence, and that it is desirable that any witness to be examined by the Committee should be examined on oath.

Attest,

 J. G. BOURINOT,  
*Clerk of the House.*

The Committee then discussed the Order of Reference, and it was agreed that Mr. Lister should prepare a statement of the charges and submit the same to the Committee at its next meeting, and that a copy of such statement, when prepared, be communicated to General Middleton and to Hayter Reed, so that they may be in a position to reply to the same either in person or in writing.

The Committee then adjourned until Wednesday next at 11 a.m.

 COMMITTEE ROOM,  
 Wednesday, 19th March, 1890.

Committee met.

## PRESENT :

Mr. McNeil in the Chair. Messrs. Tisdale, Wood (Westmoreland), Girouard, Weldon (St. John), Casgrain, Holton, Lister, and Kirkpatrick.  
 General Middleton and Mr. Hayter Reed were in attendance.

Pursuant to the agreement arrived at by the Committee at its last meeting, Mr. Lister submitted the following statement of the charges made against General Middleton, which was read. (For this statement, see page 1 of the minutes of evidence).

Mr. Lister was heard in reference to his statement going beyond the charges specified in the Order of Reference.

On motion of Mr. Wood (Westmoreland), it was

*Ordered*, That paragraph 3 and sub-paragraphs *a*, *b*, and *c*, of Mr. Lister's statement, be struck out, as being beyond the Order of Reference, and the Committee not being authorized to investigate the same.

Messrs. Payne and Burrows, shorthand reporters, were present, for the purpose of taking down the evidence given before the Committee, and were sworn to take down and transcribe faithfully the same.

Mr. Gormully, counsel for General Middleton, made the following statement on behalf of General Middleton. (For this statement, see page 2 of the evidence).

Mr. A. Ferguson, counsel for Mr. Hayter Reed, made the following statement on behalf of Mr. Reed. (For this statement, see page 3 of the evidence).

Mr. Ronald C. Macdonald, of Battleford, was then called, sworn and examined by Mr. Lister and others. (For his evidence see Minutes of Evidence).

*Ordered*, That the witness bring to the next meeting the power of attorney given to him by Charles Bremner.

Mr. Kirkpatrick referred to part of a letter written by witness to Col. Morris.

*Ordered*, That the said letter be fyled. (For this letter, see page 11 of the evidence.)

*Ordered*, That the following persons be summoned to appear at Ottawa, and bring with them all papers in connection with the Charles Bremner fur enquiry :— Charles Bremner, Louis Caplette, Stephens Warden, Robert Macdonald, Arthur Dorion, Col. Morris, Major Steele and Pierre Boissonnault.

The Committee then adjourned to the call of the Chair.

COMMITTEE ROOM,

Tuesday, 1st April, 1890.

Committee met.

PRESENT:

Mr. McNeill in the Chair : Messrs. Tisdale, Wood (Westmoreland), Girouard, Weldon (St. John), Casgrain, Holton, Lister and Kirkpatrick.

The shorthand reporters were in attendance.

General Middleton and Mr. Hayter Reed, and their counsel, Messrs. Gormully and Ferguson, were in attendance ; as were also Mr. Ronald Macdonald and Mr. Stuart Henderson, solicitor for Charles Bremner.

The Chairman laid before the Committee, copies of the telegrams sent to J. M. Skelton, Battleford, summoning Charles Bremner, Louis Caplette, Stephens Warden and Robert Macdonald to appear and give evidence, and stated that after consultation with Mr. Lister and a majority of the members of the Committee he had for the present cancelled the order requiring the attendance of these persons, so as to save expenses.

Mr. Henderson was then called, sworn and examined by Mr. Kirkpatrick and others. (For his evidence, see Minutes of Evidence.)

*Ordered*, That Mr. Henderson bring with him to the next meeting all papers in his possession in connection with this enquiry.

General Middleton was then called and sworn, and made the following statement. (For this statement, see page 13 of the Minutes of Evidence.)

General Middleton was then examined by Mr. Lister and others. (For his evidence, see Minutes of Evidence.)

General Middleton requested to be allowed to make and was permitted to make a statement with respect to a horse and furs alleged to have been appropriated by him at Batoche. (For this Statement, see page 19 of the Minutes of Evidence.)

Mr. Hayter Reed was then called and sworn, and made the following statement. (For this statement, see page 22 of the Minutes of Evidence.)

Mr. Reed was then examined by Mr. Lister and others. (For his evidence, see Minutes of Evidence.)

Mr. Reed fyled a letter, dated Fort Pitt, 1st July, 1885, (For this letter, see page 31 of the Minutes of Evidence.)

General Middleton was then further examined. (For his evidence, see Minutes of Evidence.)

Mr. Hayter Reed was then re-called and further examined. (For his evidence, see Minutes of Evidence.)

The Committee then sat with closed doors ; after which they adjourned to the call of the Chair.



## COMMITTEE ROOM.

Friday, 18th April, 1890.

Committee met.

## PRESENT :

Mr. McNeill in the Chair—Messrs. Tisdale, Girouard, Casgrain, Holton, Lister, Kirkpatrick, and Wood (Westmoreland).

The shorthand writers were in attendance.

*Ordered*, That Mr. Stuart Henderson, of Ottawa, be summoned to appear forthwith before the Committee, and to bring with him all papers relating to this enquiry.

*Ordered*, That Mr. Ronald Macdonald be summoned to appear forthwith before the Committee.

*Ordered*, That Mr. A. M. Burgess, Deputy Minister of the Interior, be requested to appear forthwith before the Committee, and to bring with him all papers relating to this enquiry fyled with the Rebellion Claims Commission.

At the request of Mr. Casgrain the minutes of the last meeting were read.

Mr. Stuart Henderson appeared in obedience to the summons of the Committee, and was called and further examined by Mr. Kirkpatrick, and fyled a paper signed by Mr. Macdonald, on behalf of Mr. Bremner, appointing Mr. Henderson to act for the said Bremner. Also a paper appointing Mr. Macdonald agent for the prosecution of the claims of the persons whose names are appended thereto, for losses incurred in the Rebellion of 1885, and agreeing to pay the said Macdonald 5 per cent. of the amount recovered. (For Mr. Henderson's evidence, see Minutes of Evidence.)

Mr. Kirkpatrick asked that all papers relating to this enquiry in the possession of Mr. Henderson be submitted to the Chairman, to ascertain if they had any bearing on the question.

The witness objected to produce these papers. Committee deliberated, and determined that Mr. Henderson be not required to produce these papers, inasmuch as he declared that he had already produced all papers in his possession bearing upon the enquiry, except such as referred to a suit by Bremner against General Middleton.

Mr. A. M. Burgess appeared as requested, and was called, sworn and examined by Mr. Girouard and others, and put in the evidence of, and schedule of losses of, Charles Bremner, made before the North-West Rebellion Claims Commission; also the deposition of Reverend Father Louis Cochin, made before the same Commission. (For these papers, see page 35 of Minutes of Evidence.)

On motion of Mr. Girouard, it was

*Ordered*, That the evidence and schedule put in by Mr. Burgess be copied and incorporated as part of his evidence. (For Mr. Burgess' evidence, see Minutes of Evidence.)

Mr. Kirkpatrick suggested that counsel for General Middleton and Mr. Reed now submit further evidence if they so desire.

Mr. Gormully fyled a certified copy of Mr. Bremner's claim. (For this claim, see page 41 of the Minutes of Evidence.)

Mr. Henderson was further examined by Mr. Casgrain. (For his evidence, see Minutes of Evidence.)

Mr. Girouard moved, seconded by Mr. Casgrain,—

That inasmuch as the Committee have no evidence of what became of the case of furs addressed to Colonel Bedson—Colonel Bedson be summoned to appear and give evidence before this Committee, which was negatived on the following division:—Yeas, 2; nays, 3.

*Ordered*, That Mr. Henderson appear at the next meeting.

*Ordered*, That Mr. Ronald Macdonald (who could not be found this morning), be summoned to appear at the next meeting of the Committee, and to bring with him all the papers in his possession, and especially any agreement executed by Charles Bremner in relation to the matter now before the Committee for enquiry.

The Committee then adjourned until Wednesday at 11 a.m.

## COMMITTEE ROOM.

Wednesday, 23rd April, 1890.

Committee met.

## PRESENT :

Mr. McNeill in the Chair—Messrs. Tisdale, Wood (Westmoreland), Girouard, Weldon (St. John), Casgrain, Holton, Lister and Kirkpatrick.

The shorthand writers were in attendance.

Mr. Stewart Henderson and Mr. Ronald Macdonald attended in obedience to the summons of the Committee.

Mr. Macdonald was called and further examined by Mr. Kirkpatrick and others. (For his evidence, see Minutes of Evidence.)

Mr. Macdonald submitted an agreement made by him with Charles Bremner to the Chairman, who stated that the matter contained therein was irrelevant to the enquiry. The agreement was then returned to Mr. Macdonald.

Mr. Tisdale moved,

That no more evidence be taken, and that the Committee now proceed to the consideration of its report.

Mr. Girouard moved in amendment,

That Mr. Burgess be called to give evidence in regard to the schedules put in.

And the question being put on the amendment; it was agreed to on a division.

Mr. Burgess was accordingly called and examined by Mr. Girouard. (For his evidence, see Minutes of Evidence.)

Mr. Lister made the following statement:—

“I, for Bremner, state to the Committee that Bremner will accept \$4,500 in full of his claim for furs.”

Messrs. Lister, Ferguson and Gormully, each stated in reply to the Committee, that they had no further evidence to submit.

On motion of Mr. Girouard, seconded by Mr. Weldon (St. John), it was

*Ordered*, That the following be adopted as the report of this Committee, and reported to the House, together with the evidence taken and the proceedings of the Committee. (For this report see report, prefixed to Minutes of Evidence.)

Attest,

N. ROBIDOUX,

*Clerk of Committee.*

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# REPORT

OF THE

## SELECT COMMITTEE

*To whom was referred Bill No. 8*

TO

### PROHIBIT THE IMPORTATION AND IMMIGRATION

OF

# FOREIGNERS AND ALIENS

Under Contract or Agreement to Perform Labor in

CANADA,

WITH MINUTES OF EVIDENCE ATTACHED.

---

PRINTED BY ORDER OF PARLIAMENT.

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OTTAWA:

PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY.

1890.

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## APPENDIX No. 2.

COMMITTEE ROOM,

Tuesday, 15th April, 1890.

The Select Committee to whom was referred Bill No. 8, to prohibit the importation and immigration of Foreigners and Aliens under contract or agreement to perform labor in Canada, beg leave to present the following as their

## REPORT :

Your Committee find, on examination, that this Bill is similar in all respects to a Bill passed by the Congress of the United States in 1885, and amended by that body in 1886.

Your Committee have had before them witnesses from different points along the frontier, and find from their evidence (copy of which is annexed hereto) that the American Alien Labor Law has been enforced in such a way as to compel many of our people to relinquish their employment in the United States, or to remove with their families, and reside there permanently, while citizens of the United States are permitted to work in Canada every day, and to return to their homes on the American side of the frontier at night, without interference from the Canadian authorities.

Your Committee recommend that the attention of the authorities at Washington be directed to the oppressive application to Canadians of the American Alien Labor Law, and to allow of such representation being made, and to afford time for its due consideration, recommend that further consideration of this Bill be postponed until next Session; and if some suitable measure for granting relief to Canadians from the grievance complained of, be not passed in the interval by the American authorities, then your Committee recommend that a Bill dealing with this question be introduced next Session, and taken into consideration.

All which is respectfully submitted.

GEO. TAYLOR,  
*Chairman.*

## EVIDENCE.

HOUSE OF COMMONS,

Friday, 28th March, 1890.

The Select Committee appointed to enquire into, and report upon, Bill No. 8 *re* Alien Labor met:

Mr. GEORGE TAYLOR in the chair.

The Chairman asked Mr. R. R. Elliott, Chairman of the Legislative Committee of the Knights of Labor, to make a statement and to express the view of that body upon the Bill before the Committee.

Mr. ELLIOTT—Mr. Chairman. I am here to say that the Knights of Labor are very strongly in favor of this Bill, but we do not ask it as retaliation. We do not ask it as a means of hitting back at the United States simply because the Government of that country, in the interpretation of their Act, have seen fit to yield to the clamor of a certain anti-British element which seems to form a very strong balance of power in some of the States—in some of the leading cities. We desire no retaliation.

tion, but we ask you to emulate the example which has been set you. We have no quarrel with the United States. All we ask is simply that the workingmen of this country may be given that protection which we think is necessary for their well being. To my mind it is very much to be regretted that a discussion in the House, the other day, was allowed to drift into the channel which it did, that certainly the idea of retaliation, as I said, was very far from our minds in asking that this Bill be introduced and passed. It is asserted, and I think with absolute truth, that the United States, in the interpretation of their Act, have acted far more harshly than was ever intended by the labor organizations, when they asked that this Bill be passed which is now upon the Statute book. It was calculated that the Act would do away with the importation of cheap European labor to take the place of the miners, railway laborers, and other laborers, as well as the artizans and operatives of the country who might, for the time being, have a misunderstanding with their employers. For we think we will all agree that strikes are the practical result of misunderstanding either on the one hand or on the other. The practice of going to the older countries and sometimes to some parts of Canada to engage a large body of men to take the place of native workers was a very common one, and it is one which we think resulted very injuriously not only to the strikers but to the country as a whole, that to our mind the displacing of a large number or any number of native workingmen who are to the manor born, who understand the peculiar conditions of the country in which they live, who are intelligent men, who are capable of taking their parts as citizens of the country, to displace them from their means of obtaining a livelihood and to put in their places the cheap labor, which must sometimes be called the pauper labor of the older countries, cannot fail to result in the great injury to the people of the United States or Canada as the case may be. It stands to reason that men who have been brought up in a country, such as the United States or Canada, whose places are taken by this cheap labor, and who are thrown upon the cold charity of the world of their country or their town, that the results cannot but be great misery upon those native workmen, upon their families and as a practical result demands are made upon charity which otherwise would not be made, and as poverty increases, that must naturally be enhanced. It was for this purpose and for the protection, as I have said, of the working men of the United States, that this Act was passed. We thought we had got a law, it is true, which would cover our grievances, and having secured the Act there we set to work here to secure similar legislation. We too have suffered from importation of contract labor as far back as 1872. I think you will remember when the strike was in progress in the office of the *Toronto Globe* when the proprietors of that paper after refusing to treat with their men, imported an entire force of compositors from the Old Country to fill the places of their native employees, among whom was the present Mayor of Toronto, I think a gentleman whose possession of brains no one will deny. He and many others suffered great inconvenience in consequence of their being thrown out of employment for several months, and it was a great injury to their families as well as to the city of Toronto. We have had the importation of plumbers to the city of Toronto. We have had labor imported in various other trades, and we frequently see that thousands of dollars of public subsidies given to railroads are paid out to Italian and other foreigners, when there is a vast amount of idle labor in the cities of these provinces as well as in other places. I have seen frequently that there was a great deal of idle labor in the towns in which I was for the time living. That gangs of Italian laborers, men who were imported because they could be got cheaper, but whose importation, I believe, was no benefit to the country, were employed by the various railway companies while men were going idle in the adjacent towns. We have, therefore, concluded that the time has come for the passage of an Act for the prevention of the evils complained of and I take this opportunity, to express on behalf of the Knights of Labor, my thanks to Mr. Taylor for his having introduced this Bill into the House and for the persistency he has displayed in its advocacy. We seek this measure with a full knowledge and approbation of the American branch of our large organization, and I think it should be fairly

good proof of the correctness of the statement that it is not in a spirit of retaliation we seek it. The Committee of which I have the honor to be Chairman, is appointed by the head of our organization, the head office of which is situated in Philadelphia or Pennsylvania, or I should say, rather, the committee is appointed as a branch of the whole organization as representative of the whole organization, but our instructions are to seek such legislation as the Canadian members of the organization desire. We have no intimation or no instructions that we are to seek anything that may happen to suit the Americans. We are called to follow the instructions of our Canadian organizations. This organization, I should say, is a cosmopolitan one. It extends through France, Germany, Belgium, England, Ireland, Scotland and Australia, as well as in the United States and Canada. There is one executive board governing the whole. To show you that the legislation which we seek is sought with the full approbation of our brothers on the other side of the line as well as with their knowledge, in my last year's report, which I presented to the General Assembly, which met at Atlanta, Georgia, last November, the following paragraph appears:—

“FOREIGN CONTRACT LABOR.

“The importation of foreign workmen under contract has engaged the attention of your Committee, and we have urged upon the Government the enactment of the law similar to the one now in force in the United States. While we are inclined to the opinion as the result of our interviews that it may be possible, perhaps at the next session, to obtain the enactment of a law forbidding the importation of foreign workmen under contract, yet such a law in Canada would be much less efficient as a protection to labor than it is in the United States, for the reason that, this being a portion of the British Empire, the law would not apply to contracts made in other parts of the Queen's dominion. Even with this disadvantage your Committee is of opinion that a Dominion law prohibiting, under a sufficiently severe penalty, the importation of alien workmen under a contract would be of great benefit to Canadian labor. The law of Ontario does not go far enough to be of any appreciable benefit, inasmuch as it imposes no penalty, but merely makes the carrying out of his contract optional on the part of the imported workmen while making it binding upon the employer. It is more than doubtful if any such law passed by one of the provincial legislatures could be anything more than illusory, for, of course, one province cannot legislate to affect or forbid the making of contracts in another, and so aliens intending to work in Ontario, for instance, could be brought under contract to Quebec, or some other province by “A,” and then a contract could be made between them and “B” to work in Ontario. All these things being considered, your Committee is of opinion that only a Dominion Act could afford any real benefit and we would recommend that our successors be instructed to continue our work in this direction.”

This recommendation was favorably commented upon by the members of the general body which was assembled at Atlanta and the report was unanimously adopted. We believed that it is the policy of the Government of Canada to keep Canada for the Canadians. And that I think is the motto which many of our countrymen cherish. For the carrying out of that policy duties are levied upon numerous products and manufactures, such as will practically prohibit their importation into this country and enable our manufacturers to give employment to our own artisans and laborers. But I believe it is an integral part of that policy that protection should be given to our workingmen. You protect the manufacturers, you protect the goods that may be made in this country; we ask you to protect the workmen that they may make these goods. That is the thing in a nutshell. The desire of organized labor in Canada is not retaliation, but emulation to a degree. A great nation has seen fit to enact a protective law such as we are asking, and they are interpreting it in the manner far exceeding the requests of the labor organizations. They are in truth protecting their citizens, for we find that before they issue a license to the officers of their steam vessels they require them to take the oath that they

are American citizens. I have here a blank form of oath which these officers have to take, and it reads as follows:—

“ Form 2105.

“ Oath of Licensed Officers of Steam Vessels.

“ I....., do solemnly swear that I am a citizen (\* .....) of the United States, and that I will faithfully and honestly, according to my best will and judgment, and without concealment or reservation, perform all the duties required of me as ..... by laws of the United States.

“ Sworn and subscribed before me, ... }  
..... }  
..... }  
this day of , 188 ” }

“ \* Insert “ native ” or “ naturalized ” as the case may be.

“ (Ed. 5-8-'85—10,000).”

I believe that the American authorities are interpreting their laws too harshly, a great deal too harshly. As I have said before, there never was any intention that it should be applied in the manner in which it is being applied, but since that, for political reasons, for the purpose I imagine of gaining political capital, and in that respect, I believe, one party is just as bad as the other. Of course we do not have anything of that kind in this country. It does occur to me that if it were possible to avoid such difficulties and such harshness it would be very desirable. For instance we take the case of a gentleman named Overell, of the city of Hamilton. He states his case in a letter which he has recently written thus:—

“ 417 King St., E,  
“ HAMILTON, 21st March, 1890.

“ MR. TAYLOR, M. P.,  
“ Ottawa.

“ DEAR SIR,—Having noticed your efforts re the Alien Labor Bill, I thought my experience might be of some interest to you. In the spring of 1889, I was out of business and looking round for something to do. I had some business with A. C. McIntyre of Alexandria Bay and had made arrangements with him to go there and manage his business, when it became known to the customs authorities at that port. They at once informed McIntyre that if I went there, and in his employ, he would be subject to a fine of \$1,000.

“ This, of course, broke up the engagement and threw me out of employment.

“ You will no doubt remember me as an old resident of Brockville, and known to Messrs. Brown and McKay members for this city. Hoping you will be successful in carrying your Bill through.

“ I remain,  
“ Yours truly,  
“ E. OVERELL.”

MR. MCKAY.—He is a thoroughly respectable man.

MR. ELLIOTT.—As soon as I saw that letter, I spoke to both Mr. McKay and Mr. Brown. Both gentlemen stated that they knew him and Mr. McKay says he knows him to be a thoroughly respectable and reliable man.

MR. BROWN.—I corroborate that statement, strongly. Mr. Overell is one of the most respectable men of my acquaintance in Hamilton, a man of the highest integrity and a man thoroughly reliable in every particular.

MR. ELLIOTT.—Of course these are matters which I think it is well to consider in relation to this Bill. This seems to be the way they are interpreting the Bill, it seems, too, that they even include preachers of God's Holy Word within its scope. Whether it is advisable as a matter of State expediency that an Act should be passed quite as strongly as this is not for me to say. That is a matter which I think



requires the consideration of statesmen and it is out of our element. What we do ask for, however, is that you will pass a law, a law something similar to that on the Statute Books of the United States, and I do not think that common justice or to use a harsher word, common decency would induce the Canadian Government to interpret that law in the way it has been interpreted by the United States. What we ask is not that individuals who come into this country voluntarily may be kept out. We have no such desire. Neither do we desire that when a man comes in to this country by himself and desires to live in this country, that he should be kept out. We have no such desire as that. What we do say is that an Act may be passed to prevent the wholesale importation of men in a body under contract to take the place of Canadian people. That I think is the statement of the case of the Knights of Labor, and I do not think I can say anything more on this subject.

MR. TAYLOR—Does any member of the committee wish to ask Mr. Elliott any question?

*By Dr. Ferguson (Welland):*

He says he knows the United States people have interpreted the Bill harshly. Has there been an appeal made to the United States Government by the Knights of Labor of the United States, not to interpret the law against individuals as has been done?

MR. ELLIOTT—There has not, to my knowledge. I understand, however, that the Canadian Government made an appeal or some representation.

2. They did from representations I had made to the Government, but I may just state that I have been informed that at Niagara Falls, men who have been employed by the Grand Trunk Railway Company for 30 years, living on the Canadian side and going over to the American side to do their work, have been notified that they must move to the American side or quit their employment. I am told it was the Knights of Labor who made the move in that direction.

MR. ELLIOTT.—The Knights of Labor asked for legislation in the first place but the Knights of Labor never asked that the Bill should be interpreted in the way that it is being interpreted. I have talked with gentlemen who appealed to Congress and who were mainly instrumental in getting the Bill introduced into Congress and they informed me that they never had any such idea that it was so intended. It was simply as I have said to prevent the importation of men for the purpose of taking the places of the other workmen.

3. Do you not think that the organization in the United States which is the same organization as you have in Canada, one executive for both. Do you not think it is the duty of that organization, of that executive, to appeal to the American Government not to interpret the law in this way, which it was never intended to interpret it?

MR. ELLIOTT.—There is a difficulty there. You see the executive board of the organization has only certain powers, and while, if they should make such a request as that, you are probably aware as well as I am, that both political parties, at least in my opinion, yield to the clamor not of the Labor organizations in this interpretation, but rather to an extreme anti-British element in their country, which is determined that anything British should be annoyed all that it is possible. That was apparent during the last presidential election and I think any person who reads the New York papers very closely cannot fail to come to that same conclusion. We had an evidence of that in the treatment of the British Minister. I think it is simply the carrying out of the same policy. To my mind a Bill somewhat similar to the one before the House should be passed. I do not see how it can be framed much differently, although perhaps the legal mind of the House and of this Committee could perhaps frame a Bill which would meet the case. For my part, I cannot see how the Bill can be framed much differently from that of the United States, but I think it might not be interpreted so harshly. I do not think the mere matter of half a dozen men living on one side of the line and working on the other, is of great injury to a great nation. I think either nation can stand that.

*By Mr. Walsh :*

4. You think they ought to reciprocate ?

Mr. ELLIOTT.—I think so.

*By Dr. Wilson (Elgin) :*

5. I think you stated you did not imagine it would be injurious or for the Knights of Labor to object to parties coming into Canada by their own individual will and working here ?

Mr. ELLIOTT.—None whatever. We do not want to set up a wall between the two countries as far as labor is concerned.

6. What means would you adopt in your measure of that description so as to protect your people here. What would prevent any number of Americans coming in of their own free will and crossing the borders and going to the individuals and becoming employed ?

Mr. ELLIOTT.—Nothing would prevent them. This American law would not prevent them.

7. The American law would prevent them I think. They would have to remain here or remain there or they would be subject to the penalty. How are you going to overcome that ?

Mr. ELLIOTT.—That is discussing this harsh interpretation as I have termed it.

8. I want to get at your idea of leniency. How are you going to have leniency of the law effected ? I do not want a law upon the Statute book merely as a fancy law, but I want a real something that will accomplish that which we desire. Now it struck me that your suggestion would be merely as a fancy law.

Mr. ELLIOTT.—You are mistaken. I want no such law as that.

9. It would seem to me something of that kind. If you pass the law, then what have you accomplished ? If it is thought advisable to prevent any person living in this country and residing in the United States, then you must say so. If you do not say so how are you going to carry it to the extent which the United States have carried it, and how will you protect your laboring men here ?

Mr. ELLIOTT.—It is not for me to say how a bill will be drafted. I do not profess anything in that respect. My experience in drafting bills has been very limited. I will tell you what we desire. Our desire is to protect the Canadian labor from importations, such as may be brought into the country to take the place of our workingmen. That is the whole object and our desire with this Bill.

*By Dr. Ferguson (Welland) :*

10. Are you willing in our legislation that while our men are openly and absolutely excluded from employment in the United States, without becoming citizens of the United States, that we shall leave our market open to those people to come over as they please and work in our country ; that is the condition of things now ?—We are getting back then to the question of retaliation.

*By Dr. Wilson :*

11. Put it protection.—Let me state it my way.

12. We want you to state really if this is to protect the laboring men. We want to put it in the way it will protect them ?—I say then that in the passage of laws, in my opinion, there are certain things which even labor organizations should be willing to yield in. I do not think it is necessary for me to say whether this country should array itself and go just as far as the United States has gone or not. I do not believe that the United States are more justified in what they have done.

13. Is it necessary for the protection of your laboring men that they should not come over here ?—I do not think so.

14. Tell us why, ?—I have told you as near as I can. I say this, I can see no harm resulting to the country or nation itself from a few men living on this side of the line working over there or a few men living over there and working here. The difficulty we want to obviate is the importation of men to take the place of other men.

15. If they come across they must take the places of others. How are you to prevent them coming across if you do not prohibit them ?

*By Mr. McKay :*

16. You do not want them brought over in squads to take the places of our men who are asking for an increase of wages?—That is the point we are trying to get at.

*By Dr. Wilson :*

17. Where have they been brought over in gangs or squads except during the construction of the Canadian Pacific Railway?—I do not propose to answer any list of questions such as that. I want to say this, that the committee, or any of us who know and who have followed the matters which have transpired in this province for a number of years past, are well aware that men have been brought into the country to take the places of men on stike. About a year ago there was a strike in Toronto and plumbers were brought from Rochester. When the "Mail" strike was on printers were brought from Rochester and Buffalo.

18. Suppose your law would be all that the Knights of Labor would desire, these plumbers might come by themselves to Toronto and get employment. Under the law as you suggest would you be able to prevent them working?—No.

19. Then it would not protect that class which you are desirous of protecting?—It would.

20. How?—These men would not be so likely to come unless the agent of the employing party made some arrangement for them to come.

21. That could be easily arranged. An agent would go over to the other side and let them know there was vacant labor demanding to be performed. These men would then leave of their own accord?—They possibly would, but those who are in the habit of working for others do not generally jump around that way.

22. I have worked all my life for other people.—Perhaps not in the way the rest of us have. If a man comes to me and says there is some work—say I am in Toronto—in London. I ask him for particulars. He tells me there are vacancies in a certain place. I immediately learn or come to the conclusion that he is representing in some way certain parties there. I would not go, unless under perhaps singular circumstances, until I had some pledge that I would be able to obtain employment. If that pledge were given that would bring him immediately within the law.

*By Dr. Ferguson :*

23. All a man has to do is to practice a fraud on the United States law and they cannot touch him. He simply goes over as Dr. Wilson suggests. I think this law ought to go further than you say, if we are to enact it. Take my own town. We have plenty of Americans working in our railway shops and elsewhere. They are not molested, but not a solitary individual from our side gets the privilege to go over and earn a dollar in the United States. That is unfair?—That is what I say.

24. We want to go a little further, and I think we can hardly escape the word retaliation in that respect.

DR. WILSON—My idea is that the laboring men shall be protected in their honest labor and shall not be competed against by Americans coming over who take care to protect themselves.

THE CHAIRMAN—What Mr. Elliott objects to is individual cases like those referred to in the letter, where the man went over and made an agreement to go there, yet because he was coming in under contract he was prohibited.

*By Mr. Gillmor :*

25. The man who employed him would have had to pay a fine?—The man would not carry out the contract.

26. I know in my own county our lumbermen have been in the habit of going over there and making contracts and taking gangs of men over with them, gangs of men with horses, to perform certain labor in the State of Maine. This law has been enforced against them. Now, those who want to employ labor go over there and take up a temporary residence. Then our men go across and make their contracts there. The reason for my mentioning and repudiating the word retaliation is this : In the House the other day that seemed to be the reason for much of the opposition

against this measure. The discussion, at all events, got into that channel. It is for you to say whether in view of the state of labor in this country you should go as far as the American law is being interpreted?—We want protection.

*By Mr. Ferguson :*

27. I impressed upon Mr. Elliott and want to impress upon you, that I believe the Knights of Labor as far as they could were the cause of introducing that law into the United States, and should exercise some influence in its interpretation?—I may say that we are trying to do the best we can. It was a power beyond us that induced the United States Government to do what they have done.

THE CHAIRMAN—The position is this: It is now on the Statute Book and any citizen of the United States can put the measure into operation.

Mr. J. T. CAREY was next called.

28. Mr. TAYLOR—You were asked to appear before the Committee to make a statement. You represent what?

Mr. CAREY—I represent the Dominion Trade and Labor Congress, every labor organization in Canada.

29. Mr. EARLE—Are you associated with this American Trade Union?

Mr. CAREY—Yes, sir; I am a member of the Executive Board of one of the International Districts. The organizations have asked that this law be enacted, as Brother Elliott has stated here, not as a retaliatory measure, but as a measure of protection to themselves. We find that in a great many of the walks of life the working man does not receive that protection he thinks he is entitled to get. In a great many cases when workingmen and their employers are in trouble as to a raise of wages or reduction of wages, as soon as the trouble begins the employer sends away and he brings in men to take the place of the workingmen who were in his employ. In some cases they pay men more wages for the time being than the men who have gone on strike, so the consequence is injury to the Canadian workingmen. To-day I think that the workingmen have to come to the conclusion that if a measure of this kind was introduced, and put on the Statute book, that it would be a benefit to them. That is, that it would give them at least a share of the protection that their employers at the present time get. It is unreasonable to suppose, if the goods manufactured by cheap labor in Europe is taxed, that the laborer himself should be permitted to come in under contract to take the place of labor already in Canada. We think that a measure of this kind should be enacted, so that it would be beneficial to the working people of this country as a whole.

30. Mr. EARLE—Without danger to the employer?

Mr. CAREY—Without danger to the employer. At least that is what we think. Another thing the Canadian labor organizations are opposed to is assisted immigration.

31. Mr. MCKAY—That has been stopped.

Mr. CAREY—We do not think that it has. What we object to is assisted immigration in a great many cases. Because that is actually bringing people under contract from some of the older countries to take the place of the workingmen of this country. Many people have come to this country from other countries and they take their money with them. Some of the agents certainly have made agreements with the men when they induced them to come from the other countries to pay back part of that money and perhaps more than the amount that they have given them after they have finished with the work.

32. Mr. GILLMOR—In Canada?

Mr. CAREY—Yes. I, of course, have not got the data with me, but if the Committee is to meet again, I will give them the names of men who have that evidence and no doubt will produce the evidence before the Committee, if they find it necessary. I have written nearly every labor organization of the country, that is those that are affiliated with the Congress, and I think that some members of Parliament have received letters from them, asking them to support this with other measures in the interests of the workingmen, now before this Parliament. As far as Canadians being stopped from working on the other side, I know considerable about

that, because nearly all our Canadian sailors at the present time are working on the other side every summer.

I have not known one of them to be stopped yet, because they did not go across under contract. With Canadian sailors, of course, I am better acquainted than with any other class, and they can go to Buffalo, Cleveland, Chicago, or Milwaukee and ship in any vessel there without being interfered with, on condition that they have not come under contract. I have not known one to be stopped, because they do not go under contract. If however, a Canadian goes to take charge of an American vessel, he must be an American citizen or declare his intention of becoming one before he is allowed to go as an officer of one of those vessels. I may say that a great many of the steamboats going out of Chicago or Cleveland, in fact nearly every port of the United States, are manned by Canadians. I am sorry to say that a great many Canadians have had to take the oath of allegiance to the United States before getting on those vessels. They get better pay there.

33. If they take the oath of allegiance they cannot be interfered with?—It is not necessary to go before the mast. It is to be an officer.

*By Mr. Earle :*

34. An American cannot take command of a ship here?—I do not know.

*By Mr. Welsh :*

35. No, he must be a British subject.—We think, not knowing much how laws are framed, that a law could be framed that would give to the Canadian workingman that protection to which he is entitled as against the workingman under contract.

*By Mr. McKay :*

36. You do not propose to go any further than to make the law prohibitive as against men coming over here from the United States under contract?—Not from the United States alone; we mean from everywhere else, no matter where they come from under contract.

37. MR. EARLE—Would not that place employers in the hands of organized labor associations? There would be great danger of antagonism between labor and the employers of labor.

*By Dr. Wilson :*

38. Are you as a body willing that all artizans, laborers and employees of all descriptions, shall come into the country and compete with the laboring men, here, unless it is after entering into a contract on the other side before coming in?—Anyone who comes to the country of his own free will, we receive him with open arms. We have no objection, nor do we find any trouble in dealing with the competition or otherwise of workingmen who come of their own free will. The only trouble we find is in dealing with men who do not come of their own free will. As a rule they come for less wages than we are looking for, and goodness knows that the laboring men of Canada are not receiving any more wages than they can live on. Many are not receiving as much as will enable them to live.

39. Or if men come over here in the morning and return at night, that would be agreeable and satisfactory to the Knights of Labor?—We have no objection.

40. All you desire then, is that this Bill shall act only as a prevention to parties going to the other side and entering into a contract there with labor and bringing that labor here as a body or class to work upon some works here?—That is the object.

*By the Chairman :*

41. While you are willing to permit persons to come over from the United States, you expect we should have the same treatment accorded to our Canadian workingmen if they wish to cross over to the other side and do a day's work there?—Yes.

MR. EARLE—We could ask that organization which prompted this legislation to have it withdrawn.

*By Dr. Ferguson :*

42. Upon what authority do you speak for the labor organization? Because I know the Knights of Labor in my town hold a different view. Have all the lodges of the different districts been consulted?—Their representatives were consulted in congress last September. The representatives of the different organizations—all affiliated organizations—are notified of the time of meeting and the place where it is to be held. Any organization wishing to send representatives may send them. A great many do not send representatives, but send resolutions they wish to be acted upon. Of course they are willing to be governed by the laws laid down at that congress. If there are any laws that they are not satisfied with after the proceedings are printed, then they object to those laws to the Executive Committee. If there are any objections made to any of the different laws laid down at the Congress, the Executive Committee have always made it a point, up to the present time, not to interfere, or ask for any of these measures that have been objected to. There are certain things the Executive Committee are told to pick out—certain laws, or certain things, and try to have the laws amended or other laws enacted. If there are any objections to these different laws, then the labor organizations, as soon as they are consulted on them, will make their objections. Up to the present time I have written, I suppose, to nearly every labor organization in the country from here concerning this Bill by Mr. Taylor, on the Alien Contract Labor question, and I have not received a single letter or a single organization objecting to the passage of this Bill. They have all favored it, and most of them have written that they have instructed their members here to support that measure, or measures something of the same sort.

43. DR. FERGUSON (Welland).—What I was at, is this—I think a great many of the labor organizations demand that protection should be given a little further than you state, that we shall have in some measure that reciprocity in labor on the two sides. Have you had that opinion expressed in any way?

MR. CAREY.—All that I have come in contact with they are satisfied to have reciprocity, not only in labor but most everything else.

DR. FERGUSON (Welland).—We did not ask you that.

44. MR. TAYLOR.—What the Committee wants to know, is this: are the unions that you represent, willing that labor should come in from the American side and perform labor here during the day and go back at night and not allow the same thing to Canadians?

MR. CAREY.—No. I do not think that would be reasonable, but reciprocity in labor would be more beneficial to the Canadian than to the American. We certainly could not object to that and do not object to that.

45. MR. GILLMOR—You would get as much labor on the other side as they could get here?

46. MR. EARLE—Dr. Wilson stated—Have you any objection to the men coming for work and going away at night?

47. MR. CAREY—If they stopped us from going?

48. MR. EARLE—They do stop you, as a matter of fact.

MR. CAREY—I am speaking, knowing the sailor better than anyone else.

49. DR. FERGUSON—You go to Niagara Falls; that it is so as a matter of fact.

50. MR. TAYLOR—You know as a matter of fact that every Canadian along the frontier is stopped and prevented from going over there in the morning and returning here at night.

MR. CAREY—I did not know as a matter of fact. I heard it to-day, I had not known it.

51. MR. McDUGALL (Pictou)—Are you in favor of permitting American labor to be employed in Canada while residing in the United States, provided they treat us in the same way?

MR. CAREY—Certainly, if they treat us that way.

52. MR. McDUGALL (Pictou)—You are opposed to the employment of American labor in Canada?

MR. CAREY—Under contract.

53. MR. McDUGALL (Pictou)—Not under contract voluntarily.

MR. CAREY—If it is not under contract we do not object to it.

54. MR. WELSH—I do not know, but this Bill might affect the Maritime Provinces, seriously. Supposing the mining interest in Nova Scotia, in Pictou and in Nova Scotia, all through, supposing the miners there combined and struck, what position would the mines be in, the mining industry of Nova Scotia. They would not be allowed to send away and employ other laborers. They would be compelled to give way to the demands and claims of these miners. I tell you, you had better think over this matter. It seems to me to be a serious matter. My friend from Pictou will be able to speak more particularly on that point. I may say for myself that I had to send to England a short time ago and employ a groom and a coachman. I could not get one in the place. If I did so, under this Bill, you would fine me \$1,000 for doing so. Would it not apply to me if I go to England and make a contract for this man to come out and work for me?

MR. LEPINE—Certainly.

DR. WILSON (Elgin)—There is a provision there excepting domestics. The coachman would come in under the term "servants."

55. MR. GILLMOR—I would like to understand what the Knights of Labor really intend? We have a large cotton mill in St. Stephens, New Brunswick, and I am informed, and I believe that out of the 500 operatives there, about 250 of them live in the State of Maine. They come over every day, across to that cotton mill to work and they reside in the State of Maine. Would the Knights of Labor have any objection to that? Their contract is made, of course, with the owners of the mill. They live in the State of Maine and come there to perform a day's labor and return to their home in the State of Maine.

MR. CAREY—If they came in under contract they would object to it. But if they came in and made a contract, they would not object to it.

56. MR. GILLMOR—The contract is made in Canada. They come across and hire. That is a case in point. How would the Knights of Labor treat that case?

MR. CAREY—I do not rightly understand.

MR. MCKAY—You asked him if those parties in this mill in St. Stephens, can live in Maine. They come from Maine into this town or village and engage themselves to work in this mill. They are engaged in the mill. They live in Maine and go to and fro daily.

MR. CAREY—We would not object to that. I do not know for certain. I know that sailors go to the other side and they ship, and that is the last there is to it, until they come home in the fall.

57. DR. FERGUSON (Welland)—Supposing this cotton mill was in the State of Maine and the operatives lived in Canada, and the United States Government refused to allow the Canadians to work in this mill in the State of Maine. Would you think it fair that the people from the States should come into Canada under the same conditions and circumstances?

MR. CAREY—No.

I would say for Mr. Carey's information that people who have worked for thirty years on the Grand Trunk Railway, the terminus being in New York, though they are paid by British capital, have been forced to sell their little homes and go across the river and live. They are not allowed to remain here, although in the employment of the same company, and work in the State of New York?—That is not intended by the labor organizations.

*By Dr. Wilson:*

58. The Bill says that to encourage anyone coming in would be a violation of the law.—Only under contract.

*By Mr. Daly:*

59. You said you would have no objection to men coming over here and doing a day's labor and return at night?—I know how it is with the residents of St. Catharines. All our ship-carpenters who used to be there are on the other side

now. There is not a dozen ship-carpenters on this side now. We had four ship yards at one time, and there were eight vessels on the stocks there at one time.

*By the Chairman :*

60. Where do they reside now?—In Buffalo or Cleveland. Out of these three or four dozen ship-carpenters, I have not known one of them to be stopped on going over there. They came home every Saturday night.

61. They evade the law in this way: they go there and hire for a week's work and return home on Saturday night. Then they return and make a fresh contract for the next week. In the case of the Grand Trunk Railway, however, they do not pay their men weekly?—We do not desire it, but so long as it is done on the other side we want it done on this side.

*By Mr. J. A. Ewan :*

62. I was going to ask you: Do the Knights of Labor object to the law being as strictly enforced in Canada as it is in the United States? Have they any objection to the law being as strictly enforced here as there?—No.

63. That answers Dr. Wilson's objection. I am a Knight of Labor myself and know their views on this subject. Although the United States law has been pushed to an extreme, I have no objection to its being pushed to the same extreme here. Mr. Elliott alluded to the word "retaliatory." He does not want that word used perhaps; but we want the law and want the principles. We want this thing as strictly enforced as do the United States workmen, who are in sympathy with us, and are in favor of excluding foreign labor under contract from the United States. Is that not the idea of the Knights of Labor?—Yes.

Dr. WILSON—We were told at the outset that they did not want the law to be enforced similarly to the United States.

The CHAIRMAN—No; Mr. Elliott did not want it called a Retaliatory Law.

Dr. WILSON.—He went further and said it was not the original intention of the Knights of Labor that the law should be so enforced; but that it was on account of the strong anti-British sentiment and political agitation that took place there that carried the law and caused it to be enforced to the extent to which it is being enforced.

WITNESS:—To put Dr. Wilson right, I may state again that we have in the city of St. Catharines over 100 men, I might say 200 men, who work regularly on the lakes in the United States. Their families are living in St. Catharines. They go there in the spring and get their jobs and stay there during the summer. We have the families of ship carpenters and bricklayers and masons living in St. Catharines, and, I am sorry to say, that most of our people have had to go over to the other side to get work. These men have never been stopped because they do not go there under contract. If there is a law of this kind being enforced—and I believe that all good laws should be enforced, and if bad repealed,—we want similar protection on this side. That is the stand of the labor organization with respect to all laws existing either here or anywhere else.

64. Mr. DALY—You say you were opposed to assisted immigration passages, are you opposed to assist men to go up to the North-West as farmers?

Mr. CAREY—Yes; until we give the citizens of the country the first preference. If it is necessary to people the North-West and assist people in the North-West or the people of Canada at all, our Canadian citizens should have the first preference. We know of men who have been to the North-West and come back again, we know that a man can do nothing in the North-West unless he has money enough to make a beginning. We think, in the first place, that it would be more beneficial to the people of this country, as a whole, if the people of Canada were allowed the privilege of taking up land in the North-West and the Government allowing these people to have money enough to start up the first year and make a beginning. Our own people should be first taken care of, then it would be time to take care of our neighbor's people. We decidedly object to assisting the outsider before our own people are assisted. We know in our large cities at the present time there are hundreds of poor families in want, and a great many of these families if they were settled on this land,



we are fully satisfied, would make as good farmers as the people brought over to populate this country.

Mr. TAYLOR—We are not bringing anybody over.

Mr. CAREY—They have brought them over.

65. Mr. DALY—I am asking if he is opposed to immigration to men who come over to farm, rather than for skilled mechanics, for instance? That I understand of the Knights of Labor to assisted passages.

Mr. CAREY—It is very hard to decide between a laborer and a mechanic. We have evidence in our labor centres of mechanics being brought over year after year under assisted passages. We need not go further than Toronto, Hamilton, St. Catharines and Kingston and Montreal.

Mr. TAYLOR—That is stopped now.

Mr. CAREY—I do not think it is.

Mr. TAYLOR—It is as far as the Government is concerned.

Mr. CAREY—It may be, but we doubt it. We find in the Auditor General's report that some \$40 or \$50 have been paid out for assisted passages (reads figures). That is taken from this year's Auditor General's report. We were told that assisted passages were done away with; but we find that in the Auditor General's report.

*By Mr. Daly:*

66. You would be astonished to know that thousands of men have done well who went there without any capital?—Yes.

67. Would not the same rule apply to any country?—We do not object, as I said before, if it is found necessary, if our own citizens are taken care of and given a chance to start. Then we do not object to your giving to outsiders. But we do object, until our own people are taken care of, to go to outside people.

68. You are against assisting people from other countries?—You are assisting them.

*By the Chairman:*

69. No, we are not. You are aware that there are reduced railway passages from all parts of Canada to the North West?—Yes.

70. Is that not an assistance held out?—That is by the Railway company.

71. But you are against assistance to the Steamship companies?—Yes.

72. Do you mean to say that your organization would be opposed to our peopling Manitoba and the North-West, or rather to the Government assisting towards peopling Manitoba and the North-West in the way of assisted passages to men who come out to go upon farms and not interfere with the labor market?—We have never objected to people being brought to the North-West, but we have objected to people being brought to centres of population. Those people who have been brought out have not always settled down in the North West. You can go to Toronto or Hamilton or any other large city and find hundreds of those people who are brought to go to the North-West. They did not go there. The consequence has been an injury to the people themselves and an injury to us; because it reduces our wages, and the man who has to work outside in this country does well if he can average eight months in the year. Our sailors only work six months in the year.

*By Dr. Wilson:*

73. Am I to understand that you are willing that the Government should grant assistance towards bringing farmers to the North West?—Not until they give our own people the first preference, if there is any preference in it.

74. Then you are not in favor of aid being granted by the Government to bring out people from the Old Country?—No.

75. I think Mr. Taylor said, and also Mr. Daly, that these assisted passages had been explained away. They must bear in mind that there is still a bonus of \$5 per head for every immigrant brought out by the various steamship companies. Would your organization be in favor of continuing that?—No; we object.

76. They object, even though it has been explained away satisfactorily?—Yes; I have taken from the Auditor General's report bonuses paid: to some \$10, to others \$5, and \$2 to others. We object to all this, for we are satisfied from what we know

of the condition of the country through our different labor organizations that there are a great many children in the country who are not properly cared for. Until our own children are put in a better condition we do not wish to assist the children of other people.

*By Mr. Daly :*

77. You are speaking of the labor market as applied to Ontario and Quebec?—We have affiliated organizations in the North-West. We consider those persons assisted here as coming under contract.

*By the Chairman :*

78. That opinion is not well founded because these people do not come out here to go into anybody's employment. They go into the employment of anyone from whom they can get work?—I may state, that on this question of assisted passages, I am voicing the opinion of nine out of ten of the men whom I represent—the whole labor organization of Canada. My instructions were to do the best I could to lay the matter before the Committee in this way.

*By Mr. Gillmor :*

79. Have you any sister organization in New Brunswick?—Yes.

80. In St. John?—Yes.

81. Anywhere else in New Brunswick?—I have not the addresses with me to-day. I can give them to you at the next meeting.

MR. CAREY then read the following letter:—

“Montreal Typographical Union, No. 176.

“MONTREAL, 20th March, 1890.

“GEO. TAYLOR, M.P.,

“Chairman Committee on Alien Labor Bill.

“DEAR SIR,—At the last monthly meeting of the Montreal Typographical Union, the Alien Labor Bill, now before Parliament, received the hearty endorsement of our society. Our local members have promised their support for the measure.

“I have been further ordered to respectfully request that the Committee having the Bill under consideration report on the same favorably to the House.

“Yours, &c.,

“C. J. MCGUIRE,

“Cor. and Recording Secretary.

“Typographical Union.

“LOUIS Z. BOUDREAU,

“President,

“Montreal Typographical Union.”

The Committee then adjourned to the call of the chair.

HOUSE OF COMMONS, 9th April, 1890.

Committee met: Mr. George Taylor in the chair:

The CHAIRMAN—I have received a number of letters which I shall ask the Clerk to read, that they may be incorporated in the proceedings. The first has been handed to me by General Laurie, and reads as follows:—

“SHAG HARBOR, 26th March, 1890.

“DEAR GENERAL,—I received your letter yesterday and notice all you say. Last spring I went over to Boston about the 10th March. Every man was sworn on the boat, and questioned. If he had any engagement he was sent back. No doubt but there were a great many false oaths taken, as I do not know of one who was sent back on that boat and there were lots of men who were under engagement. This spring we were not sworn, but questioned. I know of one crew that went over in a sailing vessel (passengers). They told that they were engaged and they were all sent back. I cannot give you names but I know this to be a fact. A short time afterwards they went over again and passed off all right. I suppose they were

better posted next time. Last spring the officer on the boat went through the ship and told the passengers that they must not tell that they were engaged, if so they would be sent back.

“Yours truly,

“E. LASKIN.”

The letter which accompanied the one just read, was as follows :

“OTTAWA, 2nd April, 1890.

“DEAR MR. TAYLOR,—I place at your disposal a letter from Captain Ephraim Laskin, a solid, reliable man, in reference to the way in which our fishermen were treated when going to the United States last spring.

“Faithfully,

“J. WIMBURN LAURIE.”

I have also here a resolution passed by the Municipal Council of the town of St. Stephen, N.B. It reads as follows :

“TOWN COUNCIL ROOM,

“ST. STEPHEN, N.B., 3rd April, 1890.

“At a meeting of the Town Council of the town of St. Stephen, held this 3rd day of April, 1890, the following resolution was passed, *inter alia* :

“Whereas, the working of the United States Alien Labor Law bears very heavily on the town of St. Stephen, as well as along the entire border of Canada.

“And whereas, it is the opinion of this council that some measure of protection should be afforded to Canadian workingmen in St. Stephen, and to all other workingmen in this country whose homes are near the United States border.

“And whereas, it has been brought to our attention that a Bill similar to that in force in the United States respecting alien labor, which in our opinion will confer the protection desired, is under the consideration of a Committee of the House of Commons, Ottawa.

“Therefore, resolved, that we hereby express our entire sympathy with those whose object is to have the Bill become law in Canada, and request that if at all practicable the Committee report in favor of the Bill becoming law.

“And further resolved, that a copy of this resolution be forwarded to our representative, Hon. A. H. Gillmor, at Ottawa, to be presented to the Committee of the House of Commons aforesaid, while in Session.

“HUGH MCKAY,

“Mayor.

“J. VROOM,

“Town Clerk.”

JOHN ORMISTON, Collector of Customs at Gananoque, called and examined :

*By the Chairman :*

This Bill, entitled : “An Act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in Canada,” was introduced in the House and referred by the House to this special Committee to take evidence and make a report as to the working of a similar bill to this which is now in force in the United States and has been enforced during the last year. Will you please make a statement as to what you know in respect to the enforcing of it in the locality where you reside?—I may state that in the early part of June of last year there was very intense excitement among the people on the river front, and one or two very angry deputations waited upon me in my official capacity, as collector of Customs, insisting that I should enforce the Customs law because they were being very roughly treated by the American authorities and driven home. They said that men who had been employed for years in the capacity of oarsmen and caretakers of the Islands, had received notice to return to Canada. Of course, I was aware that the customs laws should be enforced, but it was a question as to how far I would be justified, and on

consultation with the member for our county, as to the best course to pursue, we agreed that the better plan was to visit Ottawa and lay the matter before the Minister of Customs, my official head. Accordingly, I went to Ottawa, and there met the Minister of Customs, the Minister of the Interior, and the Minister of Marine and Fisheries, and the result was that I was asked in my official capacity to visit the frontier ports of the United States, and ascertain just how far the law was in force, and to get the views of different sub-collectors. I did so, and made a report on the 15th of June. I visited Rockport, and interviewed the sub-collector there, Mr. Dixon, and some of those who had been driven home, and found as stated, that men who had been employed for years were, without any notice whatever, told that their services could not be retained any longer. The Alien Labor Law had been called into operation and the employers had been told that they were liable to a penalty of \$1,000, and they did not wish to run that risk. I proceeded to Ogdensburg, and met the collector there Mr. Harrison, and found he was not in sympathy with the Act. He gave me the particulars of the Bouch case, which was the first case. When that decision was given from Washington, then the turmoil commenced.

83. Tell us the particulars of that case?—A young man named Bouch, in his teens, residing back of Prescott, went over to Ogdensburg, and having no luggage passed on without interruption. He travelled on to Lisbon, and there met with a farmer with whom he entered into an engagement. After spending a week or so, it was suggested and mutually agreed to that the young man should return to Canada and bring over his clothes and serve the farmer for a year. He arrived in Canada, and spent probably a week bidding his friends good-bye, and returned with his handbag or satchel, or valise, whatever you may term it. The sub-inspector from Washington, happened to be there and this young man was taken to the Customs House and peremptorily told that he must return to Canada. The collector not being in sympathy with the Act demurred and refused to use his official authority in sending the young man back. The case was referred to Washington, and if you want my private opinion I would say that the most ridiculous part of the whole matter was the opinion given by the Secretary of the Treasury. He argued that the first visit was a prospective visit and when he came back for his luggage he returned under contract, and must go back to his own country. The young man was ordered by the collector of customs, in duty bound, to return to Canada. As I said, that case had been published in the newspapers and all along the line employers of labor were notified that Canadians must either reside in the United States permanently during their engagement or must leave. Of course, the collector told me there were several cases in which passengers from Prescott had been sent back. I then visited Alexandria Bay which is opposite Rockport, and ascertained there that the deputy-collector had somewhat modified his views and appeared to be more in sympathy with the head of his Department. The collector in that district was formerly a resident of Clayton and he spoke knowingly. He informed the collector at Alexandria Bay that the enforcement of the Alien Labor Law would cause perhaps retaliatory measures on the part of Canada, and if that took place that the hotels at Alexandria Bay and Clayton might as well be closed.

84. That is to retaliate by enforcing the fishery law?—Yes, with the enforcement of the fishery laws. I found that the collector even seemed to be in sympathy with the Canadians if there was any possibility of their being allowed to return, but still there were others in Canada who were compelled to leave. From there I proceeded to Clayton and found no cases there to speak of. The deputy-collector there told me that some parties had come in and had informed them that certain parties were there under contract but there was no action taken however. In the meantime I had stopped at Morristown opposite Brockville. I there found that the collector had not ordered any Canadians who had been residing there to leave, but he had refused certain persons. There is one case which strikes me—of three cheese makers. He said, of course, in refusing to act I render myself liable to censure from the Department at Washington, but it appeared to be a hardship.

These three men had been engaged season after season in the manufacture of cheese. They were expert, and two or three parties had insisted that the sub-collector should order these men to leave at once, if they were not permanent residents. He said, "I will not take any action unless I am compelled by the Department at Washington." I visited Clayton then and that terminated my visit. I might state this much, I found a feeling of disquiet and unrest existing strongly. The employers of labor I interviewed said that they were placed in an awkward fix. They said they were liable at any moment to have a penalty of \$1,000 enforced against them, and rather than that risk, they had been compelled to discharge very worthy men, men they had engaged with them for years, men who were sober men. I had a conversation with the hotel keepers at the Bay and the merchants, and they frankly admitted that were the Canadian fishery laws enforced and the Americans prevented from coming into Canadian waters to fish they might as well close up their hotels and their businesses, because every one who knows anything of the St. Lawrence knows that the hotels are on the other side of the river but the fishing is in Canadian waters altogether. I know from my official capacity as collector of Customs that there is scarcely a day which passes from the 4th July until the first week in September that there won't be, perhaps, three, four or five steam tugs with as many as eight skiffs in tow of each.

*By Mr. Earle :*

85. Fishing?—Coming in to Canadians waters—yes. I represented to those people that the enforcement of the Customs law, even compelling those steamers to pay entrance and clearance fees, would affect them. All we ask now, is a report of courtesy, and the result is that they pay no fees. Shortly after making my report, what perhaps aided in bringing about a better state of affairs was the proclamation issued by the member for South Leeds. I know it had a wonderful effect. It clearly intimated to the Americans that the enforcement of the Alien Labor Law would result in the enforcement of the Fishery and Customs Laws, and the result was that the hotel keepers and merchants realized that they must do something and the effect was that the Canadians were allowed to return and resume their ordinary position.

86. They have been doing so since?—Yes. I may state this fact that that feeling of disquiet and unrest exists now, and whether a similar proclamation will be necessary this summer, to keep them in that state of feeling, I do not know. Something, I think, ought to be done.

*By Mr. Taylor :*

87. You state that you found that the Customs officers and merchants were not in sympathy with the Act over on the other side?—Well, from my conversation with them, I should judge so.

88. But they assured you they were bound to enforce it?—Yes, in that Bouch case, collector Harrison said that he never did any more contemptible thing.

*By Dr. Ferguson :*

89. In that case they not only enforced the law under contracts made in a foreign country but they enforced it under a contract made in the United States with an outsider?—The decision of the Solicitor of the Treasury was a most elaborate document. That solicitor held that a man had gone to Ogdensburg without making an engagement; he made an engagement on the other side and returned with his clothes, and when he arrived at Ogdensburg he was compelled to leave the country again.

*By Dr. Wilson :*

90. Have you any other case than the Bouch case?—Oh, there are numerous cases.

91. Are there any other cases that you know of where they have been refused the right to remain in the States—of your own personal knowledge? Have you any other case except the one you mentioned?—Other persons have been sent back from Ogdensburg. I understand this from collector Harrison himself.

92. You have had an admission from another party that he was aware that such was the case, but I mean from your own knowledge. You appear to have been sent out for the purpose of obtaining the information?—Oh, yes; when I visited Rockport, an outport of my own port, I received the statement of persons who had been sent away. I have their statements because their custom was to go over there in the morning, perform the work required of them and return to their homes in the evening.

93. Well, I think you said the officials on the other side did not enforce the law, they did not desire to enforce the law and they did not intend to enforce the law, unless they were compelled to do so by the American authorities. I think you conveyed the impression that the American authorities did not request them to enforce the law. I want to know how it is that the American officials are not desirous of enforcing the law, if they do not enforce the law unless compelled to do so, and if the American authorities have not compelled them to do so, how it is so many are refused permission to work?—Perhaps you misunderstood me. It is not the American authorities. Any individuals can, under the Alien Law of the United States, file a complaint with the collector or deputy collector and he is bound to act. Now in the case at Alexandria Bay there were scores of men who had been working there for years who were sent home to Canada. There is not the slightest doubt about that?

94. By whom?—By the Customs authorities.

95. Or the employers, not wishing to re-engage them, lest they might get into difficulty?—With the Customs authorities.

96. You now say that the Customs authorities do refuse to allow Canadians to go over there and work. Am I to understand that they have ordered Canadians back?—Yes.

97. You know that for a certainty?—I know that for a certainty, because I have the admission of the collector himself at Ogdensburg.

98. How do you make that agree with the statement that the authorities do not interfere unless they take the risk?—That was the case at Morristown, the case of the three cheese makers.

99. Did the authorities feel disposed to enforce the law as they found it on the Statute book? Do the Customs authorities feel disposed to enforce the law or are they slack and seem not to wish to enforce it? You have mentioned Morristown where they do not enforce it. Do you know of any other place?—Alexandria Bay, up to the time I have mentioned, when this proclamation was issued. Persons who had worked there for years were sent home before that.

100. Have they enforced the law since this proclamation prohibiting all Americans from acting in this manner in the future? Have they enforced the law since the proclamation of the member for Leeds?—You mean Canadian?

101. No, I mean American. Do they enforce the law still against Canadians?—I am inclined to think that since that proclamation the matter has been quiet.

102. What do you mean by quiet?—The collector at Alexandria Bay has not enforced the law rigidly.

103. Since Mr. Taylor's proclamation there has not been the enforcement of the law?—I cannot give you a positive opinion, but I am rather inclined to think not.

104. Do they enforce it at other points?—I cannot give you the information.

105. You were authorized by the Department to go along the border and ascertain the facts?—Yes, along the border. At Ogdensburg they enforce the law.

106. Since the proclamation?—The proclamation was subsequent to my visit.

107. You mentioned something about enforcing the Fishery Laws. What are we to understand as a Committee by the enforcing of the Fishery Laws? What course did you propose to take?—I had more particular reference to the Customs Law.

108. But in connection with the fishery laws. I think you mentioned about fishing smacks coming up and down, and you had given them to understand that dire consequences would immediately result if the fishery laws were enforced?—

There is a clause of the fishery laws which prohibits the fishing by foreign vessels, the carrying of tackle, &c.

109. Do you allow them to fish and carry tackle contrary to our laws, you, one of the law officers?—My position is that of collector of Customs.

110. You say the collector of customs could do so?—You misunderstood me. I pointed out to these men that the enforcement of the fishery and customs laws—I had only reference to the particular branch I represented—would impose an entrance and clearance fee on each vessel, fifty cents for entrance and fifty cents for clearance.

111. That has not been exacted?—No, every vessel would be obliged to make an official report and secure a clearance, if she touched at any Canadian island or the Canadian shore. That has never been done.

112. What did you mean as a Canadian official, by your reference to the enforcement of the fishery laws?—I think I said to you that any conversation I had with the hotel men and merchants, I ascertained that it was the feeling there that the enforcement of the fishery and customs laws would operate very injuriously against them.

113. Did you have the authority to enforce those laws?—I have already said no. I am not a fishery officer, I am collector of customs.

114. Had you authority to enforce the Customs law?—As collector, most assuredly.

115. So you used that to intimidate them, so as to prevent them from carrying out the American law?—You put words in my mouth that I do not endorse. I discussed the whole matter with these people. I did not use intimidation; I merely discussed the matter with them. I wished to ascertain their views and feelings. I felt that our Canadians were being roughly handled, and I wanted to know how far this thing was to continue.

116. Admitting that you did not use intimidation, will you tell me why you referred to the fishery laws if it was not to a certain extent to intimidate?

The CHAIRMAN—That could not change the law on the American Statute Book.

117. In all authority, the member for Leeds issued his proclamation against the American nation; but what was this used for? Why did you refer to it, if it was not to act as a deterrent to keep the Americans from pursuing a certain course?—I had no desire to intimidate them.

118. Why did you use it?—I have already stated that I interviewed the collectors and sub-collectors and ascertained that they were largely at the mercy of the citizens, any one of whom could enforce the law, and I thought it better in that state of affairs to enquire just how far that feeling existed among the hotel men and merchants. I had a conversation with them, and that conversation took a variety of directions, and whether it was really essential in pursuance of my mission to discuss the fishery and the customs laws, is a matter of my own judgment, but I used no intimidation or threat. I gave them to understand that this could be put into operation. Now what I was desirous of was this, to ascertain whether it was a prudent thing that these things should take place along the border. If it might not involve serious consequences between the two nations.

DR. FERGUSON—I do not desire, as this has been taken down, to let this statement go to the country that this Government authorized the collector of Customs at Gananoque or any other place to go there clothed with authority to make certain intimidations and certain threats. The witness before us went at the request of the Department to gain information for the use of the Department. He went and got this information for the use of the Department and transmitted it in the shape of a report. He was not authorized by this Government to go there to intimidate or to use any language in the direction of intimidation. He went there to get the exact condition of things and report it to the Department. Now there is another side to this question. The witness stated with reference to the American hotel keepers that we had certain laws in this country which, if enacted, might be troublesome. The collector might have stated to those across the line “you see we have certain laws which we might enforce, but we desire to be friendly with the American people. We do not

enforce these laws simply because we want peace and good will on this border." There was an object for using that argument. It was not intimidation. The object was to point out to the American people that we ought to get good will for good will, and our good will was being extended from day to day to the American people, and that the duty of the American people fairly was that they should extend good will towards us. That, I have no doubt, was the object of the collector of Customs in saying that to the American people and not for the purpose of intimidating 60,000,000 of people. Why the thing is so absurd.

WITNESS—If my evidence is to be recorded I want it most distinctly stated that the gentlemen opposite to me there, puts the matter altogether in a different light from what the real facts of the case would warrant. The statements made to the Minister of Customs, my superior officer, were mere hearsay statements. My instructions were simple. I was not instructed as to any course to pursue at all. My instructions were of the simplest character possible, and these few words conveyed them. The Honorable Mr. Bowell, the Minister of Customs, said to me—"Mr. Ormiston, I wish you would visit the frontier port and ascertain just how the matter stands." These were my instructions pure and simple. With regard to intimidation, I wish it to be distinctly understood that Dr. Ferguson puts the matter exactly, as to the discussion of the matter with the hotel keepers and the collectors over there. I showed them how desirous our Government were of pursuing a friendly course, and illustrated it by saying—here are the Customs laws which you know are not enforced. We do not ask any entries or clearance fees. We extend to your people the utmost courtesy. My whole object was to ascertain how affairs existed and how far the Alien Labor Law was in force, and how far it was injurious to our people. My report is in the hands of the Department. I received no instructions but what I have stated. There was no particular course laid down, except the statement "Mr. Ormiston, you will visit the frontier ports and just ascertain the real facts of the case, so that we may have a final report."

*By Mr. Taylor:*

119. What are the number of guests during the months of July to the first of September at the different water places opposite your district on the American side as near as you can say approximately?—It would be mere approximation. I have nothing from which to give accurate figures.

120. What number of people resort there during the summer, including the Park?—It is a mere approximation. I know the hotels are very large. I can hardly give an approximation. I know they go into the hundreds, the smallest of them. I know that we have at Island Park a very large hotel filled. We have a very large hotel and innumerable cottages in what is known as the camp ground at Thousand Island Park. We have three hotels: at Fisher's Landing a very large hotel, and at Alexandria Bay two monstrous hotels and several smaller houses and boarding houses.

121. The greater number of those guests come there for the purpose of fishing, —fishing on the Canada side?—Yes.

122. Hundreds of small boats can be seen daily about Gananoque, American boats fishing in our waters?—The river is dotted with them. I have had five and six steam yachts in one day call and make a report of courtesy. They had with them four, eight or ten skiffs, and each skiff would have perhaps two fishermen and an oarsman.

123. Those parties all reside on the American side, coming over to spend the day in Canadian waters and returning home in the evening?—Yes; the fishing is all done in Canadian waters.

124. If the fishing in Canadian waters was not permitted, what would be the effect upon the summer resorts on the American side and the hotels?—It would virtually mean their closing up. They would fail.

125. DR. WILSON.—I would like to know what this has to do with the Alien Law. If you will show me what relationship this has to alien labor I might understand it?



The CHAIRMAN.—We have here another witness to be called who will show how our people have been affected. Our people have been in the habit of rowing those people, and they were driven home and not permitted to do the rowing, although a great proportion of the rowing was done in Canadian waters, and the fish all taken out of Canadian waters. We have on our Statute-book the law that we will not permit any of those boats to enter into our waters, and if we want to enforce that law the Americans will lose. The evidence of this witness will prove that the Americans are receiving benefits from us and not giving us anything in return by allowing our people to work there. If Dr. Wilson was willing to allow them to do that, all right; I am not.

Mr. WELCH.—Why do you not keep them off? Down our way we have cruisers and we keep them away. Why do you not do that up here?

ROBERT LAWRENCE, called and examined.

*By the Chairman :*

126. Where do you reside?—Suspension Bridge, now.

127. What is your occupation?—I am a clerk in the railway office.

128. You did reside in Canada?—Yes.

129. And are a Canadian?—Yes, but am now residing on the American side.

130. Can you tell us why you changed your residence from Canada to the United States?—It was last September when I returned from my holidays, I was given the alternative of giving up my position or moving to the United States.

131. Whose employ were you in?—In the employ of an association of railroads, and of course I could not afford to give up my position or board on the American side and keep a family on this side—that is my mother and sister—so I had to move over.

132. The association of railroads is what?—It is called the Central Traffic Association.

133. They notified you that you had either to quit their employment or move to the United States?—I was notified some time before this by the inspector of revenues from Washington, that I was breaking the law. He notified them all. I did not say anything. My employer said rather than have any trouble with the authorities, he would ask me to move, and I had to do so. That was the reason I went to the other side. I would not consider it a hardship had I been alone, but having a mother and a sister, and they owning property on the Canadian side, I did consider it so. I would not have done so only under the circumstances.

134. You are living there now?—Yes.

135. You were compelled to do so by the enforcement of what is known as the Alien Labor Law of the United States?—Yes.

*By Dr. Ferguson (Welland) :*

136. What do you mean by others?—I know of 16 or 17 employees of the Grand Trunk Railway who have moved over, or who are keeping their families on one side and boarding on the other.

137. How long have some of these men been employed on the Grand Trunk Railway?—Some of them have been employed for 20 years, and many have large families and some own property. It was a hardship for them.

*By the Chairman :*

138. They are now all residing on the American side?—Yes, all those employees of the Grand Trunk Railway who work on that side.

*By Dr. Ferguson (Welland) :*

139. Did they receive notice from the Grand Trunk Railway to move over?—Yes.

140. Or quit the employ of that company?—I believe that was the alternative.

*By the Chairman :*

141. Do you know of any persons who have quit the employment of the Grand Trunk Railway rather than comply with this rule?—I believe there are a few. I know one or two who resigned rather than go to the expense of moving.

142. Can you name any of them?—David Hestrop, I think he resigned.

*By Mr. Gillmor :*

143. I presume that was in consequence of their being so situated that it would be a greater sacrifice to go over there than to resign their position?—Yes.

*By the Chairman :*

144. Of your own knowledge how many have gone over to live there or to board?—There are about 16 or 17 families—representing about that—and then there were a number of inspectors who change alternately from one side to the other. They were not permitted to go over on the other side but had to remain on that side during the interchange of their work.

145. In all, you know of some 16 or 17 families who had to move over?—Yes.

146. Do you know of the enforcement of the Act of your own knowledge at any other point of the railway than at Niagara Falls?—No; I do not know how it affects them up the river at Buffalo. Of course, it is currently reported that it was the same there.

*By Dr. Wilson :*

147. I would like to know whether it was the enforcement of the Act by the authorities at Washington or the enforcement of the Act by the Railway Company?—Well, the gentleman who told me, claimed to be from Washington. He said he was stationed at the bridge; that he was an inspector of the Revenue and it was his duty to tell me that I was obliged to move over or quit.

148. Did you move upon his statement, or upon the notification from the Railway Company?—I changed by reason of my employer stating that this inspector had given him to understand that he was liable to a fine of \$1,000, and he was not prepared to pay it.

WILLIAM DIXON, called and examined.

*By the Chairman :*

149. You have heard the questions put to Mr. Ormiston and other witnesses. Will you please state what you know in reference to the enforcement of the Alien Labor Law along the frontier where you reside?—The first intimation I had about it was about the beginning of June. I may say that I lived right opposite Alexandria Bay where this difficulty arose. There are a number of our men on the Canadian side, who have small holdings and farms, and for the last 20 or 25 years they have been in the habit of rowing fishermen or tourists at Alexandria Bay. This year they came back and reported to me that they were sent back or deprived of their labor by the enforcement of the American Alien Labor Act. They reported those facts to me and also made reports that they were violating the Customs law by coming into the River St. Lawrence and fishing and asked me to enforce the law. Under the circumstances—I was a new man then—I went and consulted with my chief, Mr. Ormiston, at Gananoque, and gave him the information that had been given to me. The excitement was very high. At that time Mr. Ormiston, I believe, visited Ottawa; and the rest of his statements I can vouch for. Those that came under my personal knowledge outside of his visits to the other side, of course, they were driven back; they were prevented from following their usual avocations. After the dates that Mr. Ormiston speaks of they modified it to some certain extent. Some of the parties were allowed to go back, provided that they would enter into recognizances, that they would remain there during the summer and not return to Canada at any time. This was what they reported to me. That meant that their employers would keep them; otherwise they would have to leave. They had been notified by the Customs authorities at Alexandria Bay to that effect. I advised some of the parties, knowing their circumstances; I advised them rather than get into any difficulty to do it and they did it.

*By Mr. Taylor :*

150. Do you know of any persons having been sent home or driven back since the close of the fishing season?—They reported to me that they had been. They came to us and I think the matter was reported in September. Perhaps it will be just as well for me to give a little description of the place. There is a large amount of labor going on on the Thousand Islands in the spring of the year, in repairing, paint-

ing those buildings. When the summer season arrives that is all discontinued until after the season is over, and in the fall of the year there is a large amount of building going on, and painting and repairing. After the tourist season some of our men were working there and they had been in the habit of going there under an arrangement. This year they were only there about a week when they came back and reported that they had been driven back. That the Customs officer at Alexandria Bay, Mr. Thompson, had come and notified them that they must leave. They were notified that complaints were entered against them and they would have to leave, and they left and have remained at Rockport ever since without getting any further employment. To my own personal knowledge, there has been no Canadians during the last fall, after the tourist season was over—there have been no Canadians who have been working in that section of the country around Rockport, who have been in the habit of working there for years, who have got a day's labor since, only those who are living on the other side before.

151. On the river opposite Rockport, I presume the same state of affairs exists as at Gananoque. There are many boats from morning until night carrying American tourists fishing there in Canadian water, rowed by American oarsmen?—Oh, yes. I am of the opinion that there are more even at Rockport than at Gananoque, because a large number go east. They are seldom going west to the fishing ground.

152. You think there are more boats in the vicinity of Rockport than west of Gananoque?—Well, as Mr. Ormiston has just stated in his evidence, we take simply a report of courtesy from these fishing yachts. Now after I was summoned to appear here before this Committee, I had a conversation with a fishery officer, Sydney Patterson, at Rockport. He was born in that locality and has remained there all his life, and for the last twenty-two or twenty-three years continued to be employed at rowing tourists. I had a conversation with him as to the number that might come in during the season and from an actual count from Clayton, which is about eleven and a half miles or twelve miles west of Gananoque, to Sport Island, about two and a half miles east of Alexandria Bay, there are twenty-seven yachts in that territory that are engaged in the summer season in fishing, and they are in our own waters. They are there perhaps almost daily. His estimate as far as my own personal knowledge is concerned, I think, would probably be within the mark. There are over 300 small boats in that territory which are daily upon our waters.

153. To your knowledge were there threats made by the Canadians in your locality who had been driven home, that if they were not permitted to return and perform their usual avocations over there, rowing these people, that they would take the law in their own hands and drive them from the waters?—Yes, that threat was made by several. They declared positively that they would do so. The excitement was great. I tried to reason the case with them and told them this matter would be amicably arranged, perhaps it was a misunderstanding and perhaps it would be better to be quiet and not do any overt act, and it was upon those grounds that I would go to Gananoque. I interviewed Mr. Ormiston and yourself (the Chairman) the same day, and I think I made those statements to you.

154. Then matters did quiet down after that notice was sent to the American hotel keepers there?—Yes.

155. And our people were allowed to resume their avocations?—Yes, after the first of July, things quieted down. After the first of July, the feeling was quieted down a little. I had a conversation that evening with the Deputy Minister of Marine and Fisheries, and he told me that he thought the matter would be quietly toned down during the winter. On the strength of his statement I informed my friends who were there that I thought some amicable arrangement would be made and that they might go back. Yet, I was informed by them, that they could not get the work. The employers would not employ them, whereas before they had given them the preference.

156. Is there a general feeling in your locality, irrespective of politics, that something should be done, some law passed, to either compel the Americans to remain on their own side and do their fishing there or that our people should par-

participate in the profits of rowing these fishermen in Canadian waters?—The excitement then was and is now intense, and at the present time there is talk about the law being enforced again on the other side this spring.

157. On the American side?—Yes; but this may only be the gossip of the country. I have no knowledge of it only from the people of our locality who have been told this over there; that they expect this year we will have trouble again; and they look to the Government to enact some legislation that will protect them in their legitimate labor in this country. If they are deprived from going there as usual they want to have something done to prevent the men from foreign countries coming into our waters while keeping us out of theirs. Irrespective of any political feeling there—for I know both political parties—and very strong partisans some of them are—they are a unit on this question.

*By Dr. Brien:*

158. Do the American fishermen, or those who are desirous of fishing over here, bring their own men over?—Yes.

159. And do not employ Canadians?—No.

160. Did any Canadians move over?—Yes, two did. They did not move their families over, but moved under the conditions I spoke of before. After the arrangements were made they came back. You see, it is only a short distance across from shore to shore. It is but a small distance for oarsmen. They had the habit of going over Monday morning, and returning to their families at the end of the week.

161. There is no fishing then over on the American side?—Not of any importance.

162. How would you account for that?—They have a more rocky shore and swift water.

163. On the Canadian side, it seems to be the natural breeding beds of the fish.

*By the Chairman:*

164. If satisfactory arrangements are not made, would our people who wish to continue their vocation there be obliged in order to obtain employment to move over there?—Yes, either that or get no employment at all. One man, to my own knowledge, who has been working over there for a number of years on Sport Island, and has a very easy job, this year hired out to work on this side at \$20 a month rather than be subject to be driven home or be compelled to go to Alexandria Bay and board there.

*By Dr. Wilson:*

165. How many men living on this side are employed on the other side?—Do I understand you to mean Canadians who are domiciled over there?

166. I mean Canadians living on this side who are employed over there?—At the time the difficulty arose last June, there were about 30 at Rockport.

167. Out of the 30 there were two who either had to cease work, or go over there and live?—I will just explain that. Up to the first of July—

168. How many were there who either ceased work or went to live on the other side?—They all ceased work at the time.

169. None were employed except these two who went over to live. They all had to quit their employment?—These two had to quit when they received this notice; but they went over with the understanding, as I stated before, and got continuous employment up to the time the arrangements were made—that is on the 1st of July—and then they came back.

170. What arrangements were made?—Our inspector had made some arrangement on the other side, by which our people could go back. What arrangements were made, I am not in the secret to know.

171. Did the American authorities allow our men to go over there and work?—Yes; they worked after the 1st of July.

172. Just as they had in previous years?—They went over, but could not get the employment—not to continue employment that they got before.

173. Why?—Some days they would not row at all. Preference was given to their own oarsmen at Alexandria Bay, and when the time came that they could not furnish enough oarsmen then they took our men.

174. Why did they only take our men when they could not get theirs?—I have no personal knowledge of that.

175. How do you know then, that our men would only be occasionally employed?—I got it from our men on their return.

176. Then it was only a partial employment that they had after this amicable arrangement that you refer to with me?—It was only partial employment at times.

177. Did you then suppose that the arrangement was perfectly agreeable between the American people and ourselves—did he lead you to believe that it would be all settled?—No. He did not. What he did say was this: He said, I think the matter will be settled down and your people can go back.

178. You told us, I think, our people went back?—They went back but they did not get employment.

179. It was only just that they could not get sufficient hands?—I want you to distinctly understand that in this matter I have no personal knowledge. I am taking it from the statements of and reports of the parties coming back home. They reported to this effect.

180. You cannot say, as a matter of fact?—No.

DR. FERGUSON—It is not merely hearsay if an individual tells another what has actually occurred regarding himself—that is not rumor?

WITNESS—No; I heard it from the parties themselves.

MR. WILSON—I want to get at the facts.

WITNESS—I was not present personally and heard these orders given, but as an official they came to me and reported these facts, so that I would report them through the department. That is what they came to me for. They came to me with these facts and said: we ask you to report these facts to the Government, how we were used in the matter.

*By Mr. McKay:*

181. You are satisfied that all you have been describing is correct?—I am quite satisfied.

182. The state of affairs which existed there last summer?—Yes; that is the state of affairs which existed there last summer.

*By Dr. Wilson:*

183. You still think that owing to the enforcement of the Alien Labor Law that it is unfair that our people, not getting employment there, that the Americans should get employment here?—Yes; I am satisfied of that.

184. You also think that is true: the Minister of Marine may issue a notice or proclamation, or whatever it may be; you think that would do good?—After the 1st of July. There is not the immense force there previous to that.

185. The people there, however, with whom you came in contact felt determined that they must either be relieved of the operations of this Alien Law on the part of the United States or that they desired some retaliatory measure on the part of our own Government?—I do not think there is a man there who wishes for any retaliatory measure. They do not wish for that. They do not call it retaliation, but they wanted to be placed in a position in their own country to do the work and employment that their own country gives them.

185½. They want to be placed in similar positions to what the laborers in the United States are placed?—I suppose that is the idea.

186. Do you not know it as a fact?—They want to be placed in the same position, I suppose. I believe that is their object.

187. That is all. In other words they want us, the Parliament here, to legislate and put them in the same position as Congress has placed the laboring men in the United States?—They want that. That is about as I understand it.

JOSEPH COOK, farmer, called and examined.

*By Mr. Taylor:*

188. You are a farmer, Mr. Cook?—Yes.

189. Where do you live?—On the borders of the St. Lawrence near Rockport.

190. Now will you give us what you know of your own knowledge of the effect of the operations of the Alien Act in your locality?—I heard a statement made here by Mr. Ormiston and another by Mr. Dixon. Of course, I can corroborate these statements, but there was one little omission that Mr. Dixon did make, and that is with reference to the interpretation placed upon the American Alien Law by Mr. Thompson, the American Customs officer at Alexandria Bay.

Mr. DIXON—I had no conversation with Mr. Thompson.

WITNESS—I was in company with Mr. Ormiston—I should have said Ormiston—when he visited Alexandria Bay at that time. At that time there were two or three different interpretations put upon the American Alien Act. First was the definition that was given by the Customs officers on the other side as to apply to the case of Bouche. Then again, Thompson, as Mr. Ormiston has stated, was personally politically opposed to the Alien Labor Act, but he has no other alternative only to enforce the Act. The matter is out of his reach. It is within the power of any laborer at Alexandria men Bay to instruct Mr. Thompson to notify Mr. Wilbert Hayden or any other of these who have Canadians in their employment that they have such men there and enforce the Act. It does not matter as to what his feelings are. The instruction of the Act is of course, that if they come over there they might signify their intention of becoming American citizens, but they have to board in that country. I think that is the way that Mr. Ormiston put it. They must board in that country. Of course, they claim that the board of a man in that country is considerable, and that as they were working there and their money was coming back to Canada, and they were leaving nothing in the place therefor, their board should be left in that country. Some of the parties hired their board at Alexandria Bay. I know some of my neighbors worked there, and they found it pretty expensive to board on that side; but they put up camps on Sport Island and boarded themselves. Parties there are in a very peculiar position. Probably there is not such a place from one end of the line to the other situated the same as that. I can give you a description of it, and you can form your own opinion as to the difficulties our people have to meet. As a farmer, nothing would be more to my advantage than to see the most friendly feeling existing at that particular spot, between ourselves and the Americans. There is a large market established there in the summer season that requires about all the produce we can raise, and it would be a damage to us as farmers if anything was done that would create a feeling of revenge on the part of the American people. We must, however, protect our labor and we are satisfied the best thing you can do is to pass a similar Act. I can understand something of their position over there. They say “we have not enough of work to employ all our own labor.” They say: “it is not that we want to injure Canada. We know nothing about Canada,” Laborers here re-echo the same thing; that this Act is not to injure the American people, but as a similar Act is in force on the other side, with the prospect of the International Park that will grow up in time, it would be a serious loss to our people to be excluded from going over there. There are from 25,000 to 35,000 people come there every summer and it would not be fair if their people could come over here while ours have been shut off there. That would be an injustice. Probably many of you have been at the Thousand Island Park. Take from Clayton, or St. John Island on the Canadian side and Grindstone Island on the American side, down to two or three miles below Rockport, and according to the best writers on the other side, in giving a description of the locality, there are 1,200 islands there. I have it from the best authority that by an actual count there are only seventy-two of those islands on the American side, so that the others are all in Canadian waters. I do not know whether these statements are true or not. They would know in the Indian Department here. You will see, however, that the volume of water going down past Well's Island is nearly two miles wide, while the water that passes south of that is only half a mile wide, and the islands two miles below are nearly on the Canadian side. These people have enjoyed undisputed right of these islands—these 25,000 or 30,000 people—because very few Canadians go there. I have not seen fifty Canadians fishing in those waters, and I have seen 20,000 Americans. It is not

an uncommon thing to see fifteen or twenty yachts scattering out and fishing in our waters. The question is when they will not allow our people to go over and work whether our people should not have a similar Act. They want this Act as a protection. I do not see any necessity for enforcing this Act, because I think the passing of an Act of this kind will eventually stop the operation of their Act over there. That is my humble opinion.

191. Does this same feeling exist among the other farmers in your district?—I do not know whether it is going to affect the farmers to the west; but we look upon it as a matter of justice. I think there is no laboring man who comes to understand the working and meaning and principle of the American Alien Labor Act, but will see it is only a link of their protective system. It matters not what their general law may be, this Act is passed and the laboring men will assert their rights. I can step out half a mile from my place and can count a wealth of over \$200,000,000. There are there such men as Pullman, Wilbert, and some of the biggest business men in the United States, and I think the Vanderbilts. They come there and reside for two, three or four months in the year. They know whether it is an injury to this country or not to enforce it on their part. They see that it looks hard; but the laboring classes made it a part of their platform at the last Presidential campaign that this Act should apply to Canada. Neither party wishes to amend it, because it was supported by both political parties. I do not think we have any right here to suppose that the Act will be amended in the least. It is a part of the political system of that country. They began with the Chinaman, and ended up on the Canadians. You have had experience in British Columbia with the Chinaman, and you will have to end up on the Yankees. Very few came over from that side to work on this side. A great many farmers would be glad to see this Act passed here, because in the passing of this Act it is only giving them the protection here that labor gets there.

192. Mr. Cook, do you know of any parties who were driven home in your locality last year?—I think we counted about 16 or 17 in the locality right there at Rockport. There was an entirely new construction placed upon the law on the other side of the river. Before that it was supposed to be imperative for the Customs officer when he got notice that he must act as Mr. Thompson told Mr. Ormiston and myself. He said, of course, I must act, but these are a miserable lot of lazy loafers round here who are jealous of the Canadian boys coming over here. Afterwards a commissioner came from Washington, and he gave instructions to the Customs officer at Alexandria Bay that no proceedings would be taken until each matter was sent to Washington and investigated there. That removed it out of the hands of the common people and made the Act more difficult to enforce. In the fall of the year, of course, when the heavy season on the islands was over—because it takes both sides of the river to furnish the labor alone for the park in the summer time—there are a great many houses building. Of course you know that along the shore on the American side every available spot has a building on it. Then, of course, our islands are lying idle there. I am not in favor of the view which the Government takes on that question. I believe it to be best to place these islands on the market, and it will help the farmers along there when these islands are built up.

*By Mr. Earle :*

193. Have you farmers free trade with the islands there?—No, sir. We have to pay every cent of duty. We are well watched, because every farmer on the other side of the river is the best Customs officer you could get.

*By Dr. Wilson :*

194. You said that the sentiment of the farmers there was adverse to and in opposition to the course pursued by the Americans, or if they insist upon that law the farmers there think that there should be similar legislation on this question in this country?—Well, of course, I have heard a number of farmers express themselves in that way.

195. How many farmers do you suppose express themselves that way? What means have you of stating the general views of the farmers through that section?—

I am satisfied if there was a public meeting called in the township of Lansdowne, and the matter was discussed just as we see it, and the advantages which the Americans get from this Government, and a vote was taken, there are not 10 men but who would support the passing of this Labor Bill.

196. What means have you for arriving at that conclusion?—It is simply because we have had privileges there along that river.

197. Never mind that. You are expressing what the farmers would do if they met together and held a public meeting. I want to know why you are of that opinion?—I do not know if they are going to get any labor from the other side of the water.

198. How do you get your information from these farmers?—I am speaking as far as my own feelings in the matter are concerned, as far as I have heard it discussed among the farmers. I do not know as I have heard a farmer yet say that if the American law is enforced we should not have something similar here.

199. How many farmers do you suppose stated that?—I do not know. I have attended agricultural meetings and I am in a position to get the general view of the farmers in this respect.

*By Mr. Taylor :*

200. In that way you obtained your opinion?—Yes.

*By Dr. Wilson :*

201. You think, then, you have had an extensive opportunity of intermingling with the farmers and societies there, and in general conversation, and that you state here before the Committee that you are perfectly satisfied that outside of, perhaps as you said, ten, there would not be ten farmers who would object to legislation of that kind?—I would not put in any particular number, because it would be impossible for me to do so; but I say as far as I have heard it discussed among the farmers, in the blacksmiths' shops and cheese meetings and everything else, I do not think I have heard a man but what says, if they have an Act over there we should have one of the same kind here.

202. Can you tell me about how many Americans come across to your section to get employment?—There are very few, because there is no employment there.

203. Can you tell me any who live on the other side who come over to work for the farmers here on your side?—I cannot tell you one.

204. Have you noticed any for some length of time who leave the other side to come over to this side for employment?—There is nothing to be done.

205. Then it is not doing any injustice to the laboring men on this side on account of the encouragement to American laborers to come over?—Undoubtedly. Supposing that they are painters, masons and carpenters.

206. You told me there are no laborers coming over from the other side?—I mean farm laborers.

207. Other laborers—do you know of other laborers?—Yes.

208. Where do they come to work? Can you call to mind now any from the other side—living on the other side, who are working on this side?—I think I can go up to Mr. Taylor's shop and I can show you his whole establishment. I do not know a man in South Leeds who would be injured more than Mr. Taylor.

MR. TAYLOR.—I started a new industry and have to get skilled labor from the United States. I have only got four in the whole establishment. They are experienced mechanics from the United States.

*By Dr. Wilson :*

209. Do you know of any other place where there is employment of American laborers?—I heard some of the laborers complaining last fall when the builders were in a rush to get their work done, that there was a number from Alexandria Bay and Frenchman's Island that went over. They had an idle season over there.

210. Can you tell me whether they still continue residing in the States while they were performing work on this side?—I should judge they could not go home at night.

211. Then we could get the benefit of their board? One objection raised by Mr. Dixon was that it was a great wrong if they did not board here?—Mr. Thompson's



opinion on that, I have it from himself, was this: He says "you can go over on Monday morning. You must make no bargain here before you go. You must go independently and entirely without contract; but if you can get a man to give you a job, you can work until Monday night or Saturday night and return home. You can go home, but you must not tell that man you are coming back in the morning to work for him."

212. As a matter of fact, the Alien Labor Law of the United States is systematically violated?—It is like all other laws.

213. There are very few suffering inconveniences from it?—I am quite satisfied that the people of Alexandria Bay are thoroughly organized, and they have been searching up the pedigree of some of our Canadian people to see if they have the right to go over there—as some of them claim citizenship. Now the Labor Union claims that if they are exercising citizenship on this side of the river, that the Alien Labor Law will apply to them over there.

214. You know that the American labor organization and the Canadian labor organization are in sympathy with each other. You know that this Act was placed on the Statute book through the influence of the labor organization of the other side?—I have no doubt about it.

215. Then being in sympathy with the organization on this side, they have a common purpose to serve. You said a little while ago, that on account of the protection which the American people had adopted for labor, you had no idea they would relax, and that the only means to make them more lenient would be to place a similar law on our Statute book?—I think so.

216. And, then, to answer the purposes we want a similar law to the one on the other side?—That is my opinion. If you do not, there will be injustice done to our laborers all along the line.

217. You think, according to your statement, that some retaliatory measures should be enacted?—I would not call it a retaliatory measure. I should call it the right of a large portion of our citizens. I would call it protection.

218. You think protection is absolutely necessary to make the people of the United States treat our laborers coming from Canada and going to the United States in a fair way; it is a sort of coercion?—I would simply put the two sides of the river together. They have on the American side what they claim to be an expenditure of \$10,000,000 on that resort. They have probably in the neighborhood of 1,000 servants who get employment there during the four months of every year, and the Alien Labor Act shuts out any of our own people to whom it would be convenient to go over and work and come back at night. Here we have grand privileges—privileges that they would be proud of—and I believe if something were done a better feeling would exist between the two countries.

219. But you have told me of very little hardship?—I could tell you what exists all along the line. These people have been born on those islands. They are not farmers. They sometimes go boating and sometimes sailing. They live cheap and I feel satisfied that in time these islands will be built up.

The Committee then adjourned.

HOUSE OF COMMONS, 2nd April, 1890.

The Select Committee on Mr. Taylor's Alien Labor Bill (No. 8) met this morning. Mr. TAYLOR, M.P., in the Chair.

The Chairman explained that since the last meeting of the Committee, several communications had been received, which the Clerk read as follows:—

"WINDSOR, 31st March, 1890.

"MR. TAYLOR, M.P.

"DEAR SIR,—I see by the *Toronto Mail*, that you have brought in a Bill, intituled 'The Alien Labor Bill.' We, in this part of the Province suffer more from the effects of foreign labor than the residents of any other place in Canada, and we would

like to see your Bill become law. There are several branches of Detroit manufactories here, and they bring all their help from Detroit. These employees live in Detroit. The firm of Walker & Sons, of Walkerville, employs a great number of men, and two-thirds of them live over in Detroit. Now, Sir, what we complain of is this: The Americans won't let any of us go over to Detroit to work, unless we move over there. This winter a boat club bought a boat house over in Detroit, and let the job to a contractor living in Windsor. The contractor and his men went over there to take his building down. But the Customs authorities in Detroit would not allow him to do so. Neither would they allow him to over-see the job if he hired his men in Detroit. I could mention several more cases of such hardship. I hope these few lines will assist you in your undertaking. Wishing you all the success possible to carry your Bill through the House,

"I am yours truly,

"A. DYNES,

"Secretary, Assembly 7912, K. of L.,

"Windsor, Box 195."

(Letter was marked Exhibit "B.")

"NOBLE ORDER OF THE KNIGHTS OF LABOR,

"SANCTUARY OF THE DOMINION L.A. 2436,

"MONTREAL, 28th March, 1890.

"Mr. TAYLOR, M.P.

"DEAR SIR,—At the regular meeting of our Dominion Assembly, 2436, K. of L., the following resolution was put to the House and unanimously endorsed:—

"That we in session assembled, approve of the Bill now before the House of Commons, known as the (Mr. Taylor) Alien Labor Bill, and that it is our earnest wish that said Bill shall get the sanction of your honorable body.'"

"R. KEYS,

"Secretary, Dominion L.A., 2436, P.O. Box 1785."

(Assembly's Seal.)

(Letter marked Exhibit "D.")

"OFFICE OF THE DISTRICT ASSEMBLY No. 1, OF KNIGHTS OF LABOR,

"MONTREAL, 29th March, 1890.

"To Mr. TAYLOR, M.P.,

"President of the Special Committee named by the House of Commons to study the following Bill.

"SIR,—At a meeting of the District Assembly No. 1, the following resolution was carried:—

"Resolved that this District Assembly No. 1, approved of Mr. Taylor's Importation of Alien Labor under contract Bill, and pray the special Committee to report favorably to the passage of the said Bill in the House of Commons.'"

"Hoping that you will give your consideration to this resolution.

"I remain yours, &c.,

"AMÉDÉE BLONDIN,

"Recording Secretary, D.A. No. 1, K. of L.

"100 Beaudry Street, Montreal."

(Assembly's Seal.)

(Letter marked Exhibit "C.")

"HAMILTON, Ontario, 31st March, 1890.

"ALEXANDER MCKAY, Esq., M.P.

"SIR,—I received a summons on Saturday to appear before a special committee on Alien Labor Bill on Wednesday, to which I replied to-day by telegram

stating my inability to attend, owing to business circumstances, and that I did not know much on the subject, but what I would say would be but my opinion, and further that I would cheerfully write the Committee if necessary. On second thought, I decided to write you, and you have permission to lay this communication as evidence or otherwise before the Committee. Most certainly the Parliament should pass the Alien Labor Act, if they desire to protect the workmen of Canada. The strongest argument from this city, that I can use at present is, in the event of our Railway By-Law of \$25,000 being carried on Wednesday, there is nothing to hinder the company, the heads of which are Americans, importing alien labor to do the work, thereby giving the money, paid by the citizens to get this road, to foreigners. You understand if the by-law is carried the large amount of work that will be done in Hamilton this season, building the tunnel, bridges, blasting rock, &c. Just think of what a large number of bricklayers and stonemasons, and the laborers who attend them will work on the tunnel. Our own people most decidedly and under every circumstance, should receive this work in return for the right to use our streets and the large bonus they are given. The same remarks will apply to the other railways that will come to Hamilton in the near future.

"I have heard that there was recently a trade dispute in a certain foundry in Toronto, and rather than submit they imported workmen from the United States. Surely if the firm was right in the stand they took, it was not necessary to go away from home to find workmen this winter. Another fact in my own recollection was the trouble in the *Mail* a few years ago. That firm got fourteen printers from Rochester, but fortunately after working one night they returned home. Instances of this kind are not fair, and prove that the skilled artizans should be protected.

"I believe I speak the sentiments of nearly every Canadian workingman in Hamilton, when I say they desire an Alien Labor Bill. This is as much as I could say, if I was before the Committee. I live too far away from the border to be conversant with the other facts. Hoping for a just Act in this respect,

"I am yours respectfully,

"ALD. WM. McANDREW.

(Letter marked Exhibit "A.")

MR. GILLMOR—Mr. Graham, of St. Stephen, New Brunswick, of the county I represent, is here. He lives right on the frontier of the State of Maine, and I know that he is well acquainted with all the facts in relation to this matter. You ordered him to be sent for, and he is here to be examined.

MR. W. W. GRAHAM, of Milltown, St. Stephen, N.B., was then called.

The Chairman explained the facts relating to the introduction of the Bill and its being sent to the Committee.

220. What is your occupation?—I am foreman of the lumber concern of F. Todd & Sons, lumbermen. I represented the town as mayor and as councillor for a number of years, and I am familiar with all the workings of local matters there.

221. Your residence is convenient to the boundary line?—Right on the St. Croix River. The St. Croix River is the boundary line between Maine and New Brunswick, and the lumber mills are built from each side. There is no approach to the American mills except from the American side, although some of our mills are built so far in the stream that they are said to be on the American side. We are not allowed to take men from the Canadian side now. We have always manned our mill from the Canadian side until last summer, when we had difficulty in taking the men over into these mills to work, owing to the American law. People coming from the American side to work in the mill have to come on the English side to get to the mill.

222. What you mean by the English side is the Canadian side?—Yes. The mill adjoining our mill is manned by Americans altogether. The man who owns the mill, the last mill on the American side, brought his crew over and sawed all last summer, and intends to saw this summer with an American crew on that side of the river. Until they began to enforce the law, we found no fault until the privilege

was deprived from the Canadians of going to the American mill. Last summer they commenced to enforce this law. Our men had men surveying in Calais. Complaints were made against them and the firm had to remove them and hire other men in their places. On the other side the authorities are entirely opposed to the enforcement of this law in Calais, but they are subject to what we call "kickers," people who are too lazy to work themselves and do not want other people to work. They are the ones who are making all the trouble, and they have gone so far this summer as to boast they will make it hot for the people on the Canadian side. Our lumber business was the principal business on the river for 1882, when we had a large cotton mill built there. Last year there was a census taken which resulted in the fact that more than one-half of the operatives in that mill reside on the American side. They were working in the cotton mill on the Canadian side.

*By Mr. Gillmor :*

223. How many men are employed?—The mill employs 700 to 900 men. The number just now is about 700 men. About 350 men are now employed in Milltown that live on the American side.

*By Mr. Lister :*

224. What is the population of Milltown?—2,000. St. Stephen, the adjoining town, has 3,000. I may say that I represent both towns, the two lying side by side, and closely interested in this matter.

*By the Chairman :*

225. Then you say there are 350 operatives in the cotton mills who live on the other side, who come over and do their day's work and go back at night?—Yes. Our pay-roll is now about \$15,000 a month and the money of these 350 is all spent in Calais. Then there are other factories. The candy factory at present employs about 50 hands and the manager told me that during the summer he would probably have 100. One-third of those employed there are Americans. They live in Calais and come across the river to work. Notwithstanding all this we never found any fault until they began to deprive us of a like privilege. It is estimated that 100 from our side go over there. Many of them are men who have resided in St. Stephen for years and have accumulated property there, and they have either to give up business and sell their property and move to Calais or stop working there. One man with his family moved over to Calais. He said he could not get work anywhere else, so he went over and rented a house and went to work. I know of one or two men who went over there this year and rather than lose their job moved over from the Canadian side. We do not want to stop these people from coming on our side, but we do want a like privilege with them. Being deprived of that we do not see any other way than to ask for the passage of this Bill.

226. Or some other Bill that will make people reside in Canada if they want to earn their money here?—Yes; that is it—reside here if they are going to earn their money here.

227. You say that at present they do not allow any operatives to go from the Canadian side and work on the American side and return at night?—No.

228. At the same time in your two towns there are now many who live on the American side and work on the Canadian side?—There are about 450 living on the American side and working on the Canadian side.

229. Returning back every night?—Yes; returning back every night.

*By Mr. Gillmor :*

230. Will you state the case of David Hawthorn's lumber operations?—That is a case where a man had to leave his business. He went into the State of Maine to lumber and just got into operation when he had to leave his business entirely. His whole crew were left there.

231. And he had to flee to escape the fine?—Yes.

*By the Chairman :*

232. He had gone there to commence operations with his men and he and his whole party were driven home. He having to fly to escape the fine?—Yes. Our

lumber operations extend up the St. Croix River and the same thing prevails in winter. A large portion of the lumber is cut in the winter time and a large number of the men live on the Canadian side.

*By Mr. Lister :*

233. Let me understand a little more about these mills. Your mills are on the Canadian side?—Yes; on both sides.

234. There is the St. Croix River dividing the two sides. A portion of your mill extends from the Canadian side over to the American side?—Yes. I am in charge of the mills that are held to be outside of the stream boundary.

235. So far as that mill is concerned you have to hire American workmen?—Yes.

236. You are not permitted to take over Canadian workmen to work in that mill?—No.

237. But you used to do so?—Yes; until this season.

238. Then you were permitted to run your season out last year?—Yes.

239. Who stopped you?—An American agent who was down there.

240. Was he a federal officer?—Yes.

241. What was his name?—LeBrun. He made the trouble last year, but he has been displaced and there is another man in his place.

242. Has this one taken any steps to stop you?—No, this year we have not commenced operations yet.

243. You have had no communication with the man, this year?—We have no direct communication, except that he has no instructions, except to carry out the law.

244. Last year the man you spoke of distinctly and positively refused to allow you to continue longer than that season?—There was no arrangements except he had instructions not to enforce the law unless information was laid by a reliable party.

245. Was the information laid?—Yes, several.

146. You had to discontinue it?—Yes.

247. The law was enforced?—Yes, it was enforced and two of our surveyors had to remove from the American side.

*By Mr. Taylor :*

248. I understand that the mill is in the centre of the stream?—Yes, and the approach is on the Canadian side. They have to come over to the Canadian side to get into the mill.

*By Mr. Earle :*

249. Were your mill men obliged to stop?—Yes; these surveyors that worked in Calais.

250. And the men?—They had never been obliged to stop.

*By Mr. Lister :*

251. The officer told you that the law had to be enforced?—Yes.

252. While the American Government gave the instructions not to enforce the law harshly, they gave the officer to understand that if complaints were made by responsible parties the law must be enforced?—Yes.

253. You were given notice you would have to discontinue the employment of Canadians?—Yes.

254. You did discontinue them?—Yes; a few of them last year—two surveyors

255. How is it this year?—In all probability it will be enforced more rigidly than last year.

256. You have not hired your men?—No; we have not hired our men.

257. Do you know of any of these mill owners or any of the manufacturers in St. Stephens or Calais that have been obliged to discontinue the employment of Canadians on the opposite side of the river, that have been obliged to discontinue the employment of Canadians at Calais by the distinct direction of the American officials?—Yes.

258. Who?—The St. Croix and Penobscot Railway had to discontinue men a few days before I left home.

259. What is this case?—A St. Croix and Penobscot section man was informed by the president of the road that he must board on the American side or he should not work on the road.

260. That is a few days ago?—Yes.

261. By the president of the road?—Yes. He is now boarding over in Calais.

261½. You say 400 Americans are working in Canadian factories?—Yes, sir.

262. Living in Calais, drawing their money from Canada and spending it in Calais?—Yes.

263. How do the population—what is the population of St. Stephens?—St. Stephens 5,000 and Milltown 2,000.

264. I suppose you know, as a matter of fact, the desire of the officials is not to enforce the law harshly?—No, sir; that is their wish. The citizens of Milltown themselves and the business men of Calais were entirely opposed to it.

265. But then the agitators insisted on having it enforced?—Yes.

266. So it must be enforced?—Yes.

*By Mr. Gillmor :*

267. I would like to ask you—I know the location of Mr. Todd's mill that you talked of here, it happens to be beyond the centre of the channel?—Yes.

268. And therefore it is in the State of Maine?—Yes.

269. Now, Mr. Eaton's mill is on the Canadian side?—Over 100 feet.

270. To the east of the centre of the stream?—Yes.

271. He brings his men to man that mill from Calais?—One, two only. He runs it night and day.

272. The day or night crew comes from Calais, while in the mill alongside, Mr. Todd's mill, they are all Americans?—Yes.

*By Mr. Lister :*

273. What you mean is that the two mills are alongside of each other—one is American and the other is Canadian? The Canadians are not permitted to employ Canadians while the Americans bring over one of their crews from the other side and work on the Canadian side?

Mr. TAYLOR—The man who owns the mill on the American side of the water is a Canadian, while the fellow who owns the mill on the Canadian side of the water is an American?—Yes.

274. What Mr. Graham objects to is that his men can be driven home from the States, while there is no redress for the others?—You are aware, I suppose, it does not apply to the laboring man. It is the men who employs him. If Mr. Todd had a few men working in Calais from the Canadian side, twenty-five or thirty men, and if he felt disposed to discharge one of his men, and got the ill will of him, the first thing you know there would be an information laid.

*By Mr. Lister :*

275. Of course, you know that under the American Alien Labor Law there have been several cases before the courts, and they have not succeeded in getting a conviction. They can give a man a great deal of trouble, but conviction is next thing to impossible?—There is one case pending now in Calais.

*By the Chairman :*

276. Still the employer, rather than go to law, will say that he prefers to get other men?—It seems to be demoralizing the whole business.

*By Mr. Gillmor :*

277. Have there been more than two or three sent back?—Yes; last summer there were quite a number. I only cited one case.

278. Be kind enough to state how they have been treated in St. Stephen, a little further down than your mill?—They have been treated in a similar manner, and there are more cases in St. Stephen than in Milltown. There is a good deal of lumber shipped from St. Stephen to Calais, and it is necessary for these men to take their rafts over to Calais, and under this law they cannot take them over with Canadian labor without transferring. Nearly all the shipping is done from Calais, and

much of the lumber which comes down from the Canadian side is taken over there on scows, and it is very inconvenient to go half way with one crew, and get another crew to take it the rest of the way.

279. Have they enforced the law there?—Yes; in many cases. I should say ten or a dozen cases last year. There has been nothing in Calais or St. Stephen that I know of this year. Mr. Eaton, who lives in Calais, and has men working on the American side, told one of his men a few days before I left that he must either board in Calais or he would not take the responsibility of a fine. He is a man who owns property on our side.

280. How does Murchy get along?—Last year his surveyors had to be removed. This year he says he is going to fight it out.

281. Will you state the feeling in the community on the Canadian side, and the general impression in regard to this matter?—The feeling is sufficient for that, but I think that it would probably be the last resort. I think the feeling is getting worked up in that direction, not only with the laboring men but employers as well. It seems to be the impression there, among those who have given the matter much consideration, that if there was a similar law to theirs passed, there would be some compromise made, so that neither law would ever be enforced.

*By the Chairman:*

282. Is there any disposition among the employers of labor down there and citizens generally, as well as the workmen, to take the laws in their own hands if there is not something done?—The feeling is sufficient for that, but I think that it would probably be the last resort. I think the feeling is getting worked up in that direction, not only with the laboring men but employers as well. It seems to be the impression there, among those who have given the matter much consideration, that if there was a similar law to theirs passed, there would be some compromise made, so that neither law would ever be enforced.

*By Mr. Lister:*

283. Your idea of getting an Act passed, similar to the Act of the American Congress, is that it would bring about a solution of the difficulty?—Yes; that is my idea.

284. You think that would be the best way?—Yes.

285. If our men could go on their side you have no objection to their men coming over here?—No; it has always been so. We have had reciprocity in that respect if not in others.

Mr. MILLS (Annapolis)—I have also been informed that there are some cases in Nova Scotia. A number of sailors were thrown back, and not allowed to work on account of this alien law. If it is necessary to get testimony from Nova Scotia, I have no doubt but what cases of that kind can be procured, both from the counties of Yarmouth and Shelburne.

286. Mr. TAYLOR—You can make a statement that you know of these cases existing?

Mr. MILLS (Annapolis)—I am credibly informed that those facts exist.

287. Mr. WILSON (Elgin)—I wish to ascertain if there is an impression among the people that they would be in favor of a retaliatory measure so as to prevent the Americans coming here to labor, and if they are willing that the Act should be so stringent as to retaliate, if we can make any other arrangement?—I think they would rather some other arrangement would be made.

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WILLIAM WAINWRIGHT, Assistant General Manager of the Grand Trunk Railway Company, Montreal, was called.

*By Mr. Taylor:*

288. In connection with this proposed Alien Labor Bill, which it is proposed to pass in Canada, similar to that passed by the United States, the question comes up as to how it affected the Grand Trunk Railway at Windsor, and at points on the railway?—And at Niagara Falls and Point Edward.

*By Mr. Lister :*

289. Did the Grand Trunk Railway authorities give instructions to their men at Point Edward, working at Fort Gratiot, to cross the river and live?—Yes.

290. Why did they give those instructions?—Simply because we were advised by our lawyers that if we retained them in the service, and allowed them to live on the Canadian side, we would be liable to a heavy penalty.

291. Under the alien law?—Yes.

*By Mr. Taylor :*

292. You did issue a notice to your men?—That they must live on the American side or leave the service.

*By Mr. Lister :*

293. Do you know as a fact, Mr. Wainwright, that a good many men did leave Point Edward?—I know that some did. I know one particular case at Windsor. I had to move one of our clerks from there, in order to give him a living, to Toronto. He could not make it convenient to live in Detroit with his family. He agreed to move to Detroit himself and board there, but that was not satisfactory. He had to move his family and his furniture. He could not do that, and he had the Chicago and Grand Trunk Railway service, and we took him back into the old Grand Trunk Railway service, and placed him at Toronto.

*By Dr. Wilson (Elgin) :*

294. Have all your employees quit the service, or gone to the other side of the line?—I do not think they have, but it is pretty general. I fancy some of them have not, but I cannot say that positively.

295. Can you give us any reason why it has not been enforced?—Well, I know of no reason. We have given the order. We are acting on the advice of our solicitors, and I do not know positively that this is not the case, I only heard so.

*By Mr. Lister :*

296. You have a right to assume that your men obeyed the orders of the company?—Yes; these were our orders, and we had to take that ground on advice.

*By Mr. Mulock :*

297. How many men did leave Canada for the United States, in consequence of that order?—I cannot tell you off hand, Mr. Mulock, but I can give you the figures.

298. You could not give us an approximate?—No; that would be of no advantage to you.

299. Is this the same at other points?—Niagara Falls, Windsor, and Point Edward.

300. These were the only three points on the border?—Yes, where we have those men living in Canada doing work on the other side.

*By Mr. Lister :*

301. Can you furnish that information as to the number, to the Committee?—I can furnish that to the Committee by letter.

*By Mr. Mulock :*

302. Do you know how it is with any of the other public works in Canada. Take the Canadian Pacific Railway for example or any of the manufactories?—It is the same, Mr. Mulock. I can tell you with regard to some of the steamship companies, which in the winter time have the steamers land at Portland, making a transfer to the Grand Trunk Railway. It has been customary for the Dominion and the Allan Line to send men from Montreal to work in Portland. This year they had to employ American labor down there, because they could not send the Canadians there. The Canadians were not allowed to go down and do the work. This refers to all that class of business.

303. The whole carrying trade?—Yes. Where the men have their residence or domiciles in Canada and are called upon to do work in the United States.

304. This is in the case of the temporary transfer during the winter season?—Yes.

*By Mr. Taylor :*

305. There is another point. Your conductors and train men on the trains from Chicago that run into Canada—can Canadian conductors living in Canada run trains



on the other side?—They have not interfered with that. They can come back; they are running as much in Canada as in the United States. That is international traffic.

MR. GRAHAM then continued his evidence as follows:—

The question was asked about the feeling of the community. I think an editorial in the St. Croix paper—the St. Croix *Courier*—would give you some information, and I would like to read it to the Committee, omitting the criticism on Mr. Gillmor. That editorial will show the feeling. It is as follows:—

“THE ALIEN LABOR BILL.—We devote a large amount of space this week to the debate in Parliament on the Alien Labor Bill, for this is a matter in which the people of Charlotte are more vitally interested than in any other legislation that may be proposed this present session. The attitude of the leading members of both parties appears to be against the Bill, and the reasons they urge may be valid ones from their standpoint. But if the matter could be brought as clearly home to them as it is to the people of this county, if they could be made by experience to understand that the maintainance of the United States law, without a similar law in Canada, means the loss of thousands of dollars to men doing business on the borders of Canada, the forced expatriation of many loyal citizens, the withdrawal of means of support of Canadians to enrich the people of another land; if they could be convinced that good and not evil must be the outcome of the Bill, they would hesitate before refusing to make it law. It is clearly the intention of the people of the United States to enforce the provisions of their law more rigidly the approaching season than ever before, and, without the off-set that a Canadian Act of the kind would give, much annoyance, discomfort and loss will be the part of Canadians who are placed where they can be affected by its unfriendly provisions.

“While the prospect for the passage of the Bill appears somewhat unfavorable just at present, the Government cannot be willing to overlook the claims of the border counties in this matter. It is true no member of the Government represents a border constituency, and they may not realize the importance of the interests involved. It is their duty, however, to familiarize themselves with the grievance which exists, and to apply a remedy. The arguments against the Bill, though reasonable on the face, are largely speculative. It can be safely asserted that, should the Bill become law it would not affect immigration. In Canada it would be used only as a weapon of defence at points where the protection of its provisions are required to prevent financial loss and perhaps ruin. All the talk in the debate concerning this, then, was based on what might become an evil; the Bill is intended to lessen an evil which exists. Could this view, with other strong arguments that might be advanced, be brought to the attention of Parliament, the opinion at present prevailing might be changed, and a majority for the Bill secured. If a general law covering the matter is not possible, an Act, with local application, to protect citizens of the country living on the border might be placed on the Statute-book. This would satisfy all parties, and would afford the protection desired. We commend the whole question, from a border standpoint, to the earnest consideration of Parliament while still in session, and trust that the case may be covered by some legislation which will abate the existing difficulties.”

*By Mr. Gillmor:*

306. Mr. Graham has not magnified but has been very moderate in his statements?—I might say, as I came along at Vanceboro, there was a similar state of affairs there. I was conversing with the foreman of Shaw's tannery there and asked him how they got along. He said they used Canadian men for what labor they had on this side; but on the American side many of them had been obliged to move from Canada over there.

*By the Chairman:*

307. The same state of affairs exists along the border?—Yes; my attention was drawn to Eastport where the sardine factories are. I was informed that many of

the operatives live on the island a short way across, and they were having a like trouble there. What the result is going to be it is hard to tell. We have not commenced operations this year in placing our men, but we have been holding back in hope that some arrangement could be made. My instructions were to employ all the American men I could get and not be in a hurry to fill up the places with Canadians. I employ from 50 to 75 men every summer in the mill.

308. Your instructions are on account of this difficulty and fearing that the law will be enforced, to employ Americans to do your work in place of Canadians?—Yes; and not to fill the balance of the crew up until we can see what arrangements are to be made; to get all the Americans we can and then to take chances.

309. So that if the law is going to be enforced it will work very injuriously against Canadian laboring men?—No doubt about it.

*By Mr. Gillmor.*

310. You have no doubt that it will be enforced?—No doubt. I was conversing with a man coming up on the train and he said he was talking with a man named Hill—an old discharged Custom officer over there—and he boasts that he will make it hot for the Canadians this summer. This man told me that Hill told him that a few days ago in Calais. Our business men have been trying to make an arrangement with the business men of Calais to have some compromise made; but up to the time of my leaving they had failed. I think the citizens of Calais are doing their best. Probably they could do a little more if they were in the same position as we are. I do not represent any society or body of men. I only represent the towns of St. Stephen and Milltown.

EDMUND BOUÉ, called and examined.

*By the Chairman:*

311. What is your occupation?—Glass blower.

312. Where do you reside?—Montreal.

313. Make your statement to your friend here, and he will interpret it for us.

The WITNESS then made the following statement through Mr. A. J. Jobin, interpreter:—

Mr. Herdt, manager of the Glass Company at Montreal, went to Paris, and caused an advertisement to be inserted in the newspaper asking for glass blowers in Canada. Mr. Herdt was the agent in France of the glass company, and is yet. Reading the advantages offered, I went to see him, and he made the same statement contained in the advertisement. In speaking of prices he said they would make from 1,800 to 2,000 chimneys a day. They make, however, but 600 and this caused a large diminution in the amount of wages. Notwithstanding the prices offered there, he could not, when he came here, make more than \$1 per day. They feel that they have been misled by the agent. It was they, themselves, who voided the contract. That is, the employers voided it.

314. He was engaged to work in Canada?—Yes.

*By Mr. Lépine:*

315. Was he brought out to replace Canadian workmen?—They were told not: that the establishment had been shut down for 5 years. When they arrived here, the Americans stopped them getting off the train at Bonaventure station. These are the old blowers that were previously employed there, who stopped them. There were some fifty or sixty came out from France. As to proceeding against any of them in court, the answer is that action was taken against some of them, because they did not fulfil an engagement given by notice on the factory wall.

*By the Chairman:*

316. His evidence is, that he was one of a party of 50 who was contracted with in a foreign country, and brought here to displace Canadian labor?—Yes. I will translate the contract:

"Engagement for Mr. Edmond Boué, who is engaged as second blower by the the Excelsior Company of Montreal, Canada, according to the following clauses and conditions:

"The Excelsior Company pays his passage from Paris to Montreal. The present engagement is made for three years, beginning upon the first of September, 1883, and finishing on the 31st of August, 1886. The work shall be by the piece, and the scale of prices shall be established on the following basis:—

"For button blowing an augmentation of the scale of 25 per cent. on the prices actually paid in France. For lamp glasses the prices shall be three coppers per dozen for finisher and three for blowers—six coppers in all per dozen. There shall be two shifts of 5 hours per day. Mr. Edmond Boué formally engaged himself not to affiliate with any union or American or local societies of any nature, and to faithfully execute his engagement on the above determined conditions, conformable with the conditions and usages of the workshop during the entire time of his engagement without reference to the general rates of salaries in America. In case of voidance of this contract by the Excelsior Company, the cost of returning Edmond Boué shall be at the charge of the said Company. The returns should be by the mail boats leaving Liverpool 16th April. Mr. Boué shall be ready from the 12th, at the disposition of the Excelsior Company and Mr. Alexander Hunter, No. 4 Lux Street, Paris. Each worker is entitled to 200 lbs. of baggage to be transported gratuitously, and the Excelsior Company hereby binds itself to furnish work during the time of the engagement. Dated, Paris, 12th August, 1883."

MR. TAYLOR—He was engaged over there under this contract to come out here to perform labor, and representations were made to him that the factory had been shut down for five years. When he came here he found a different state of affairs; when he came here he found it was to displace labor which had been working for the last five years.

MR. JOBIN—The witness says this glass blowing factory shuts down during two or three months of the year. It was during the period of the closing of the factory that they imported these men from Paris, so that they would not have to re-employ the men who had been previously employed. In answer to the question asked by Mr. Lépine, he says that fifty came here to replace fifty Canadian working men and they were sorry that they came out. He says he sees that their coming out was prejudicial to the working men of Canada.

THE CHAIRMAN—This proves conclusively that this state of affairs has been in existence, and it becomes a question as to whether it is advisable that this should be avoided to have home labor displaced in this way.

MR. MCKAY—His evidence bears directly on this mode of doing it.

THE CHAIRMAN—That establishes that point fully.

*Mr. McKay:*

317. Is the witness still working at this "Excelsior" factory?

WITNESS—Yes.

318. Under the terms of this contract?—Oh no, that has been broken, we are working under union terms.

THE CHAIRMAN—The contractors themselves broke the contract and then the men followed?—Yes.

*By Mr. McKay:*

319. Was any attempt made by the Company to enforce it on the men?—They are not allowed by the Company to earn more than \$6 or \$7 a week. They were not allowed to earn enough to pay their passage home.

THE CHAIRMAN—As this contract is somewhat ancient, I would like to ask him through Mr. Jobin, if he knows of any other batches of men brought out under similar circumstances?

MR. JOBIN—That is all hearsay—he says he does not know.

*By Mr. McKay :*

320. Did the Company attempt to enforce this contract when the men quit work to enforce the terms of that contract? They could not try it or they never did try it, because they would not have been able to earn fifty cents a day.

321. When the men went away from their work, they did not attempt to enforce it?—The Company did not attempt to carry out the full terms of the contract.

*By Mr. Lépine :*

322. How many remain at present in the country of those fifty?—There are about thirty-five.

*The Chairman :*

323. They are not an undesirable class of immigrants, still it proves they were brought here under contract. They were brought in to displace labor at present employed.

*By Mr. McKay :*

In case they were starting a new glass factory in Canada and they had not enough hands, would they not have to go into some other country to get their hands?—We have enough hands in the country to start another factory.

PATRICK JOSEPH JOBIN, called and examined.

*By Mr. Taylor :*

324. Where do you reside?—I live in Quebec.

325. What is your occupation?—I am a machinist.

326. Will you tell us, Mr. Jobin, what you know about this bill?—I cannot give any direct evidence upon the working of the Alien Labor Bill, it has never come into contact with me directly. My wages have never been reduced, nor have I ever lost labor through it, but being connected with the labor organizations of Quebec for some time, I have had occasion to see in the books of one organization where the men employed in a Thedford Asbestos mine—they were unable to earn sufficient to bring them home. With this state of affairs in existence, Belgium miners were imported very recently, for work during the present winter. They were imported under contract to work. This mine is run by the American Asbestos Company. I do not know what the terms of the contract were but these men abandoned the work and came to the city of Quebec. They were arrested and they paraded the streets, the most miserable spectacle, I assure you. The very policemen were ashamed to walk along with them.

327. These men were imported under contract from Belgium this winter to displace other labor?—I cannot say what the details are.

328. But they displaced the work of these men?—Yes. The manager of the mine in a letter to the press stated that labor being scarce and the mines must be worked, he had for that reason to import these men.

329. As a matter of fact you know that labor was not scarce?—As a matter of fact, the very time he stated in his letter that labor was scarce, the question was asked in one organization, how many men were idle, and there were fifty-three men at that time idle in one organization.

330. Do you know anything about any of the laborers of Quebec having been driven home from the United States?—Yes. Last fall, some twenty axemen of Quebec who were going to work in Michigan woods had been sent back across the lines into Canada. On another occasion, it is now two years ago, ship carpenters from Levis were sent home again. It was at a time when there was difficulty in Buffalo with the ship carpenters, and the Alien Labor Bill was then in existence in the States, and its provisions were in force, and the penalty was, I believe, inflicted on some of these American importers of the men from Point Levis.

331. To your knowledge then it was in force as far back as two years ago?—Yes, and it has been much more strict during the last winter than previously.

332. Now so far as you know all the labor organizations of Quebec are in favor of having a retaliatory bill passed?—They do not look upon it as retaliatory at all.

333. If they cannot get reciprocity in labor they want legislation that will compel them to live in Canada if they earn their money here?—They look upon that as a protection to themselves. This is held as a continual menace to them by their employers. If they do not choose to submit to whatever terms the employer chooses to impose he will import labor from the other side.

334. You do not ask it as a retaliation, but as a protection to the workingmen?—Yes.

335. So that the men cannot be brought in under contract; but you have no objection to men coming here who come voluntarily?—Certainly to come here and compete fairly and openly there is no objection, nor have I ever heard any in the labor organizations; but they want to compete on equal terms.

*By Mr. McKay:*

336. You want the same privileges in the United States that the United States men have here, and if you cannot get that, you want to place yourself on an equal footing with them, as far as this Bill is concerned?—So far as this Bill is concerned I do not apply it directly to the United States. There are more concerned than the United States.

*By the Chairman:*

337. You do not ask this Bill as a retaliation at all, but as a protection against foreign labor coming in under contract?—Yes.

338. At the same time, if Americans work in this country you want them to live here?—Certainly.

339. The same as they do with our people over there?—Certainly.

M. H. BRENNAN, called and examined.

*By the Chairman:*

340. Where do you reside?—Montreal.

341. What is your occupation?—Foreman of steamship companies.

342. You have heard the discussion so far and you know what our object is in pursuing this enquiry. Have your interests been affected by the passage of this Alien Labor Bill in the United States, so far as it affects the workingmen of Canada?—In reference to that I do not know a great deal.

343. Mr. Wainwright stated something about the steamship companies going down to Portland and taking gangs from Montreal to do the work there, and that they had been prevented. Do you know anything about that?—Yes, I have been going down there this last eight years until this winter when I stayed at home. We always used to get passes to go down, but I believe so far this winter they could not employ them the same as they used to; but they had to go down individually and be employed there. So far, none of our men had been returned at that point.

344. They evaded the law by going down and hiring there?—Yes. Our men in Montreal would ask if they could get a job, and our foreman was unable to say he could give them one. I did not go for one myself. I thought there might be some little trouble and stayed at home. I have been going for ten years.

345. Did many stay at home?—Yes; a good many.

346. This year, not being able to make your agreement as usual, you did not take any chances?—No; I secured another job in Montreal.

347. Others, you say, were deterred as you were?—Yes.

348. Are you a member of any organized labor society?—Yes.

349. What is it?—Called the River Front Local Assembly 628, Knights of Labor.

350. Is your society anxious to have legislation of the kind proposed here enacted as retaliatory measure or otherwise?—As far as the United States is concerned, at the present moment, if they can evade the law as they have been doing last winter as far as going down is concerned, I do not see any point where they will

suffer; but it is the foreign labor of Europe that I would wish to get at. You are aware that in 1880 there was a little difficulty arose on the docks of Montreal. During that time the employers would not give what the men asked, so they resorted to hiring men in our own country and villages, such as Sorel and Berthier; but in a short time they got tired of that, and imported men from Europe. I believe that those men got \$1 per day while coming across and got their passages paid. These men got assisted passages and \$1 a day while coming across, and this was a good deal more than our own men were asking. The suffering that our men had to undergo was terrible. This did not go on for one year, but for three successive seasons.

351. In connection with this legislation would you recommend legislation for settling these disputes. You say that the men asked certain prices, which the employers would not give and the result was a strike which caused the employers to look for men at other points while you were idle. Do you recommend legislation with a view of settling those difficulties?—Yes; by all means—an arbitration committee.

352. Then you recommend legislation to prohibit foreign labor under contract and a committee to settle labor disputes by arbitration?—Yes.

353. You do not ask this Bill then as a retaliatory measure?—No; merely as a protection.

354. You heard Mr. Graham's statement about 350 men working in the cotton mill?—Yes.

355. And our people were not allowed to do it on the other side. You would consider that a case of hardship?—I would.

356. You are not affected that way in Montreal, you are not close to the line?—Yes, that is it.

357. When that state of affairs does exist, you think we ought to take some way of protecting our own people?—Yes, I think we should.

358. To compel them to live in the country when they want to earn money in it. That is while they are earning it. But you had no objections to all immigrants coming in, if they come in on their own account?—No objections to desirable immigrants.

359. If they pay their own way?—Yes, if they pay their own way. We do not believe in this contract labor. Some of the companies got the better of us for three seasons about nine years ago. They brought men out in the spring from the old country. These men used to leave here every fall and take their earnings with them, and all the money was sent out of the country, and then in the spring again they came to Canada.

*By Mr. McKay:*

360. You want to be protected from this cheap labor of Europe?—Yes.

361. And their manufacturers too?—Yes, it has driven a lot of our men out of the country from the time this Bill was passed in the United States. I have known men go out of Canada, and sell their little household effects and leave their house almost bare to get money to go across the lines to get a job on account of this contract labor.

CHARLES MARCH, called and examined by Mr. Taylor:—

362. Where do you reside?—Toronto.

363. What is your business?—House painter and decorator.

364. What light can you throw on this vexed question?—I cannot, of course, give the experience that I heard Mr. Graham give, in reference to the men down in the part of the country he came from. But as a measure of protection to the workmen, not retaliation, I am decidedly in favor of that Bill as far as it goes. While I would like to go a little further, while we have suffered to some extent in Toronto from this class of labor that this Bill aims to prohibit, still we have suffered very

largely from the hordes of immigrants that have been dumped down in this country, and I think that the Bill as it now stands might be amended so as to prevent European labor being brought here under contract as well as American labor.

365. Our Bill provides against all foreign labor?—We do not much care where they bring labor from under contract. It makes no difference to us as long as the injury is inflicted upon us, whether it is American, English, Irish, Scotch or anything else.

365½. You would want to make it illegal to bring in labor from any country under contract?—Yes, or by holding out various inducements. We had no objections whatever to immigrants coming to this country provided they pay their own way with a full knowledge of the situation before they come here, but we do decidedly object to have them brought out here by misrepresentation.

*By Mr. McKay :*

366. What misrepresentations have been made?—Misrepresentations have been made by people in the old country, that they will have steady work in this country all the year round at a greater rate of wages than they were getting in the old country, and that the average rate of wages in this country was higher than they had in the old country or the countries they left.

MR. TAYLOR—It would be impossible to legislate against that in this way. A man comes out to this country, writes a letter home to a friend in that country, and tells him if he comes out here he can make \$2.50 a day at painting. We cannot legislate to stop you from writing them, whether it is true or false. It may get in the papers at home. These representations are made by individuals as well as a society.

WITNESS—As far as feeling the effects of American labor brought here under contract, I was going to cite some cases.

*By Mr. McKay :*

367. By whom were these representations you refer to made?—By steamship agents and interested parties in the old country.

368. We cannot legislate to muzzle their mouths?—We believe if bonuses are paid to anybody to bring people out here, it is an implied contract. If the steamship agent is bonused to send immigrants to this country, he is not very particular as to the class of people he sends out. He is not very particular as to the statements. Now, we can understand Government agents using inducements; he would be more careful in selecting immigrants than would a steamship agent, because he would be more easy to get at. But, however, coming back to this Bill—

369. Have you seen the pamphlet that was recently issued by the Government in reference to this matter?—No; I have not seen any recent publication. Now, I have seen hardships arising in the city of Toronto from the importation of labor, such as your bill seeks to keep out. I have seen pavements laid by American firms in Toronto, who brought over, not only their plant and material, but brought their workmen with them. I have seen our own workmen standing along the sidewalk owing to the importation of these men, not being able to get a job.

*By the Chairman :*

I have also seen a couple of years ago, where a body of workmen who thought at the time that they were justified in asking for an increase of wages owing to existing circumstances, where immigrants were brought over under contract at that time and actually paid more wages than what the men were demanding in Canada.

THE CHAIRMAN.—I see that some person in Congress has moved a resolution that all contracts for public works be let to American citizens only.

*By Dr. Brien :*

370. Living in Toronto where a large amount of labor is employed do you know of cases of injustice done to Canadian citizens from imported labor under contract?—I think that in the cases I cited a moment ago, a great injustice was done to Canadian workmen by permitting employers to go over to the United States to bring in men under contract.

371. While there were sufficient men in Canada?—Yes. As far as the Bill goes I am perfectly favorable to it.

*By the Chairman :*

372. You would recommend it going a little further to prevent labor coming into the country at all under contract?—Yes. I believe if amendments were made according to the copy I now file, it would be better. You will remember that the American Labor Alien Bill is more far-reaching to the American workmen than that Bill can be to us; for every man is a foreigner coming in there. I may state another case that slipped my memory a moment ago. I saw two large jobs of painting and decorating where the people went over to the other side and let the contracts to boss painters and decorators there, who brought in American workmen when there were lots of workmen in the city of Toronto idle and perfectly capable of doing the work these men were brought in to do.

373. While the Americans may do the same thing here, if you had the United States field, you would have no objection; but as they prohibit us, you want to be protected in the same way?—I think that the working classes of the community ought to have their fair share of protection with all other classes, without committing myself to the general policy of protection. I believe as manufacturers are protected all around, we ought to be protected with the only article we have to go to the market with, which is our labor.

GEORGE S. WARREN, called and examined.

*By the Chairman :*

374. Where do you reside?—Montreal.

375. What is your occupation?—Cigar maker.

376. You have heard the enquiries so far. You know what we are leading up to. State what facts appertaining to the enquiry you are conversant with?—First of all I declare myself in favor of this Bill. So does the body to which I belong.

377. As a retaliatory measure or as a measure of protection?—A measure of protection.

378. Not as retaliation?—Well, the way it is to be there, I think it is protection. From what I have heard as to what the United States do not allow our citizens to do, I am certainly in favor of us doing the same.

379. You would call it Equal Rights?—Yes.

*By Dr. Brien :*

380. Do you know of any cases where Canadians have been displaced by others brought in under contract?—That is the reason I am called here. I remember in 1885, as a cigarmaker, I received a note from a party that there were some Germans coming into Montreal. I asked what was the reason these men were coming in whilst we had men idle and walking the streets. They said that they did not know, but an agent of the manufacturers had sent parties to Hamburg in Germany to hire a lot of cigarmakers. They arrived in Montreal, and as soon as they came in I was notified.

*By the Chairman :*

381. How many?—240 men and women.

382. When was this?—In 1885.

*By Mr. McKay :*

383. Were these men brought in by Sam Davis?—Yes.

*By the Chairman :*

384. You produce this as the contract under which these 240 Germans were brought out to Montreal?—Yes.

The contract just produced was interpreted to the Committee as follows:—

“Between Messrs. Davis & Sons, Montreal—represented by Mr. M. E. Davis—and Mr. F. Behnke, cigar maker, the following is hereby agreed to:

“(1.) Messrs. Davis & Son engage Mr. F. Behnke, cigar maker, for the term of one year from the date work in Montreal has been commenced.

“(2.) The passage from here by steamship to Montreal, with 86 marks for steerage, will be advanced by Messrs. S. Davis & Son.



"(3.) This advance to be paid back by a deduction of 2 marks per week from the wages earned.

"(4.) Mr. F. Behnke, cigar maker, binds himself to perform the work in a proper manner, to conduct himself in an orderly manner, to be punctual in his work at the factory at the time the work commences, and to work from 7 o'clock in the morning until 6 o'clock in the evening, with an intermission of one hour at noon.

"(5.) Messrs. S. Davis & Son bind themselves to pay as wages: for mould work, \$4 to \$5 per thousand, and hand work \$7 to \$9 per thousand, and they will pay these wages, after the deduction of 2 marks, for the money advanced for passage is made, on Saturday of each week. On Saturday of each week work will be stopped between 12 and 2 o'clock, and on Monday at 7 o'clock, precisely, it will be again commenced.

"(6.) Messrs. S. Davis & Son bind themselves to be responsible for board and lodgings until payment of wages is made in full.

"7. After an interval of four weeks, however, Messrs. S. Davis & Son will have no further responsibility, but Mr. F. Behnke, cigar maker, will hold himself responsible for board and lodging. He is also warned that before this time has elapsed he must rent another dwelling or lodging. As soon as the return passage home has been paid for out of the wages, and after the expiration of one year, this contract is null and void.

Read, found correct and signed.

Montreal.

Hamburg, 3rd October, 1885.

S. DAVIS & SON.  
FERD. BEHNKE.

WITNESS—As far as that contract is concerned, it shows that this man was hired for from \$4 to \$5 on certain work and \$7 to \$9 on other work. Cigar makers have two branches of work. We have mould workers and hand workers. In mould work a man will make more cigars than by hand, and the prices are consequently lower.

385. As a matter of fact these parties did arrive and went to work under this contract?—Yes.

386. Did they displace other mechanics?—They would, but they had no time to do it. The main question was, when I asked the parties what was the object of bringing these persons into Canada, while a large number of cigar makers were idle, and they could get any number in Canada, they said we had not sufficient cigar makers for the consumption. This excuse was false. We have enough cigar makers in Canada to supply the cigars in the Dominion.

387. What became of these people who came out?—They did not stay.

*By Mr. Lépine :*

388. If these Germans had stayed in Montreal would the cigar makers of Montreal have suffered?—Greatly.

389. Did they offer to work for less wages than you were willing to work for?—The contract was a true one. Mr. Davis was willing to give them the wages; but the question is, is that the price we could get? I say no. That is why they imported them, and that is why we are in favor of this bill of Mr. Taylor's because hiring people by contract throws us out of work completely. In fact, wages have been so low that 150 cigar makers have been compelled to emigrate to the United States, who would have liked to stay in Canada, but cannot work under the present system.

390. Well, as I understand you, it is more for the purpose of reducing wages than it was for the purpose of supplying the men really required. These men were brought in at lower wages while the Canadians here were willing to work, if they only got the wages that there were willing to work at?—Yes. This contract system has reduced the prices.

*By Mr. McKay :*

391. To break up your unions and reduce the prices?—Yes.

*By Mr. Taylor :*

392. Now, do you know whether any of our people had been subjected to inconvenience by this American bill, that is enforced in the United States, having gone over there under contract?—No.

393. The engagement was for one year under this contract made at Hamburg?—Yes. They claim that the men felt that we did not want to introduce apprentices in the trade. They said: You are bitterly opposed to that, and we said, yes. They said we imported these men just to stop child labor. On the other hand it was just as bad for them as child labor.

394. Where did these people go to?—They went to the United States. I met some of them in Chicago, and they came up and shook hands with me. In fact there must have been something wrong a week after they were here. They arose amongst themselves, and created quite a sensation, and they said they had been brought over here under false pretences, and the boss came up and they began to show their fists and finally they all went away and there are not five of them left now.

395. Did the organized labor societies of Montreal drive them away?—Oh no, sir, they did not. There was one that was arrested, and of course, poor fellow, they said he had not fulfilled his contract, and he said he would not work. He thought they were getting good prices when they came here, and he found that they were paying for some cigars \$4 that they were getting \$7 and \$8 for in Toronto and Hamilton, in the same country. They said we will go west and that is why they went away.

*By Mr. O'Brien :*

396. If these men had kept their places you would have had to leave Canada?—Yes.

MR. TAYLOR—The cigar makers of Montreal did not drive them away?—They were very glad to get out.

397. What you object to, is having this labor under contract, cigar makers or any other class of labor?—I am bitterly opposed to it.

DR. BRIEN—As far as I am concerned the evidence concerning Windsor and Detroit has been almost repeated here. The Committee is well aware of the state of affairs now, and there is no use of continuing it any further. I can only affirm what was stated by the assistant general manager of the Grand Trunk Railway.

MR. TAYLOR—Do you know the party that wrote the letter which was read this morning?

DR. BRIEN—Not particularly, but I confirm the contents of the letter, though. Virtually the fact is admitted by Mr. Wainwright that they won't allow Canadians to reside in Windsor and work in Detroit. Mr. Wainwright could give better testimony than anyone else.

398. MR. TAYLOR—As a matter of fact, do you know the people were ordered to move or leave the service of the Grand Trunk?

DR. BRIEN—Yes. There are branch establishments in Detroit and Windsor, such as Sterns & Co. There are many men working in Windsor who reside in Detroit.

399. MR. TAYLOR—They are now at present working in Windsor?

DR. BRIEN—Yes, and they return there every night and come back to work in the morning.

400. MR. TAYLOR—While Canadians are not allowed the same privilege from this side?—Yes.

401. MR. TAYLOR—As a matter of fact they are not going?

DR. BRIEN—No.

402. MR. TAYLOR—Except they go over there and evade the law and hire every morning and be discharged at night?

DR. BRIEN—Just so.

MR. TAYLOR—They can say they are not going under contract. They are going to look for day's work. You do not want to call any witnesses from there.

DR. BRIEN—I think it is not necessary. The whole subject of the complaint has been given.

## A.

“ WINDSOR, 7th April, 1890.

“ MR. BRIEN,

“ Sir,—I wish to state that at a meeting of the Trades and Labor Council of Windsor, a motion was carried in favor of the Alien Labor Law and pray your honor will do all you can to have it enforced. Being situated as we are so near the border, our town is swarmed with labor from the city of Detroit while our residents are idle, and should we attempt to cross the river to labor in Detroit, we are at once turned back. Therefore we would pray to have the law enforced to protect our residents.

Hoping to hear from you soon,

I remain yours respectfully,

THOS. PORTER,  
Windsor, Ont.,

*Recording Secretary, Trade and Labor Council.*

The Committee then adjourned to the call of the Chair.

REPORT  
OF THE  
SELECT STANDING COMMITTEE

ON  
PRIVILEGES AND ELECTIONS

RELATIVE TO THE CONNECTION OF

JOHN CHARLES RYKERT, Esq.,  
Member for Lincoln and Niagara,

WITH THE GRANT OF CERTAIN TIMBER LIMITS IN THE NORTH-WEST TERRITORIES.

WITH  
MINUTES OF PROCEEDINGS AND EVIDENCE ATTACHED.

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OTTAWA:  
PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY.

1890.

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**REPORT**

OF THE

**SELECT STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS**

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The Select Standing Committee on Privileges and Elections, to whom was referred all the questions involved in certain documents, letters and statements, published during the present Session in the Votes and Proceedings of this House, under the dates of the 14th February, 18th February and the 10th March, relating to the connection of John Charles Rykert, Esq., Member for the County of Lincoln and Niagara, with a grant of certain Timber Limits in the North-West Territories, with instructions to inquire into all the facts and merits of the case, and into the conduct of the said John Charles Rykert in relation thereto, beg leave to present as their Report the following Report of their Sub-Committee, to which they have unanimously agreed.

The Committee also submit herewith the Minutes of their Proceedings, together with all Evidence adduced before, and Exhibits filed with, the Committee.

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**REPORT OF SUB-COMMITTEE.**

HOUSE OF COMMONS, 2nd May, 1890.

The Sub-Committee of the Committee on Privileges and Elections have unanimously agreed to the annexed Draft Report on the reference to them in the case of Mr. Rykert, M. P.; and they recommend it to the Committee for adoption as the Report to be submitted to Parliament.

D. GIROUARD,  
*Chairman.*

J. S. D. THOMPSON,  
EDWARD BLAKE,  
L. H. DAVIES.

## DRAFT REPORT SUBMITTED BY THE SUB-COMMITTEE.

The Committee on Privileges and Elections, under the reference to them in the matter of Mr. J. C. Rykert, M.P., beg leave to report as follows:—

We have held several meetings, and heard Mr. Rykert by himself and his counsel, have examined several witnesses, and verified several documents; and we beg leave to append a statement of our proceedings and the evidence.

In order to a correct apprehension of the issues involved in the earlier transactions it is needful to make a narrative statement.

In January, 1882, Mr. Dalton McCarthy, Q.C., M.P., as the political representative of Messrs. Shortreed & Laidlaw, constituents of his, engaged in lumbering, transmitted, with his recommendation, their application, hereafter called the Laidlaw Application, for a timber limit, to be worked by themselves, in the Cypress Hills region of the North-West Territories, seven miles deep, by twenty miles long, with clearly defined boundaries, capable of being plotted on the Departmental map.

The description was as follows:—

Commencing at the point of intersection of the 110th meridian line of west longitude with the International boundary line; thence north along said meridian 3,200 chains to a mound; thence westerly, parallel with the International boundary, 1,360 chains, more or less, to a mound; thence northerly, parallel with the said meridian line, 560 chains, more or less, to a mound; thence easterly, parallel with the International boundary line, 1,597 chains, more or less, to a mound; thence southerly, parallel to the said meridian line, 560 chains, more or less, to a mound; thence westerly, parallel with the said International boundary line, 240 chains, more or less, to the said meridian line, where the said mound is placed, 3,200 chains from the said International boundary line.

On 25th January, 1882, the Department replied to him as follows:—

DEPARTMENT OF THE INTERIOR,

OTTAWA, January 25, 1882.

DALTON MCCARTHY, Esq., M.P.,  
Barrie, Ont.

SIR,—In further reply to the application of Messrs. Shortreed and Laidlaw for a timber limit in the Cypress Hills, I am directed to say that the Minister does not deem it expedient to grant any timber berths at present in this locality. In any case under regulations, license for the limits in question would have to be put up to competition.

I have, &c.

A lithographed map of the North-West Territories, made in 1879, was kept in the Department, and it was the custom to mark applications for limits thereon by a red circle at the point applied for, containing the reference number of the application, but for some reason unexplained, or through neglect, no such mark was made in reference to this application.

Mr. McCarthy did not press the matter further, and supposed it was ended.

On the 18th January, 1882, after some previous correspondence, Mr. John Adams, formerly of St. Catharines, then of Winnipeg, a merchant tailor, not engaged in lumbering, wrote Mr. J. C. Rykert, M.P., who was also a practising barrister and solicitor, a letter as follows:—

WINNIPEG, 18th January, 1882.

DEAR MR. RYKERT,—I think I have got a good thing up here, and am told by a lumber agent that if I only apply to the Government I can get hold of it. Now I do not know how to apply and want you to help me, as I know you can if you like.

Perhaps you can better yourself by helping me, as I will pay you well for all you do for me. Can I get up a company up here for limits? I can get good men to help me. I have made a good deal of money here and hope to make more.

Yours truly,

JOHN ADAMS.

To which Mr. Rykert, on 25th January, replied as follows:—

25th January, 1882.

MY DEAR ADAMS,—I am delighted to hear you are making money. Nothing would please me better than to see you here again with a fortune. As regards the matter you spoke about, I shall be pleased to assist you and the company in any way I can, and of course I would be glad to better myself in any way which is fair and honourable. It seems to me you ought to organize the company with good men, as you suggest, and then apply to the Government. I expect to be in Ottawa in two weeks, when I can perhaps do you service. Keep me posted as to what you want.

Yours truly,

J. C. RYKERT.

Before 10th February, Adams seems to have sent Mr. Rykert a memo., and on that date Mr. Rykert wrote him as follows:—

10th February, 1882.

DEAR ADAMS,—I cannot make out from the memo. sent me where the timber limit is or the boundaries of the same. I have made enquiries in the Department and they tell me it is necessary to state as nearly as possible the boundaries in the application within which you wish to select fifty square miles (you cannot have any more), but they will not permit you to wander all over the country. I think they will let you select a limit out of a defined area of 400 square miles. I am afraid you are going into a very uncertain speculation, and better make more enquiries.

Yours truly,

J. C. RYKERT.

Before 19th February, there seems to have been an interview between them; and on that day Mr. Rykert wrote to Mr. Adams as follows:—

OTTAWA, 19th February, 1882.

DEAR ADAMS,—After talking over the matter with you yesterday I put in your application, but I am afraid you will have to be more definite in your description. They tell me in the office there is no timber within the area fixed by you. I will try to have application allowed as soon as possible.

Yours truly,

J. C. RYKERT.

On 25th February, Mr. Rykert enclosed to the Minister of the Interior an application on behalf of Adams for an area commencing about 5 miles west of the 110th Meridian, at a point about 5 miles south of the trail between Fort Walsh and Fort McLeod, thence north parallel to the Meridian line 25 miles, thence west 20 miles, thence south 25 miles, thence east to place of beginning; and in his covering letter certified to Mr. Adams' capacity to fulfil the obligations proposed.

Before 2nd March, Mr. Rykert seems to have seen Mr. Macpherson, then acting for Sir John A. Macdonald, Minister of the Interior, on the subject; and on that day Mr. Macpherson wrote Mr. Rykert as follows:

OTTAWA, 2nd March, 1882.

DEAR MR. RYKERT,—There are half a dozen ahead of your friend, Mr. Adams. Better apply for a limit where he will have less competition. If he does so, it shall be granted if possible.

Yours very truly,

(Signed) D. L. MACPHERSON.



Thereafter Mr. Rykert with a Departmental officer searched the map and its references, and found that none of the applications recorded on the map conflicted with that of Adams; and he subsequently received from Mr. Macpherson a note intimating that the application would be granted.

On 20th March, and with reference to this note, Mr. Rykert wrote Mr. Adams as follows:—

20th March, 1882.

DEAR ADAMS,—Your application has been granted, but the Minister tells me that he thinks it will be worthless to you as the limit is a great many hundred miles from any railway, and there is not likely to be any for years. They tell me you will have to take the timber 1,300 miles by water to Winnipeg and there compete with lumber from the disputed territory. This is your own business, and you must be contented with the right to select within an area of 400 square miles. The Government won't let you play Cook & Sutherland upon it.

Yours truly,

J. C. RYKERT.

On 25th March Adams wrote in reply as follows:—

25th March, 1882.

DEAR MR. RYKERT,—Why can you not get a bigger piece to select from, as I do not know anything about the country. It will cost a large amount for the survey. Don't you think you can take a share in it or get up a company in St. Catharines? I will be liberal to them.

Yours truly,

JOHN ADAMS.

On 27th March Mr. Rykert replied as follows:—

27th March, 1882.

DEAR ADAMS,—I cannot see any use in telling you a dozen times about the extent of territory that you can select from. You have now more than is usually granted. I am getting full instructions ready for the surveyor, and you can send him just as soon as I get the order. I would not invest any money in any such speculation, nor can I advise any of my friends to put money in a place of which I know nothing.

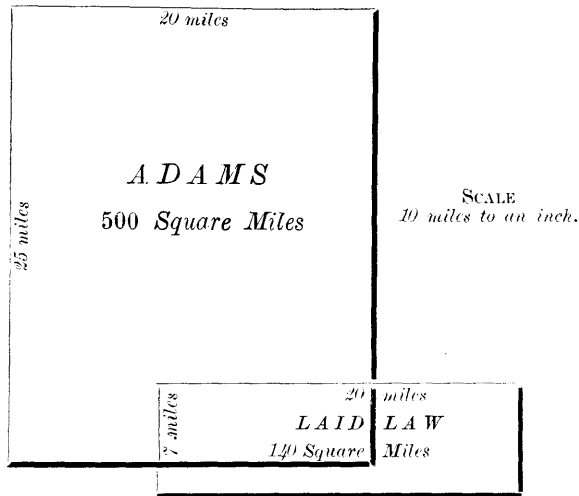
Yours truly,

J. C. RYKERT.

We may here observe that it is made clear by the oral as well as the written evidence that, until after the dates of the Orders hereafter mentioned allowing survey and selection to both applicants, neither Mr. Rykert nor Adams had any knowledge of the exact locality in which the valuable timber was to be found; while Laidlaw had acted in making his application on the report of a surveyor who had been over the ground; which fact was known to Mr. Rykert.

Shortly after the 3rd April, but precisely when remains in doubt, the fact of the prior Laidlaw application was discovered; and, on plotting the applications of Laidlaw and Adams on the lithographed map it appeared that, assuming the accurate delineation thereon of the Fort Walsh trail at its intersection with the 110th meridian, which was the governing point in the Adams description, that application overlapped and conflicted with the Laidlaw application; and that Laidlaw was thus the prior applicant for a part of the area of the Adams' application.

As the trail was so delineated, the apparent interference was, and it was then supposed in fact to be, as roughly shown by the sketch below:



Adams appears to have been in Ottawa on the 3rd April, when, though no official action had then been taken, it seems to have been assumed by both parties that Mr. Rykert would succeed in carrying through the matter; and before Adams left Ottawa, the following paper was executed by him and witnessed by and delivered to Mr. Rykert :—

Memorandum of agreement made this third day of April, A.D. 1882 :—

Between John Adams, of the City of Winnipeg, of the first part ;

And Nannie Maria Rykert, of the City of St. Catharines, of the second part.

Whereas the above-named John Adams has, through the intervention of John Charles Rykert, obtained certain limits in the N. W. T. at or near the Cypress Hills, and has, in consideration of the services of the said Rykert, voluntarily given him, agreed, to and with the said party hereto of the second part, to give to her one-half of the proceeds of the said limits, after deducting all expenses connected therewith ;

Witnesseth that the said party of the first part, in consideration of the sum of one dollar to him in hand, paid by the party of the second part, the receipt whereof is hereby acknowledged, and in further consideration of the premises, hath agreed, and by these presents doth agree, to assign and transfer to the said party of the second part one-half interest in the limits applied for and to be granted by the Government at or near the Cypress Hills, in the North-West Territory, and to pay over and account to her for one-half of all the net proceeds of the sale of all timber thereon or for the purchase money derived therefrom, after deducting all expenses and charges in connection therewith.

Witness the hands and seals of the parties hereto the day and year above written.

(Signed) JOHN ADAMS.

(Witness) J. C. RYKERT.

On the 7th April Mr. Rykert wrote Mr. Laidlaw as follows :—

(Private.)

OTTAWA, 7th April, 1882.

MY DEAR LAIDLAW,—I see that you are an applicant for a limit on the Cypress Hills, where the Government has decided that it is not politic to grant them. Your limit also interferes a little with that of Adams' for whom I applied. There is plenty of timber for both and there is no reason why the Government should not grant them. I am certain I can get them to yield and comply with my request. Are you anxious for yours, and if so, have you decided what part you would like to have? Your

application covers nearly three times what will be granted, the rule being to grant only 50 miles. Let me hear from you by return of mail if you are anxious to go in for this, and if you wish to have my co-operation in getting the same. I will go through Hamilton on Thursday next on my way home. I will leave here Wednesday.

Faithfully,

(Signed) J. C. RYKERT.

On the 8th April, Adams wrote Mr. Rykert, as follows:—

8th April, 1882.

DEAR MR. RYKERT,—What keeps the instructions back? Can't you hurry them up? I am sorry you did not get 800 square miles to pick from. I think the delay will make it very costly to get the survey made. I think I can get up a company in Winnipeg to pay \$40,000 or \$50,000. Then you can apply for another for me.

Yours truly,

JOHN ADAMS.

On the same 8th April, Mr. Rykert wrote Adams, as follows:—

8th April, 1882.

MY DEAR ADAMS,—I was engaged nearly all yesterday running back and forward to the Department in connection with the limit. The clerks were driven to death with some colonization matter, and could not complete the matter. I have an appointment for Monday at 11 o'clock, when I hope to get the copy of the notes and full instructions for the surveyor. I see that the application of Laidlaw was put in on January 12, '82, before yours, you will see. I got hold of the paper and examined for myself, so that there is no humbugging. They sent a surveyor named Lynch out there to examine the whole country. I hope you will be able to select a good lot from the large country you have to choose from. We have twenty miles by twenty, which is equal to 400 square miles. You had better not let a moment slip, but have all ready, as I expect to give full instructions by Tuesday at the latest. IF I COULD ONLY SEE McCARTHY we would have no difficulty at all. I hope to see him early in the week. Let me hear about the coal in the Souris District, also inquire about the timber limit in the East.

Faithfully,

J. C. RYKERT.

On the 10th April, the following memo. was prepared in the Department of the Interior and was sent into Council for approval:

COPY DEPARTMENTAL MEMORANDUM RECOMMENDING ADAMS LICENSE.

OTTAWA, 10th April, 1882.

(Memorandum.)

The undersigned has the honor to recommend to Council that Mr. John Adams be granted a yearly license to cut timber on a berth of 50 square miles to be surveyed within six months, at his expense, and within the following described locality, namely: Commencing at a point which is distant 5 miles measured due west from a post which is planted between Sections 25 and 36, in Township 7, Range 1, west of 4th Principal Meridian, in the North-West Territories; thence due north 20 miles; thence due west 20 miles; thence due south 20 miles; thence due east to place of beginning.

The lease to be on the terms and under the conditions as to survey of berth, erection of mills and payment of dues that are provided by the regulations established by Order in Council of the 11th November, 1881.

Respectfully submitted,

(Signed) JNO. A. MACDONALD,  
*Minister of Interior.*

The Honorable The Privy Council.

On the same 10th April, Mr. Rykert wrote Adams as follows:—

10th April, 1882.

(*Re Limit.*)

MY DEAR ADAMS,—After calling at the office eight or ten times I got the enclosed copy of Order in Council. It will be pushed through very likely to-morrow if the Government is not too lazy. You will see they give us 400 square miles to choose from. IF THIS IS NOT SATISFACTORY I DO NOT KNOW WHAT IS. Get your surveyor ready, and I will have his instructions in a few days. They give us six months.

Faithfully,

J. C. RYKERT.

If you can get \$40,000 let it go, and we will get another. Try McCarthy. Perhaps he will buy.

We think it right to say here that the McCarthy mentioned is a Mr. Peter McCarthy, and not Mr. Dalton McCarthy, M.P.

On the same 10th April, Mr. Laidlaw replied to Mr. Rykert's letter of 7th as follows:—

HAMILTON, 10th April, 1882.

J. C. RYKERT, Esq., M.P.,  
Ottawa.

MY DEAR RYKERT,—I am thoroughly in earnest about that timber limit, and if you and Mr. McCarthy who recommended the application of Shortreed & Laidlaw, can get a license for a limit, I would discuss with you the shares, and agree to combine the application.—One limit of 50 square miles will gather in the greater portion if not all of the good pine timber. I had better meet you when you come up, and in the meantime find what the Governor in Council will do.

Yours truly,

(Signed)

WM. LAIDLAW.

On Tuesday, 11th April, Mr. Rykert wrote Adams as follows:—

11th April, 1882.

MY DEAR ADAMS,—I to-day saw McCarthy, and he was terribly surprised to hear that I had got the limit, as he was refused point-blank. He is willing to join with us in the survey, and I go to Hamilton to get Laidlaw to say where he wants the limit. He has written me he will do almost anything if I will assist him in getting his. I will write you from home on Thursday. The Order in Council went before the Government to-day, and it is likely it will pass at once. Instructions will then be given to the surveyor. We are AWFULLY LUCKY, as the Deputy told me that no other man could have forced them to yield.

J. C. RYKERT.

And he wrote Wm. Laidlaw as follows:—

11th April, 1882.

MY DEAR LAIDLAW,—Your letter duly received. I will succeed in getting the limits for you, although they were refused to McCarthy. I will be glad to meet you and talk over the matter. I will be in Hamilton on Thursday at about 2 o'clock. I will go up by the first train after the arrival of the G. T. R. I think we can make a satisfactory arrangement.

“ Faithfully,

(Signed)

J. C. RYKERT.

Postscript: “ I will telegraph you when I will reach Hamilton and perhaps you can meet me at the station.”

On the same day Mr. McCarthy wrote Laidlaw as follows:—

WM. LAIDLAW, Esq.

OTTAWA, 11th April, 1882.

MY DEAR SIR,—Mr. Rykert has been in communication with the Minister of the Interior respecting his friend's application for a timber license. He wants to see about

defining the boundaries of the limit applied for by Messrs. Shortreed & Laidlaw, so that some arrangement may be made if possible. I think that the limits applied for do not clash to any very great extent, but Mr. Rykert will explain.

Yours truly,  
(Signed) DALTON McCARTHY.

On the 15th April, Mr. Laidlaw wrote to Mr. McCarthy as follows:—

HAMILTON, 15th April, 1882.

DEAR McCARTHY,—I received a letter from Mr. Rykert, followed by a telegram appointing a meeting, and also your telegram. I will, of course, act on your telegram, and I have decided to incur the expense of an actual survey and plan so that we may be sure that we have the timber. The present description embraces too much land for a 50 square mile limit. I wired you to-day for information whether the limit should be rectangular or whether lines may be run forming oblique or acute angles. The survey will cost about \$500, and of course it is desirable to leave out all space upon which there is little or no timber. I would also like to have the plan I had originally and gave to Robert to show to you. Please answer as early as you can for I have difficulty in getting a surveyor, and if I am not ready at the time I have agreed I may lose my man. Mr. Justice Meredith has at last delivered judgment in that Quebec suit against Berr for \$2,010 a very small judgment.

Yours truly,  
WM. LAIDLAW.

On the 16th April, Adams wrote Mr. Rykert as follows:—

16th April, 1882.

DEAR Mr. RYKERT,—What is keeping back the order for the surveyor? I am getting very uneasy. Just as soon as this is settled, I can get up a company for \$30,000 or \$40,000, or put in the whole for \$70,000 cash. If I succeed I want to go for something else which I have on hand.

Yours truly,  
(Signed) JOHN ADAMS.

On the same day Mr. Rykert wrote Mr. Adams as follows:—

ST. CATHARINES, April 16, 1882.

MY DEAR ADAMS,—You will see by the enclosed letter that my letter to Gardiner was taken out of the post office by the wrong man. I am expecting the instructions by to-day's mail. What keeps them, I cannot tell. The order was passed several days ago. Laidlaw is to meet me in Hamilton to-morrow. He has not yet got his order, and is now of the opinion that I have MORE INFLUENCE THAN McCARTHY, who told me he was refused by the Government. I hope you have really made a good strike, after all the trouble and annoyance. I expect to write you on my return to Ottawa.

Faithfully,  
(Signed) J. C. RYKERT.

Have you engaged any surveyor?

On the 17th April, the Order in Council on the Adams memo. was passed.

On the 17th April, Mr. Rykert and Mr. Laidlaw met in Hamilton by appointment.

On the 18th April Mr. Rykert wrote Mr. Adams as follows:

18th April, 1882.

MY DEAR ADAMS,—I was told that your order was passed yesterday and that the chief cause of the delay was the multiplicity of business. Russell told me it was a foolish thing on Laidlaw's part to object in the first place to your application, as his covered more ground than he could claim and that it overlapped yours only a

few miles, which matter he settled between you and the claimant. He says further that Laidlaw claimed that the timber he wanted was at or near Fort Walsh far south of yours.

From what I could gather in the Department, those who pretend to know anything think you are extremely foolish to risk money in an expensive survey at this time of the year.

They think you could make the survey in the summer, as you have six months, and at a very little cost. I told them what you said the expedition would likely cost you and they thought that ridiculous. I told them you were determined to push it on and that Mercer would go with the party. Will send order as soon I can get it.

Yours truly,  
(Signed) J. C. RYKERT.

Exhibit No. 56.

On the 19th April, Mr. McCarthy wrote Mr. Laidlaw as follows :—

OTTAWA, 19th April, 1882.

DEAR SIR,—Your telegram as also your favor of the 15th inst., came duly to hand. I had, prior to receiving either of them, requested Mr. Lindsay Russell to obtain an Order in Council permitting you to get the 50 square miles within the limits of the application made by your friends, but I don't think it is actually necessary that you should send up a surveyor at present, unless indeed you might otherwise miss the chance of getting a surveyor.

Yours truly,  
(Signed) DALTON McCARTHY.

P.S.—I think it would be better to delay until the Order in Council is passed, so that the terms of it may be known for certain.

Exhibit No. 34. (Sg'd) D.McC.

On the 21st April, Mr. Laidlaw replied as follows :—

DALTON McCARTHY, Esq., Q.C., M.P.,  
Ottawa.

HAMILTON, 21st April, 1882.

DEAR SIR,—I have received your letter of the 19th inst., and I am very much pleased with your attention to this application.

Mr. Rykert called upon me yesterday on his way to Ottawa, and he expressed to me his wish to avoid anything like a conflict between the applications of Shortreed & Laidlaw and of Mr. Adams. *I do not know whether application of Shortreed & Laidlaw will describe the better quantity of the timber—no lines were actually run around it*, and Mr. Rykert agreed with me that the Order in Council should give Shortreed & Laidlaw first right of selection—and that as against application of Adams; Shortreed & Laidlaw are not to be confined to the limits in the description given in the application.—Application of Shortreed & Laidlaw probably embraces about 100 square miles—Application of Adams about 500 square miles—Mr. Rykert appears to think that application of Adams will also be granted, and in the drafting of the Order in Council (and I specially request that you will draft and settle the terms of this Order) I wish that you would have special regard to the description and make it broad enough to cover the first right of selection of 50 square miles within the territory described in applications of Shortreed & Laidlaw and Adams. Mr. Rykert agrees to this. We will send a competent man with the surveyor and he will show the surveyor the boundaries. I have made an engagement with a surveyor who is ready to go at once, and I would be very much pleased if you could get through the Order in Council at once—and give us the right to appoint.—The surveyor to be guided by instructions from us as to the location within the limits referred to—in all other respects by instructions from the Department.

If you find that you cannot get the Order in this form I would rather delay it and in the meantime go on and make the survey. We would not like to be

absolutely bound by the description without a further inspection by a more competent surveyor than the one from whom we received the report. He was not a judge of quality of timber.

Exhibit No. 35.

Yours very truly,  
(Signed) WM. LAIDLAW.

On the 17th April the Adams Order in Council was passed.

On the 22nd April, Mr. McCarthy replied as follows:—

OTTAWA, 22nd April, 1882.

WM. LAIDLAW, Esq., Hamilton.

MY DEAR SIR,—I have yours of the 21st instant. The minutes of the Order in Council have gone in *re* Mr. Adam's application, and Mr. Lindsay Russell has promised that yours, or Shortreed & Laidlaw's shall go through at once. You are, however, very much mistaken in supposing that your friends are to have the selection from the limits applied for by both the applicants. Your friends are to be allowed to select from the limits defined in their application, 50 square miles, and Adams the same except where his description overlaps yours. You are entitled to the prior choice. This is, I think, a reasonable settlement. I hope the Order in Council will go through at once.

Exhibit No. 36.

Yours truly,  
(Signed) DALTON McCARTHY.

On 21st April, Mr. Rykert wrote Adams as follows:—

21st April, 1882.

MY DEAR ADAMS,—Until I returned here to-day I thought instructions had been sent to you as they were promised some days ago. The Order in Council has been finally passed, and this although every effort was made to induce the Government to alter their minds. It now only remains to have the survey, and of this you will have to be the best judge. Laidlaw expects to get his, now that you have succeeded, and yesterday offered to pay one-half of the expenses, and will see you as early as possible as to this. He was very anxious to know how much I was to get, and I told him that was very little, if anything. He says the limit is a splendid one, and thinks that his is worth \$50,000 at the lowest. He thinks you and he can join together and put into a company. McCarthy wrote me that YOUR LIMIT IS NOT WORTH A CENT. This is poor encouragement, but Laidlaw, who has had the Cypress Hills explored, says they are good. Will write fully to-morrow.

Faithfully,

(Signed) J. C. RYKERT.

On the 22nd April the Laidlaw departmental memo. was prepared for Council; and on 24th April the Laidlaw Order in Council was passed.

On 24th April, Mr. Rykert wrote Adams as follows:—

24th April, 1882.

MY DEAR ADAMS,—I have daily gone to the office for instructions and copy of Order in Council. I now enclose order, which you will see gives you the right over 400 miles. This is the largest privilege ever given to select from, and none has ever passed in the same speedy manner. I enclose memorandum of one of the clerks, showing he will prepare instructions in a day or two. I will keep at him daily. Get ready to leave at once. Laidlaw offered to bet me \$1,000 I could not get the order passed for you, as he had been refused in January and again in February. You ought to get up company if possible and sell half for, say, \$35,000, or the whole for \$70,000. If this is done I WILL GO FOR SOMETHING ELSE.

Faithfully,

(Signed) J. C. RYKERT.

On 25th April, Mr. Rykert wrote Laidlaw as follows :—

OTTAWA, 25th April, 1882.

MY DEAR LAIDLAW,—The Order in Council for Adams was passed the day before I reached Ottawa. They cut off a large portion so as to enable you to have the full sweep of 140 miles. I advised this before I left Ottawa and they carried it out. Your limit can be selected anywhere within the 140 miles. They would do nothing more than this. In fact this is a privilege they never give. You will have a large range. I am hurrying yours through and hope to be able to report all right to-morrow.

I am afraid Adams will complain with my yielding the south part of his limit. I have written him to wait till he hears from you.

Faithfully,

Exhibit No. 49.

(Signed) J. C. RYKERT.

On the 26th April, 1882, Mr. Laidlaw wrote Mr. Rykert as follows: "I have received your letter of yesterday. I fear embarrassment and disappointment if the Orders in Council are of cast iron. The Shortreed & Laidlaw application will, I believe, embrace the best quantity, but there is no good reason why Adams should not have a right over it after location of fifty square miles. It is clear to me that my suggestion was the more practicable, viz.; for selection of two fifty square miles from territory embraced in both applications—Shortreed & Laidlaw (1); Adams (2). Mr. Shortreed, a most competent man and especially trustworthy, will go and inspect and locate. I am willing to meet Mr. Adams (at Chicago, if desirable) and agree upon a basis for location and survey. And I wish to discuss with you and settle the other subject of our conversation. I had not great faith in success and this prospect must not be given away. I have special reasons to know that we must exercise promptitude and discretion, and I wish you to impress in the most positive manner upon Adams the great importance of keeping his own counsel. There are watchers who will be determined to force their way to an interest, or try to delay the issue of the licenses and we must all keep our own counsel. Try and get the orders and instructions in the form I suggested, and I will arrange for the inspection and survey at once, and will discuss the other affair with you before the inspector and surveyor goes away. Prompt and decisive work will be the order of the day as soon as you have the instructions in proper form. The surveyor should act upon instruction of Shortreed & Laidlaw and Adams for location within the territory in both applications and in all other respects on the instructions of the Department.

"If necessary wire Adams and give him caution.

"Yours very truly,

(Signed.) WM. LAIDLAW."

"P.S.—Be careful to have basis of orders right so that there may be no grounds for refusal, even although we should not literally comply with all red tape doctrine.

Exhibit No. 55.

W. L."

On 27th April the instructions for survey of the Adams limit were issued.

At some period of time, Messrs. McCarthy and Rykert had an interview at Ottawa in which they agreed as to the settlement of the conflict or interference, and thereupon they went to the Deputy Minister of Interior, and stated the agreement in his presence, and he concurred in and agreed to forward and effectuate it.

That agreement, by the consensus of the contemporaneous written, and of the oral testimony, was that—having regard to the facts that Laidlaw was the first applicant; that the applications to some extent interfered or conflicted; that the regulations in such case provided for a competition; and that the Adams' application must in any event be cut down from 500 to 400 square miles—the conflict or interference should be adjusted, and competition avoided, by the granting to Laidlaw of the right to select 50 square miles within the area of 140 square miles for which he had applied; and the granting to Adams of the right to select 50 square miles with-



in an area of 400 square miles, not however comprising any part of the area in Laidlaw's application; Laidlaw thus, as prior applicant, being given first right to his area, with which Adams was not to interfere at all.

These arrangements being arrived at Mr. McCarthy rested satisfied that Laidlaw would receive his area, and Mr. Rykert states that till a few days ago he himself supposed that in fact Laidlaw had received his area.

At the meeting before the Deputy Minister of the Interior a sketch, like that above given, was before the parties.

It is in one aspect material to know at what time this agreement and meeting with the Deputy Minister of the Interior took place.

Mr. Rykert states that it took place on the 6th or 7th April and thus preceded the 10th April when the Departmental memo. was drawn.

The mental and physical condition of Mr. Lindsay Russell, then Deputy Minister of the Interior, appears to have been, so far as we could ascertain it, such as was disclosed in the following evidence of himself and Mr. Burgess, the present Deputy Minister of the Interior:

Mr. RUSSELL's evidence:

Q. Do you recollect notifying Mr. Rykert on behalf of Mr. Adams that he would be granted the timber limit?—A. I regret Sir, that to answer your question I have to go a little aside, in order that my answer may not be misunderstood. I regret that owing to effects of the illness that caused my leaving the public service—paralysis—I cannot remember any official transaction of that kind and therefore I cannot truly answer any question of that character. \* \* \* \*

Q. Do you remember Mr. Rykert's application for a timber limit?—A. I do not.

Q. Do you remember making a report on the subject of this timber limit in the North West?—A. Unfortunately not. I have no memory of anything of the kind.

Mr. BURGESS' evidence:

Q. How long after this was it, that Mr. Lindsay Russell, continued to act as head of the Department?—A. I think until the 7th February, 1883.

Q. What caused his departure?—A. He broke his leg and his health became seriously impaired about the same time.

Q. He left in February?—A. No; he did not leave.

Q. Do you mean to say his health was not impaired at this time?—A. I think so.

Q. I understood Mr. Russell to say that that impairment of his mental powers which resulted in total loss of memory had begun?—A. I think it probably had. I do not think he was aware of it at that period. But that was my impression.

Q. Your impression was then, that he no longer had his mental faculties unimpaired?—A. Yes.

From Mr. Russell therefore we could learn nothing.

The only other oral testimony, save Mr. McCarthy's, was that of Mr. Ryley and Mr. Burgess; Mr. Ryley was a surveyor, then newly put in charge of the branch, and who was directed to plot the areas and draw the descriptions, and was present at the close of the meeting with the Deputy Minister of Interior.

Mr. Ryley says that the meeting took place before the preparation of the memorandum of 10th April; and thus so far corroborates Mr. Rykert's statement. Mr. Burgess was the Secretary of the Department and he says Mr. Russell told him of the adjustment before the preparation of the memorandum of the 10th April and thus gives a further corroboration.

But the contemporaneous letters of Mr. Rykert already set out are wholly inconsistent with this view.

His letter of Friday, 7th April, to Mr. Laidlaw shows beyond doubt that there was at that date no agreement; his letter of Saturday, 8th April, to Adams shows that he was then troubled by the application of Laidlaw; that he was then wishing to see Mr. McCarthy, an interview with whom he thought would end all difficulty; and that he hoped to see him early in the week following.

His letter of Monday, 10th April, to Adams shows that he had on that day got a copy of the Departmental memorandum for Council; while his letter of Tuesday, 11th April, to Adams shows that he on that day saw Mr. McCarthy, who was then terribly surprised to hear that Mr. Rykert had got the limit; and adds that he, Mr. Rykert, is to go to Hamilton to get Mr. Laidlaw to say where he wants his.

Mr. McCarthy's contemporaneous letters are quite consistent with Mr. Rykert's letters; and quite inconsistent with Mr. Rykert's oral statement.

Mr. McCarthy's letter of 11th April to Laidlaw shows that he had seen Mr. Rykert and that no agreement had then been reached; and that Mr. Rykert represented that he had been in communication with the Minister of the Interior; and that he, Mr. Rykert, wanted to see about defining the boundaries of the Laidlaw application, so that some arrangement might be made, if possible; and that Mr. McCarthy thinks that the limits do not clash to any great extent, but that Mr. Rykert will explain.

Mr. McCarthy's letter to Laidlaw of 19th April shows that prior to a telegram of 15th he had requested the Deputy Minister of the Interior to obtain an Order in Council permitting Laidlaw to get 50 square miles within the limits of his application.

To all this is to be added the oral evidence of Mr. McCarthy, who swears that the arrangement and meeting with the Deputy Minister of the Interior was after his return to Ottawa on the 11th April; and who proves that he was absent from Ottawa during the preceding week; and was, about the time fixed by Mr. Rykert for the arrangement and meeting with the Deputy Minister of the Interior, at the Orangeville assizes, where he was engaged in the defence in a capital criminal case; and that he returned from Toronto to Ottawa only on Tuesday, 11th April, the day on which each of these two gentlemen writes that he saw the other; and this Mr. McCarthy declares to have been his first interview with Mr. Rykert on the matter.

Mr. McCarthy tendered his fee book containing the contemporaneous entries, showing, as he stated, his presence in Orangeville at the time he mentioned; and it was stated by a member of the Committee that a newspaper of the day records his presence there; and on the 2nd May 1890, letters, including a certificate of the Clerk of the Court (to be found in Appendix C to the Evidence) were filed, further proving the fact.

We are forced to the conclusion that the interview and arrangement in the presence of the Deputy Minister of Interior did not take place till after Mr. McCarthy's return to Ottawa, on Tuesday, 11th April; it follows that Mr. McCarthy must have been deceived as to the actual condition of affairs by the concealment of the fact that a Departmental memo. had been already prepared, recommending an Order in Council for Adams.

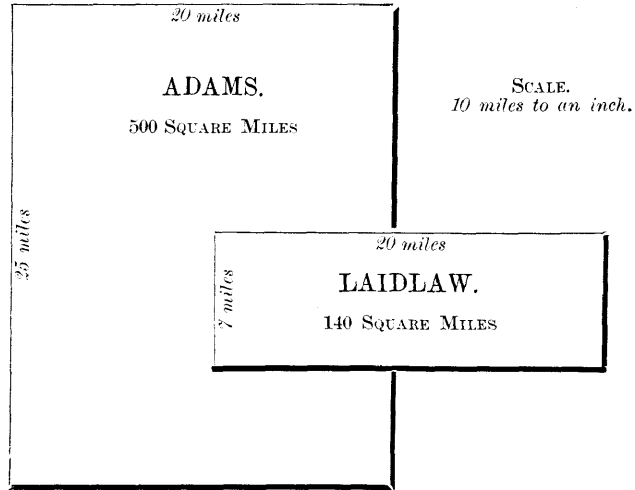
When we came to examine that Departmental memo. we ascertained that, as a matter of fact, neither it nor the Order in Council based upon it, recognized the preferential right of Laidlaw as agreed, or retrenched (to answer that preference) the Adams area, or carried out the understanding reached between the parties; but that on the contrary the description covered substantially the whole of that part of the Laidlaw area common to the Adams application; and thus gave to the second applicant the advantage agreed to be given to the first.

It was stated by Mr. Ryley that this extraordinary result was in some way due to the fact that in connection with the plotting of the area, and the preparation of the description, use was made of a new map of the Territories which had been just before filed in, but had not yet been approved by the Department, and which more accurately delineated the intersections of the Fort Walsh trail with the 110th meridian.

But the new map did not and could not in any wise affect the Laidlaw area or the execution of the agreement.

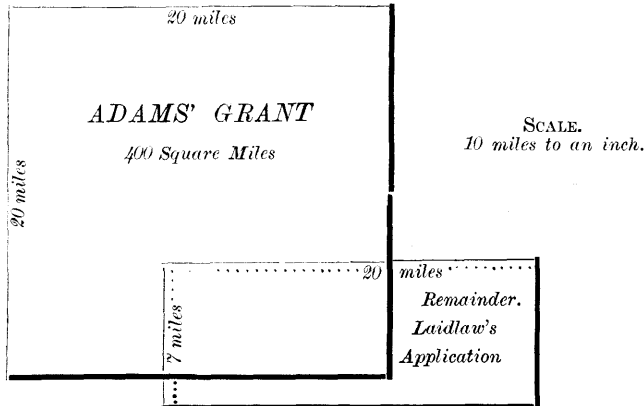
Its effect was simply to move the Adams area applied for further south, and so to bring the overlap or interference more towards the middle of the East side instead of its being at the south end of the Adams application.

The interference would thus according to the new map be somewhat like the following sketch :

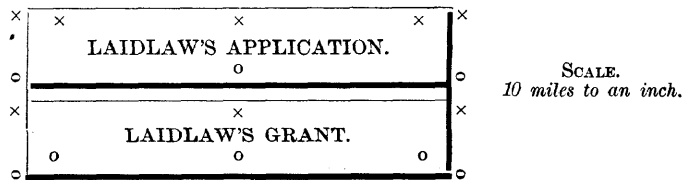


The application of the principle of adjustment agreed on remained equally obvious ; and as before involved simply the retrenchment of that part of the Adams application which was covered by the Laidlaw application.

But the Adams area described in the Departmental memo. of 10th April took no account of this ; on the contrary it embraced substantially all that was common to both as shown by the following sketch :



When some days later, the Laidlaw area came to be plotted and described, Mr. Ryley, as he says, with the approval of the Deputy Minister of the Interior, and (however that may be) of necessity, (having regard to the prior description of the Adams area) turned the course of the Laidlaw description south instead of north, thus assigning to Laidlaw an area almost wholly south as shown by the following sketch :—



It turned out that the valuable timber was in fact wholly within the part, common to both applications; and was by this means given to Adams instead of to Laidlaw.

As before stated on the 22nd April the memo. for Laidlaw according to this description was sent to Council, and on the 24th April the Order in Council was passed and on 10th May the instructions for survey were issued.

On 10th May, Mr. Rykert wrote Mr. Adams as follows:—

10th May, 1882.

MY DEAR ADAMS,—Laidlaw only got his order passed this week, and he had to get me to help him; so YOU SEE WHO HAD THE INFLUENCE WITH THE GOVERNMENT after all. You must tell the surveyor to examine the whole limit, and after picking out the best for us let him pick out another so that I can put in another application if there is enough timber. He might also examine the limit south and see what there is there. If he can pick out two he ought to get the true description of it. I think the best way is to go by Fort Benton. Let me hear from you.

Faithfully,  
J. C. RYKERT.

On the 24th May, Laidlaw wrote Adams as follows:—

HAMILTON, ONT., 24th May, 1882.

MESSRS. JOHN ADAMS & SON,  
Merchant Tailors, Winnipeg.

DEAR ADAMS,—How are you? Do you remember me? I saw you at Ottawa and chaffed you about that timber limit you were after. I was after one, too, and had priority over you and I did not expect that either of us would have got a limit. Well, we have both got Orders in Council, thanks to the untiring attention of Messrs. McCarthy and Rykert.

The next thing is what are we going to do with them? The elections are coming on and the Grits are howling like demons. If they should win we might say good-bye timber limits. They would cancel them and give them to Grits. That is their way. I do not think that there is any chance of their winning this election, but it would be well for you and me to act with promptitude on the Orders in Council and get our surveys made at once and licenses actually signed, and in our possession, before the Government would resign, if the elections should (which God forbid) be against them. I propose that we shall engage a surveyor to go at once by Northern Pacific to Bismark, up the Missouri River, to Fort Benton, from there to Fort Walsh and make our surveys. I have a first-class lumberman, of fifteen years' experience associated with my brother and some other parties in our limit, and he is ready to go and make the selection and location and superintend the surveys. What do you propose to do? And is there any other person interested with you? It might be profitable to us to join together on a proper basis to be discussed and settled between us. In any event, it would be advisable for us to contribute equally for the cost of exploration and survey and I am ready to co-operate with you for that purpose. We should not delay and a personal interview in a matter of such great importance would be the most satisfactory. I would, if you will, meet you at Chicago and agree upon terms and get all the necessary documents from Ottawa to make sure work of our survey. You may wire me night message if you think advisable, or write, and if you are making arrangements on your own account and would rather not join with me in location and survey, please send me a short message to that effect, and I will push on my own arrangements to completion.

Yours very truly,  
(Signed) WM. LAIDLAW.

Exhibit No. 48.

For a considerable time it had been rumored that the Canadian Pacific Railway Company was about to deflect its line southward to reach the Kicking Horse

instead of the Yellow Head Pass, and during the interval covered by those events legislation was being prosecuted to authorise this deflection; which would bring the line near the limit.

Early in July, one Muckle, the Canadian Pacific Railway Timber Agent in the District, began cutting timber on the limit, as it would seem under some private arrangement with Adams whereby he was, for a money reward, to forward a purchase by the Company of the limit at a large price.

On the 2nd July, Adams wrote Mr. Rykert as follows :—

2nd July, 1882.

DEAR MR. RYKERT,—I sent you word to-day that the C. P. R. was cutting my timber, and after getting answer, notified the Company. They have cut a good deal of the timber, and I think they will have to pay for it. Muckle thinks I can get the C. P. R. to purchase at \$60,000 or \$70,000. I am trying to get them to bite at it, anyway. Can they not get the balance of the timber in the 400 miles? I will tell them to see you at Ottawa. I would like to work the limit if the C. P. R. will not buy. It will pay better than all the cash we can get.

Yours truly,

JOHN ADAMS.

On the 10th July, Adams wrote to Mr. Rykert as follows :—

“ July 10th, 1882.

“ MY DEAR RYKERT,—The day I received Mercer's telegram (I telegraphed you the same day) I received a letter from him, and in the evening he came home. My limit takes in all the timber that is in that section, and as it is in bluffs I will have to take in some open prairie. The timber consists of A 1 Douglas pine, and averages in diameter 14 x 16 inches, and will average from 45 to 65 ft. in length, very straight, free from limbs, and holds its size well. Our Hamilton friend is out of luck.”

“ Muckle is cutting in the east end now, and he received a telegram from VanHorne saying to cut away, that he would soon have the timber matter arranged. So Muckle thought that he was making arrangements with me, and he said his reason for thinking so was that he wrote VanHorne a month ago to buy it or make some terms with the lessee. Muckle thinks I should not sell at less than \$80,000. It is worth more. Mercer thinks we had better work it. There is a party out here that will put up a mill and work for an interest. I would rather sell and let somebody else make a little. I had to secure Muckle his \$5,000, and he will deserve it. We have telegraphed to Muckle to send us down another location of some splendid spruce. He was locating it when Mercer left, but he wants it taken in my name, but I could not take any more in my name. I should like to see you get the papers put through as soon as you get them. I am saving the cash for the survey, &c.

“ Respectfully,

Exhibit No. 16.

(Signed) “ JOHN ADAMS.”

On the 18th July Adams wrote Mr. Rykert as follows :—

WINNIPEG, 18th July, 1882.

DEAR MR. RYKERT,—Mercer is back from the limit, and he will write you fully to-day. It is a great limit and I am now satisfied the limit is well worth \$150,000 to the C. P. R., and they must have the timber as there is none nearer than Winnipeg, but they are a hard people to satisfy about the value, unless Muckle will tell them all about it. I will try to get him to feel the men in the office here. I will go to Ottawa as soon as you are ready.

Yours truly,

(Signed) JOHN ADAMS.

On the 24th July, Mr. Rykert wrote Adams as follows :—

ST. CATHARINES, 24th July, 1882.

MY DEAR ADAMS,—I am in receipt of your favor, and am pleased to learn that the limit has panned out all right, as I was in great dread it would be a failure. I

am in a certain sense glad that Laidlaw has failed, as he ACTED SO INFERNAL MEAN ABOUT IT. I think if you can get \$80,000 you better sell immediately, or less than that. If as good as you say, the C. P. R. can give us at least \$60,000 and expenses. You better see them at once, and if THEY WILL BITE AT ALL tell them I will assist them in getting all the timber within the twenty square miles. It is IMPORTANT TO REALIZE THE CASH WHEN WE CAN LOOK OUT FOR MORE. Have you stopped them from cutting? This is necessary. I see by the papers that the C.P.R. is cutting timber at the Cypress Hills. I do not think it will pay to work. THE CASH IS VERY MUCH BETTER. I would not delay at all in seeing the Company. Perhaps Muckle can urge them to buy.

Faithfully,  
(Signed) J. C. RYKERT.

At the end of July or the beginning of August a suspicion had arisen in the mind of Laidlaw that, instead of his getting the area applied for and agreed on, Adams had got that area, so far as it was common to both, and that he, Laidlaw, had been deprived thereof.

Laidlaw thereupon communicated with Mr. McCarthy, who on the 2nd August telegraphed the Deputy Minister of the Interior as follows:—

(Telegram).

TORONTO, 2nd August, '82.

LINDSAY RUSSELL,

Deputy Minister of Interior, Ottawa.

Please stay issue and further proceeding in respect of Adams' timber license, Cypress Hills. I have good reasons. Consider the request special and wire whether surveyor employed by Adams had made report. Will go to Ottawa in the matter.

DALTON McCARTHY, M.P.

To which, on 2nd August, the Deputy Minister of the Interior replied as follows:—

OTTAWA, 2nd August, 1882.

DALTON McCARTHY, M.P., Toronto.

Survey report not received—no action in meantime in issuing license.

Exhibit No. 37.

LINDSAY RUSSELL.

On the 4th August, Laidlaw wrote to Adams as follows:—

"HAMILTON, ONTARIO, 4th August, 1882.

"Mr. JOHN ADAMS, Merchant Tailor,

"Winnipeg.

"DEAR ADAMS,—I received a Winnipeg paper, and I suppose I have to thank you for it, giving an account of your timber limit at Cypress Hills, and on the same day I sent you a telegram but have not received any answer. I was very well pleased to know of your success, although I confess I was very much disappointed at the statement that your limit took in all the timber in that region of the country. Our man is away in the west now and there is a strange difference in his report and your newspaper report. Can it be possible that there is a mistake about the territory? I would like to know where your location is made, and would be very much obliged for the description of it and all the information you can give me about it. Of course, if you are the fortunate one and have got all the timber away from us, we will be pleased at your success and sorry for our failure and hope for better fortune next time. I claim, however, that if such is the case and you intend to give anyone a share in the timber, we have the right to be favorably considered. Please answer fully, and if you are coming down this way, let me know where I might see you.

"Yours very truly,

Exhibit No. 57.

(Signed)

WM. LAIDLAW."

Laidlaw seems to have written to the Department at Ottawa for information, and received on 5th August, the following telegram:—

“ OTTAWA, 5th August, 1882.

“ WM. LAIDLAW.

“ Letter received this morning, will mail to-day copy your application; Department cannot furnish copy of Adams' application without his consent.

Exhibit No. 63.

“ CHAS. WM. ALLEN.”

Some time in August, Mr. McCarthy wrote to the Deputy Minister of the Interior, and also telegraphed him, as appears by the following telegram:—

“ TORONTO, 12th August, 1882.

“ WM. LAIDLAW, Esq., Hamilton.

“ DEAR LAIDLAW,—Your telegram received. Both the Minister of the Interior (Sir John) and the deputy (Mr. Lindsay Russell) are at Rivière du Loup just now, and no appointment can therefore be obtained.

“ Yours truly,

Exhibit No. 64.

“ DALTON McCARTHY.”

And by a letter which he wrote to the Deputy Minister of the Interior, on 4th September, as follows:—

TORONTO, 4th September, 1882.

LINDSAY RUSSELL, Esq.,  
Ottawa.

MY DEAR SIR.—When I wired you the week before last to see if I could have an interview at Ottawa, and you answered me from Rivière du Loup, I had proposed seeing you about the Cypress Hills' timber limit, as to which I have already written to say there has been a mistake through accident or design, I know not which. Now, I believe Mr. Adams is either at Ottawa or some agent of his is, has been, or shortly will be, to ask for the license, but if it be given to him it will only cause a great deal of trouble, and make it much more difficult to do what is right in the matter. The portion applied for by my constituents, Messrs. Shortreed & Laidlaw, and which they were to have their fifty miles out of, is the part that Mr. Adams, as I am informed, has had surveyed, and is now about seeking a license for. All this the papers I have in my possession clearly demonstrate. I want you, therefore, in accordance with your telegram, to refrain from issuing any license to Mr. Adams until I have an opportunity of seeing you, and learning that you are again at Ottawa I shall at once go down.

Yours truly,

(Signed) DALTON McCARTHY.

And by the following letter:—

“ TORONTO, 4th September, 1882.

“ MY DEAR LAIDLAW,—I did not go to Ottawa as arranged, as I found that Mr. Lindsay Russell was at Rivière du Loup. I therefore had to trust to my letter to him on the subject, which I hope will have kept matters safe.

“ Since that I have been off for a week's run, only returning this morning. To-morrow I will wire Mr. Russell as to when I can see them, and shall go down at the earliest possible moment.

“ Yours truly,

Exhibit No. 65.

“ DALTON McCARTHY.”

But the letter and telegram mentioned in the earlier letter of 4th September are not on the departmental file.

On 5th September, Mr. McCarthy telegraphed the Deputy Minister of Interior as follows :

TORONTO, 5th September, 1882.

LINDSAY RUSSELL,

Deputy Minister of the Interior, Ottawa.

Can I see you on Saturday or when ; important, as the facts recently disclosed seem to show that a gross fraud has been committed *re* Cypress Hill Limit.

DALTON McCARTHY.

To which the reply was :—

Deputy absent. Will telegraph on his return.

A. R.

On 2nd September, Laidlaw wrote to Mr. Rykert as follows :—

“ HAMILTON CLUB, 2nd September, 1882.

“ J. C. RYKERT, Esq., M.P.,

“ St. Catharines,

“ MY DEAR RYKERT,—In *re* Cypress Timber Limit. At the time of the application for this limit, I relied upon the letters from you and Mr. McCarthy, and I did not examine the form of description in the papers received by Shortreed & Laidlaw. I recently received information which induced me to suspect that a fraud had been committed against Shortreed & Laidlaw in the interest of Mr. Adams and made a careful examination of the papers. A gross mistake or a gross fraud had been committed and I am willing to submit the papers and information to you to form your own opinion which you will call it. I have preserved all the correspondence. The matter has been laid before the Government and all proceedings in the Adams application stayed. I went to St. Catharines to see you last week in your absence, and if you wish I will go down again, or I might probably meet you here or in Toronto in the course of next week. I only ask fair play and good faith and I rely upon my agreement with you and upon your sense of honor and justice in the matter of trust.

“ Yours truly,

(Signed) WM. LAIDLAW.”

Exhibit No. 58.

To which Mr. Rykert replied as follows :

“ ST. CATHARINES, 4th September, 1882.

DEAR LAIDLAW,—I am really surprised at your statement, that there has been any fraud committed on the part of Adams. This I entirely repudiate. You will bear in mind that you applied for something like 400 square miles, which was positively refused. My application for Adams was subsequently granted, but at the very last moment it was discovered that you had applied for a part of the same territory. I then saw McCarthy, who said that no such application would be entertained. I told him I could get it through for him and we then went together to Mr. Russell. The two limits applied for were shortened up by Mr. Russell and both of us were satisfied. You yourself stated in a letter to Adams that you were indebted to me for the Order in Council. I knew nothing of the territory ; Adams knew nothing except what he was told by others. It is rather late in the day after Adams has, at an enormous expense, made his survey, for either party to complain. Have you made any survey or have you explored the land within your limit ? I will be here to-morrow and Wednesday, when you can see me. I am too unwell to leave home.

“ Yours,

(Signed) J. C. RYKERT.

Exhibit No. 66.

On 5th September, Mr. Rykert wrote Adams as follows :

“ ST. CATHARINES, 5th September, 1882.

“ DEAR ADAMS,—Laidlaw called at my office in my absence in reference to the limits. I yesterday received a letter from him in which he suggests fraud on your





"How far this is from the truth my letter to you proves, and the enclosed rough sketch affords intrinsic evidence that no such agreement was ever made, for, according to it, we abandoned all but a narrow strip of our original application.

"We must move at once, and if you come to Toronto Tuesday night, bringing all your papers and especially my letters and Rykert's, we will prepare a petition or take such action as may be proper.

"I confess I cannot understand Mr. Russell's conduct. It is all between him, Ryley and Rykert, and time will disclose to what extent the two former are accomplices or dupes.

"Yours truly,  
(Signed) "DALTON McCARTHY.

"P.S.—Come to my house at 8 o'clock p.m."

Exhibit No. 68.

We now proceed to state all the information we have obtained as to how this came about.

On 25th July, Mr. Adams wrote Mr. Rykert as follows:—

25th July, 1882.

DEAR MR. RYKERT,—Surveyor preparing his report and it will be sent to you immediately. Hope I can sell to the C. P. R. and get rid of the limit, as I would rather have the cash, and then I could get up company for another limit.

Yours truly,  
(Signed) JOHN ADAMS.

On 1st August, Mr. Rykert replied as follows:—

ST. CATHARINES, 1st August, 1882.

MY DEAR ADAMS,—I duly received your letter to-day and hasten to reply to the same. It will be necessary, I think, that I should see the report before it goes in. You had better get the surveyor to send his report addressed to the Minister, under cover to me, and I will examine same before taking to Ottawa. It will also be necessary to send the instructions which I forwarded to you, so that I can see that they are fully complied with. It seems to me that he ought not to be paid in full until you ascertain that his report is all O.K. I hope he has done as directed. It may be necessary for me to correct them, and, therefore, I think they better be sent to me first under cover. If all right, I will take them on. I still am of the opinion that you better sell out bodily and get the cash, if they will pay you \$75,000 or \$80,000. We would then be in a position to go in for something larger, if possible. What are trees worth in the ground standing? What, also, are telegraph poles worth? That notice in the paper is pretty well got up. I guess I can see who wrote it or dictated it. Can you not get some railway man in whom you have confidence to go to VAN HORNE and tell him the Railway Company ought to purchase, and that the limit is well worth \$150,000. SOME SUCH A GAME AS THIS MIGHT TAKE WELL.

Faithfully,  
(Signed) J. C. RYKERT.

There is no necessity for you coming to Ottawa at all. I can get it all done without you. All they do is to mail a lease, as usually done. No use in wasting money travelling.

The apprehension of some trouble seems to have been before Adams on 3rd August, when he wrote Mr. Rykert as follows:—

3rd August, 1882.

DEAR RYKERT,—I am so anxious about this affair that I will leave for Ottawa next week, and will meet you in Toronto on my way. I have got a regular bonanza. Don't let them beat me out of it after all my hard work and expense in paying

thousands for survey. I was talking to McCauley about getting up a company, but Peter has not much faith in it. I think I can sell for \$80,000 or \$90,000 cash, or I might get up a company at double that amount and take half as stock.

Yours truly,  
(Signed) JOHN ADAMS.

To which Mr. Rykert on 8th August replied as follows:—

St. CATHARINES, 8th August, 1882.

MY DEAR ADAMS,—I duly received your letter yesterday. It is utterly useless for you to come here at an expense to get the matter closed up. Just as soon as I get the surveyor's report I will proceed to Ottawa and get the license as early as possible. It will likely take some time. I really hope you have the bonanza you expect you have. It will be satisfactory to know after my **HARD FIGHT WITH THE GOVERNMENT** that I did get what you anticipated. I would not go through the same difficulty again for twice the amount. I never spent such six weeks before as I did while endeavoring to force the Department to do justice. The fact of their having refused McCarthy before had a great deal to do with the delay and refusal. Poor Laidlaw. I am pleased he **DID NOT GET THE START OF THIS CHILD**. He thought he was very smart and had all the influence of the country at his back. I think another time they will recognize the fact that **J. C. R. IS NOT VERY EASILY DEFEATED AT ANYTHING**. If you can get \$80,000 you had better sell, or if you can get up a company for say \$140,000, or even less, you reserving  $\frac{1}{3}$  or  $\frac{1}{4}$  of the stock, it might be better. This would enable you to have a very considerable lot of money, and still have an interest in the result. It seems to me that while the matter is hot it would be well to do something in this way in Winnipeg. I shall wait very anxiously for the surveyor's report, so that I can get the matter satisfactorily closed up. The people here are delighted to know that you have got a good thing. What does McCarthy think of it now? He wrote me that there was nothing in it last winter

Faithfully,  
(Signed) J. C. RYKERT.

On the 19th August Mr. Rykert wrote to Adams as follows:—

St. CATHARINES, 19th August, 1882.

MY DEAR ADAMS,—I duly received the report of the surveyor last night, but unfortunately the oath was not signed by him, and I at once telegraphed you to get him to mail me another oath duly signed and sworn to before a commissioner or magistrate, with his signature. I can attach it to the report. I have been terribly disappointed at this mistake, as I intended leaving here to-day for Ottawa. This will delay me at least another week. I see by the report that there are  $37\frac{1}{2}$  miles of timber instead of 50 miles. If this is all timber, as it appears to be, you will have a grand future. Would it not be well to make an effort to get up a company, putting in the land at \$150,000. We might take stock to the amount of one-third. How would it do to give Wolf, say, \$5,000 to get up a company, or whatever you can agree upon. I read Laidlaw's letter. He thinks you are mistaken as to the limit he applied for having no timber. Now that it is well known that you have a grand limit, I think there will be no difficulty in getting up a large company. I **WANT MRS. R.'S HALF TO BRING HER IN \$50,000** if possible. I hope you got telegraph and that you have sent me the oath. It is important that the magistrate or commissioner should sign his name as well as the surveyor.

Faithfully,  
(Signed) J. C. RYKERT.

On 25th August the surveyor's report was sent into the Department by Mr. Rykert, in a letter in which he asked for the immediate preparation of the license.

On the 28th August Mr. Rykert telegraphed to Adams as follows:—

Aug. 28, 1882.

To JOHN ADAMS,—Laidlaw trying to upset arrangement. Decision end of next week.

(Sgd.) J. C. R.

And he must, therefore, have learned, in some way not divulged, that Laidlaw was objecting.

On the same day he wrote to Sir John A. Macdonald as follows:—

“28th August, 1882.

“MY DEAR SIR JOHN,—Mr. Adams has made his survey in accordance with the Order in Council at an expense of \$5,000 in cash, and I hope there will be no delay in having the license issued. Mr. Laidlaw has done nothing, has not made any survey, and now, through Mr. McCarthy, objects to Mr. Adams getting the license.

“Before the Orders in Council were issued, McCarthy and I met Mr. Russell, and we agreed upon the respective boundaries. Each party was quite satisfied. Mr. Russell will tell you that there was no mistake, no advantage taken, but everything done in good faith. It would be an outrage now to delay the license, especially after all the expense and trouble. Mr. Russell will report, I think, that I am fairly entitled to the license.

“Will you kindly give the Order at once, so that there will be no more delay. Would it not be absurd to say that after all parties agree to an Order in Council we should be allowed to protest against one or the other.

“Up to this day Laidlaw has not made his survey.

“Faithfully,  
(Signed) “J. C. RYKERT.”

On the 31st August the Deputy Minister of the Department of Interior wrote to Sir John A. Macdonald as follows:—

“DEPARTMENT OF THE INTERIOR.”

“OTTAWA, 31st August, 1882.

“Rt. Hon. Sir JOHN A. MACDONALD, K.C.B.,

“Minister of the Interior, Rivière du Loup *en bas*.

“MY DEAR SIR JOHN,—I enclose a letter from Mr. Rykert, representing Mr. Adams, respecting a timber berth near Cypress Hills, for which he had Order in Council to locate within certain limits.

“Messrs. Shortreed and Laidlaw, who were represented by Mr. Dalton McCarthy, had a like Order for similar location in an adjoining tract.

“The latter complain that the choice made by Mr. Adams is within the bounds of the original application by them, to meet which the Order in Council in their favor was passed, and affirm an official blunder in our having included in the tract within which Adams could locate, ground which formed part of their prior application.

“The matter truly stands thus: Both parties filed applications of unreasonable extent, so much beyond anything that could in rule be granted that I assumed that their conflict, on one side on which they overlapped each other, was of secondary importance, and also assumed, as acting for you, the right to deal with them by a curtailment and re-adjustment, in such wise as to do away with the overlapping.

“This action I clearly explained to Messrs. Rykert and Dalton McCarthy, at an interview which I had with them together pointing out to them that the alternative would be, under the regulations, to make them compete for that part of the ground on which they both had application. They seemed fully to understand the adjustment I proposed. So far from there being any difficulty, they proposed to act in harmony, by employing jointly, with a view to economy, a surveyor to lay out their berths.

“I submit to you that inasmuch as under the regulations they would, if each maintained his application in conflict with the other, be obliged to compete, and that in their interest, not that of the Department, an adjustment doing away with such competition was made, of which both parties were cognizant, and that the adjustment was made in good faith, without any knowledge as to location of any valuable timber (for of this I was as ignorant as I believe were the parties themselves), and

was therefore impartial, they can now have no ground for complaint, even though the hazard in the arrangement has, it would appear, turned out to be much more in favor of one than the other.

"It may be mentioned as additional ground for maintaining the course taken, that Mr. Adams has made a most costly survey, of which the returns have been filed, while the other party, the one that complains, has, so far as the Department is aware done nothing in this direction.

Exhibit No. 9.

"Respectfully yours,  
(Signed) "LINDSAY RUSSELL,  
"Deputy of the Minister of the Interior."

On the 31st August, Mr. Rykert wrote to the Deputy Minister of the Interior as follows:—

ST. CATHARINES, 31st August, 1882.

MY DEAR SIR,—Seeing by the papers that you were likely to be away for a time, I thought I might venture to ask you to endeavor to settle the Adams matter, and if possible sign the license before you left. I assume that Sir John will, without any hesitation, confirm what has been done, and order the license to be issued. You will recollect that after it was determined to give Adams his limit it was discovered that one prior, that of Laidlaw, had been applied for and refused for part of the same ground. You then asked me to see McCarthy, who told me that there was no use in applying any further—that it would not be granted. I told him I was certain it could be done. He then went with me twice to your office, and agreed upon the boundary, and told you he was perfectly satisfied. In fact, Laidlaw was so well pleased he offered to pay me for my trouble. It seems very strange that they find no fault until now. They have made no survey, have done nothing—but on account of a piece in the Winnipeg paper stating Adams had all the timber (which is not true) they make a fuss. I sent Laidlaw's letter to Sir John, which particularly states he is willing to purchase from Adams, but does not complain of any injustice being done. I hope you will stand by the Order in Council and not let any of this baby play intervene to prevent justice being done. Please telegraph me if all right.

Faithfully,

(Signed) J. C. RYKERT.

Adams would like the year for the mill to commence January, 1883.

To which the Deputy Minister of the Interior replied as follows:

Memo. attached:

Telegraph Mr. Rykert, "Your letter and my report thereon mailed to Minister. Laidlaw's will also be sent moment received."

(Sgd.) L. R.

On the 1st September, Mr. Rykert telegraphed Mr. Ryley as follows:—

ST. CATHARINES, September 1, 1882.

G. U. RYLEY,  
Department of the Interior,  
Ottawa.

Has any word been received from Sir John since Russell's report?

J. C. RYKERT.

Memo. attached. Will telegraph when Sir John's answer to report arrives.

(Signed) LINDSAY RUSSELL,  
Per G. R.

On the 2nd September, Mr. Rykert wrote to the Deputy Minister of the Interior as follows:—

ST. CATHARINES, 2nd September, 1882.

MY DEAR RUSSELL,—I herewith enclose you letter written by Laidlaw in which he states he feels indebted to me for getting his Order in Council.

In fact, he offered me an interest or a large fee if I would get the Order through. This I declined, as I felt in honor bound to assist McCarthy, who also had abandoned all idea of getting an Order at all. After mutually agreeing to the limit, as settled by you, I think it particularly mean in him charging you, or the Department with bungling. He knows he agreed to all that was done, and was very much pleased.

I also sent Sir John a letter written by Laidlaw, in which he congratulates Adams and offers to purchase his right. Adams is here waiting for his license and feels keenly the unexpected delay. I have too much faith in Sir John to believe he will hesitate a minute in adhering to the Order in Council. In fact, I do not see how he can ignore what has been done.

Faithfully,

Exhibit No 46.

(Signed) J. C. RYKERT.

On the same day he telegraphed to the Deputy Minister of Interior as follows:

ST. CATHARINES, September 2, 1882.

LINDSAY RUSSELL,

Deputy Minister of Interior, Ottawa.

Have mailed you letter of Laidlaw, in which he states he did not expect a limit, but that he has to thank me for getting the privilege.

J. C. RYKERT.

On 5th September, he wrote the Deputy Minister of Interior as follows:—

ST. CATHARINES, 5th September, 1882.

MY DEAR RUSSELL,—Adams has arrived here and informs me that he has, on the of strength the Order in Council, entered into contract for lumber and has also signed contract for putting up mills. It does seem like a farce to delay the license, especially when there is really no excuse for Laidlaw's opposition. He is trying to play a bluff game, and wrote me yesterday that he had stopped all proceedings in Ottawa. I cannot for a moment believe that Sir John will hesitate to carry out the Order in Council, especially when you know that everything was done in good faith and that all parties were satisfied. McCarthy expressed himself as delighted that I had interceded and prevailed on the Minister to issue Order in Council. I hope Sir John will not delay the matter nor wait for Mr. Laidlaw. Every moment is important for Mr. Adams. Laidlaw's letter, which I enclosed Sir John, does not insinuate fraud, but asks to have a chance to purchase. The one I mailed you certainly shows that he felt grateful for my good offices in the matter.

I feel confident that your report must have been favorable and conclusive as to the fraud, or bungling of the department.

Faithfully,

(Signed) J. C. RYKERT.

There is no harm in stating that Adams had to pay the party who originally selected this limit \$5,000 besides the subsequent cost of survey, or in all he is out \$10,700, about as much as the limit is perhaps worth.

On the 5th September, Mr. Rykert telegraphed to the Deputy Minister of Interior as follows:—

ST. CATHARINES, 5th September, 1882.

LINDSAY RUSSELL,

Deputy Minister of the Interior, Ottawa.

When will Sir John be at Ottawa? Would like copy of Laidlaw's objections; I think he is only trying to bluff.

J. C. RYKERT.

On the 7th September Mr. Rykert telegraphed to the Deputy Minister of the Interior as follows: "Sir John telegraphs as follows: 'Licenses granted by Order in Council. I can do nothing here. Adams should see Russell.' Will you have Order in Council passed immediately."

J. C. RYKERT.

On the 8th September Mr. Rykert telegraphed to the Deputy Minister of the Interior as follows :—

ST. CATHARINES, 8th September, 1882.

LINDSAY RUSSELL,  
Deputy Minister of the Interior, Ottawa.

Order in Council authorizes Department to grant license; this Sir John has apparently overlooked. Hope no more attention will be paid to Laidlaw's nonsense. He wants to levy blackmail.

J. C. RYKERT.

On the 11th September, Mr. Rykert telegraphed the Deputy Minister of the Interior as follows :—

ST. CATHARINES, 11th September, 1882.

LINDSAY RUSSELL,  
Deputy Minister of the Interior, Ottawa.

Please telegraph me as to license. Adams waiting here. What is the cause of delay? Sir John said to see you.

J. C. RYKERT.

On 13th September, Mr. Rykert telegraphed Mr. Burgess, Deputy Minister of the Interior, as follows :—

When will license for Adams be issued? Answer, Queen's Hotel.

J. C. R.

To which Mr. Burgess replied as follows :—

Matter will be submitted next meeting of the Council.

A. M. B.

On the 14th September, Mr. Rykert wrote to Adams, as follows :—

ST. CATHARINES, 14th September, 1882.

MY DEAR ADAMS,—I wanted to see you this morning, but you are always so impatient it is hard to keep you in one spot. On Saturday next I hope to have the Order passed in Council. BOWELL HAS PROMISED ME he will do all he can to put it through. It may take all the week. I will be in Toronto to-morrow, and expect to leave by train for Kingston to-morrow night. Saturday morning I will telegraph you where and when to meet me. I want to see you. I feel quite confident we are all right.

Yours,

(Signed) J. C. RYKERT.

On the 16th September, a Departmental Report recommending the issue of the license to Adams was sent in; and on the 19th September the Order in Council passed.

The license was for  $37\frac{1}{2}$  miles, altogether within the area which should have gone to Laidlaw.

On the 21st September it was forwarded to Mr. Rykert in a letter, as follows :—

DEPARTMENT OF THE INTERIOR,

OTTAWA, 21st September, 1882.

J. C. RYKERT, Esq., St. Catharines, Ont.

SIR,—I have the honor, by direction of the Minister of the Interior, to enclose license in duplicate to Mr. Adams for a timber limit near the Cypress Hills for the year 1882 for his acceptance. Please return one of them to this Department. Mr. Gouin has paid \$190, being ground rent for the same.

I have the honor to be, Sir,

Your obedient servant,

(Signed) A. RUSSELL, for Surveyor General.

As this closes the first period of the history of the transaction, it may be convenient here to state certain points which we deem worthy of observation.

(1.) The decision of the Department, as stated to Mr. McCarthy in January, was not to issue timber licenses in the locality; and to apply, in case that decision should be changed, the principle of competition under the regulations.

(2.) Shortly after it was decided, at Mr. Rykert's instance, to recommend the issue of a license to his client, Adams, and this was communicated by Mr. Macpherson to Mr. Rykert.

(3.) A little later, when it was found that there was a conflict involving under the regulations a competition, the Department promoted an arrangement for an adjustment of the boundaries so as to do away with that competition, for the reasons appearing in the Report of the Deputy Minister of the Interior, of Aug. 31st, 1882.

(4.) The area of selection granted to Adams was, as shown by the written and oral testimony, including that of Mr. Rykert, and of the then, and of the present Deputy Minister of Interior, unusually large.

(5.) No grounds for, or explanation of, the change of the decision, stated to Mr. McCarthy in January, or of the action taken for the avoidance of competition, or of the unusual size of the area appeared before us.

(6.) Mr. Rykert's letters claim that these results were due to Mr. Rykert's influence and persistence with the Government; and we find that Mr. Rykert certainly used great persistence in pressing the claims of his client on the Department and the Government.

(7.) There was a strong conflict of evidence as to the date at which the agreement made, or assumed to be made as to the boundaries, namely, that Laidlaw should have the area of selection applied for by him, and that Adams should not encroach on it, was in fact made. But we are obliged to arrive at the conclusion that it was made after the 10th April, and therefore at a time when the Departmental memorandum of a contrary tenor had already been prepared, and that Mr. Rykert was guilty of bad faith in this respect.

(8.) At any rate that agreement was not carried out, but the reverse. Adams was given that to which Laidlaw was entitled, which was the common object of application, and which turned out to be the only object of value; while Laidlaw was given something for which he had never asked, to which he had never agreed, and which turned out to be prairie and not timber land.

(9.) The applications of Mr. McCarthy and of Laidlaw, made when some inkling of the facts had reached them, and before any license had been recommended, for a stay, for an appointment, and for an opportunity to be heard before any such action, though based upon the allegations that a mistake, and later that a gross fraud, had been committed, were not merely neglected, but were treated in a way calculated to lull their apprehension that a decision might be reached without their having the opportunity they asked; and meanwhile the recommendation for the license to Adams was pushed through and his license was issued.

(10.) On and after the 3rd April, that is from a period anterior to all the difficulties narrated, Mr. Rykert (who had had, as shown by the early correspondence, from the beginning accepted the relation of a person who was to receive compensation for his services) became, by means of the agreement made by Adams with Mr. Rykert's wife, through Mr. Rykert himself, which was witnessed by, and delivered to Mr. Rykert, and which was expressed to be in consideration of his services therefor voluntarily given in the matter, substantially interested in one-half of the net profits of the expected grant; and all that was thereafter done by Mr. Rykert was done under the influence of that interest.

(11.) Mr. Rykert did not divulge, but, on the contrary, kept secret, the existence of his personal interest, and assumed to be acting still only as the solicitor of Adams.

The motive for putting the transaction in the form adopted, and for concealing the true relation of Mr. Rykert to the matter we infer to have been twofold: First, to avoid any possible impairment of the strength of his representations to the executive; and secondly, to avoid any damage to his standing as a member of Parliament



and a public man; and the existence of this second motive seems confirmed by the statement subsequently made by Mr. Rykert in his place in Parliament, to which we must later on refer.

We think it right to state the opinion that there is some evidence to shew, that Mr. Lindsay Russell, the Deputy Minister of Interior, may have been, at the time of these events, in consequence of his impaired mental vigour, incapable of fully apprehending the proceedings, and subject to the influence and initiative of others; and is not obnoxious to the charges of conscious wrong-doing and neglect to which he would under other circumstances be liable.

We now proceeded to deal with the later phases of the transaction.

On the 6th October, Mr. Rykert wrote to Adams as follows:—

ST. CATHARINES, 6th October, 1882.

MY DEAR ADAMS,—I am waiting very patiently, expecting every day to hear from you in reference to the limit. I hope you will soon be able to organize a company at the figures we mentioned, viz. \$250,000. If, however, you can get \$200,000 in cash I would be inclined to let it go, and then go in for something still better. I hope we can realize a hundred thousand each. We deserve something for the trouble we have gone to and the amount of flesh we have lost, thinking over it. It is really a wonder that I succeeded for you at all, when we consider all the opposition we had. I will leave here on receipt of telegram, if you think I can do any good. I have written Calvin Brown, of Minneapolis, to try and get up a company. He is a pretty good hand for that. Would it not be well to enquire at some of the Yankee cities, what you can get a portable saw-mill and machinery for? It might be important to have it ready to take over the C. P. R. this fall when they have built another 100 miles, as I suppose they will do this fall. It is likely they will be within fifty miles of the limit before the winter. Telegraph me if anything likely to come out of it.

Faithfully,

(Signed)

J. C. RYKERT.

On 28th November, he wrote Adams as follows:—

ST. CATHARINES, 28th November, 1882.

MY DEAR ADAMS,—It is clearly understood that Hunter was to have all over \$175,000. If he is not satisfied we cannot help that—a bargain is a bargain. I thought Mercer would reach the place by Friday last as he can go all the way to Swift Current by cars. I hope I shall hear from you this week by telegraph, and that they have closed up the matter. I cannot do any business, as I am so much annoyed about this and so anxious. I cannot be away from here on the 11th, 12th and 13th of December, as I have Court at that time.

Faithfully,

(Signed)

J. C. RYKERT.

On 12th December, he wrote Adams as follows:—

ST. CATHARINES, 12th December, 1882.

MY DEAR ADAMS,—I have been very much put out by this additional time given to the parties to purchase, and am fearful the delay will very much prejudice us in the event of their failing to carry out the agreement. I can get up a company which will run the whole affair, advance all the money we want for the working, and take one-third of the profits. This is as good as we could expect, as everybody wants one-half to run it. I can get good men on whom we can rely. Did you agree to give thirty days from the time they accept to pay the money? If so, this will put us into January. I have lost all my fall Courts through this. I had two Courts this week, and, being afraid that I might be required any day, I let all the business go, which will hurt my office very much. This will NOT BE OF MUCH ACCOUNT, HOWEVER, IF WE CAN CLOSE UP THIS MATTER. Don't let them beat you down any. If any

person has to come down, Hunter must, and not us. The securities ought to be so that they can be easily handled, and not all in one lump, as we will have to give Hunter his. Don't take me up until you know I am required.

Faithfully,  
(Signed) J. C. RYKERT.

These letters had reference to a sale of the limits which was under negotiation with one Sands, who eventually bought them for \$200,000.

On 25th December, Mr. Rykert wrote Adams as follows:—

ST. CATHARINES, 25th December, 1882.

MY DEAR ADAMS,—What is the reason that some person writes the full particulars of our business to some parties here? Mercer or some member of the family has written all the facts to Seymour, and he is telling them all about the city. This is very injudicious and contrary to what I asked you to do. It is of the utmost importance to keep the sale out of the papers, or we may be injured at Ottawa. Already they are threatening the Government to bring the matter before the House and, if they do, it will perhaps hurt us very much. If Sir John knows the facts, he may prevent the transfer being recognized. Now let me again urge you to see that this is kept quiet. Why does Mercer want to tell all the Seymour family? You might as well publish it in the *Globe* at once, as they tell all they know on the streets. Let me know as early as possible the day Sands will go up, so that I can be prepared.

It is important also to pay the next year's rent on the 1st of January.

Wishing you all a Merry Christmas.

Faithfully,  
(Signed) J. C. RYKERT.

The sale being concluded, Mr. Rykert on its completion received for his wife her share of the net proceeds in the manner indicated by the receipt following, dated 16th January, 1883:—

WINNIPEG, MAN., 16th January, 1883.

Received from John Adams thirty-five thousand dollars in cash by drafts on the Bank of Montreal, and four notes of Louis Sands for thirty-nine thousand two hundred dollars, payable in one and two years. All payable to the order of Mrs. N. M. Rykert and in full of the moneys payable to her under agreement.

(Signed) J. C. RYKERT,  
Her Attorney.

This division left to be accounted for by Mr. Adams to Mr. Rykert out of the purchase money of \$200,000 the sum of \$51,600, in respect of which Mr. Rykert says Mr. Adams accounted to him as follows:—

Paid or payable to Muckle.....	\$ 5,000
do Surveys.....	5,000
do Hunter.....	20,000
Rykert's fees (33 days absent in West at \$100 per day)...	3,300
	\$33,300

with some minor sums for travelling to Mercer Adams, and for law fees.

Thus leaving to be accounted for \$18,000 or thereabouts; in respect of which Mr. Rykert says Adams did not render, nor did Mr. Rykert ask for, any account or explanation, and the expenditure of which he never knew. Mr. Rykert said that the sum paid to Hunter was \$20,000 or \$25,000; if it were the latter, the balance unaccounted for was about \$13,000.

The payment of \$5,000 to Muckle was, in our opinion, as shown by the correspondence and evidence, substantially a bribe to induce him to betray the interests of his employers, the Canadian Pacific Railway Company.

We do not understand that we were directed to enquire into the question whether there was any fraud in the sale to Sands; and we have made no investigation into that matter; and have for the purposes of this enquiry assumed that there was no such fraud.

But it appeared to us that, in view of the subsequent correspondence as to the expenditure of money at Ottawa, it was material to ascertain the disposition of the balance of the \$200,000; and we cannot but regard the statement of Mr. Rykert on this head as highly unsatisfactory. There was submitted to us on the 2nd May, 1890, while deliberating on our Report, a declaration of Mr. Rykert (which is to be found in Appendix C, to the Evidence) to which declaration we were unable, in view of its character, of its date, and of the previous Examination of Mr. Rykert, on the subject, to give weight as affecting our conclusions.

The license was to expire in January, 1883, and difficulties arose as to its renewal.

Of these, one was to a claim set up by the Canadian Pacific Railway Company that they had statutory rights in the alternate sections; and the other was, what the Deputy Minister of Interior called, "the graver question" of the Laidlaw claim.

The latter may be disposed of by the statement of Mr. Laidlaw, that though he applied for explanation, information and redress, he did not receive the same; and after having prepared and printed a petition to Parliament, which reached the Minister's hands, desisted from prosecuting it on receiving the assurance of a Member of Parliament, unnamed, that the license would not be renewed.

The Canadian Pacific Railway claim gave rise to an animated correspondence and an active struggle as to the renewal of the license; Sands asking that he should be protected; Adams recognising his right to protection; and Mr. Rykert acknowledging the importance of effecting some settlement and strenuously exerting himself to procure the renewal of the license.

In the course of this struggle a large part of the correspondence referred to us, together with further correspondence to be found in Appendix A to the Evidence, took place.

In the end the matter was arranged by the purchase of the fee simple of the alternate sections from the Canadian Pacific Railway Company by Sands.

In the course of the correspondence above referred to there are several passages which have formed the subject of enquiry.

For example, Mr. Rykert to Adams, 28th January, 1883: "I have to go to Ottawa to-night to fight the matter out, which I do not like. I mean to have all the hardest part of it to do. I have Bowell working for me. And if we succeed in beating the Railway, we will have to pay the amount we agreed to pay as you recollect when we two were at the Queen's Hotel..... I am engaging all I can to assist me at Ottawa and we will have to pay them well for it as we cannot afford to lose this."

Mr. Rykert to Adams, 12th February, 1883: "I have not yet succeeded in doing anything; but I am pulling wires in all directions. John A.'s son from Winnipeg, McArthur's partner, is here, and I intend employing him to go for his father. I think if you had young Tupper here, and paid him pretty well it would help us materially. The Canadian Pacific Railway has a great hold on the government and we must counteract this in some way.....If it costs all we spoke of, we had better do it than let it go."

Mr. Rykert to Adams, 5th March, 1883:—

"I have not yet succeeded in getting anything done in the limit matter. I have brought Macdonald and Tupper from Winnipeg and hope they will be able to induce their fathers to act promptly in the matter. Will make an effort this week, and must do something if we have to let a note apiece go."

Mr. Rykert to Adams, 8th March, 1883:—

"I find difficulties surrounding us in every way in reference to the limit, and I find that the C. P. R. have certain Ministers working for them. I am afraid it will cost us \$6,000 or \$7,000 to get this made all right. I have six or seven at work for me, and have agreed to pay them well if they succeed. Muckle was here and told me the limit is all within the belt. I want to be satisfied that you are sure I am

“doing what is right, and also that you will back me out in all that I do in the way of payment. Of course if you do not want me to fight the thing through let me know and I will drop it right away. Even if we lost the amount I have mentioned, we had better do so than lose all, as we surely will if we let the rascals have their own way. I think they have Muckle here for that very purpose.”

Mr. Rykert to Adams, 28th March, 1883:—

“I am having a hard time with the limit matter. It will cost us each at least \$5,500 to get this through. I have laid my ropes so that I expect to have it settled in a few days. I have a dozen at work for us. You must be prepared to pay the amount of your share at any time, as it will have to be all cash.....I had Tupper and Macdonald brought from Winnipeg, and they have been working hard for me.”

Mr. Rykert to Mercer Adams, 2nd July, 1883:—

“.....Of course I will not use any money unless I succeed here; that you can rely on.”

Mr. Rykert repeated his denial made in his place in the House that any of the expressions contained in any of his letters were intended to mean that he had made or contemplated making corrupt arrangements with any Minister, either directly, or through any relative of Ministers, or otherwise; and he endeavored to explain all the expressions by referring them in part to an understanding between him and Adams, that in case on the purchase from the Canadian Pacific Railway Company, the price should be in excess of what Sands was willing to pay, he and Adams should contribute the excess; and in part to contemplated payments to lawyers for legal fees; and in part to a contemplated payment to Muckle for continued services of the same corrupt character as those which we have before characterized as a bribe.

Mr. Rykert stated that he was unable to remember the names of the numerous persons whom he referred to as having engaged to work for him at Ottawa, save the said Muckle and one J. T. Kerby; he stated that he had not, in fact, made any payments to any one for any purpose whatever; and that he had not demanded or received from Adams any sum for any such purpose, or any sum whatever, save his own fees, amounting to \$3,300.

Mr. Adams is dead; and we had not before us any further evidence on this branch, save that of the Ministers who might be supposed to have been implicated, who repudiated all corrupt advances.

We find that in fact no corrupt advances were made by Mr. Rykert to any Minister, either directly, or through any relatives, or otherwise; and that his letters are in this particular untrue; and we find that the relations of Ministers mentioned were not offered, did not ask for, and did not receive any money in respect of this matter.

But we are unable to adopt Mr. Rykert's explanation of these letters.

So far as the arrangement with Muckle is concerned it was of a corrupt nature, being designed to induce him to betray the interest of his employers, the Canadian Pacific Railway Company.

If (apart from the case of Muckle) we accept Mr. Rykert's statement that there were in fact no corrupt or improper arrangements made with any of the unnamed parties of whom he speaks in his letter, and whose names he says he cannot recollect, we are yet of opinion that the letters clearly show either the existence in Mr. Rykert's mind, or a false representation from him to Adams, of plans, intentions and arrangements to make improper and corrupt payments to Ministers, their relatives, and others in connection with the struggle in which he was engaged; and that they are, whether true or false, or partly true and partly false, highly reprehensible.

We have now to deal only with one remaining phase of the matter:

On the 2nd day of May, 1883, Mr. Rykert, in his place in the House, was challenged on the subject of his connection with this limit, when he made a statement, of which the proceedings are as reported in the Official Debates, and read in the House and appearing in the Votes, at page 289:

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“Mr. Charlton, the then and present Member for North Norfolk, did in his place ask: ‘If Mr. Rykert did not negotiate the transaction in connection with the timber limits in the Cypress Hills, and if he did not, as agent for other parties, get a timber limit there at \$5 a square mile, and sell it at \$2,000 a square mile, and if he did not get such limit on behalf of one Adams, and if he did not go to Winnipeg in person and sell it to Louis Sands, of Michigan, for \$200,000, of which \$90,000 was paid in cash, one-third of which Mr. Rykert put in his pocket?’ In reply to which questions Mr. Rykert made the following statement from his place in the House:—

“‘The hon. gentleman has asked me several questions, and I propose now to answer them. I neither directly nor indirectly drew the money he spoke of, nor put any sum in my pocket, except professional fees and professional fees only. I deny that I negotiated any timber lease for Mr. Adams, or any other person. On the contrary, Mr. Adams had his own agents to negotiate for him; he made his own bargain, and I had nothing to do with it, and did not pocket the money the hon. gentleman has spoken of. On the contrary, I advised Mr. Adams not to dispose of the limit, but to work it. The hon. gentleman on several occasions has made remarks outside of the House to the same effect, and I am glad now to have an opportunity to give it an emphatic denial.’”

Mr. Rykert when asked, gave to the Committee, as his only explanation of this statement, that he had “no other interest in the limit except what may be interpreted as the interest his wife had.”

We cannot accept this explanation.

We have already expressed the opinion that Mr. Rykert was, and felt that he was, pecuniarily interested in the limit in respect of the half nominally in his wife's name.

The whole circumstances of the case show this; and the following extracts from the correspondence corroborate it:

Mr. Rykert to Adams, 8th April:

“..... *We* have twenty miles by twenty which is equal to 400 square miles.....  
“If I could only see McCarthy, *we* would have no difficulty at all.”

Rykert to Adams, 10th April:

“You will see they *give us* 400 square miles to choose from..... They give us six “months.”

Rykert to Adams, 11th April:

“..... *We* are awfully lucky, as the Deputy told me that no other man could “have forced them to yield.”

Rykert to Adams, 24th April:

“You ought to get up a company if possible and sell half for say \$35,000, or the “whole for \$70,000. *If this is done, I will go for something else.*”

Rykert to Adams, 10th May:

“You must tell the surveyor to examine the whole limit and *after picking out “the best for us, let him pick out another so that I can put in another application if “there is enough timber.*”

Rykert to Adams, 24th July:

“If as good as you say the C.P.R. can *give us at least \$60,000 and expenses.....* It is important to realise the cash, when *we can look out for more.*”

Rykert to Adams, 1st August:

“I am still of the opinion that you had better sell out bodily and get the cash, if they will pay you \$75,000 or \$80,000. *We would then be in a position to go in for something larger if possible.*”

Mr. Rykert to Adams, 19th August:

“Would it not be well to make an effort to get up a Company putting in the land at \$150,000? *We might take stock to the amount of one-third..... I want Mrs. Rykert's half to bring her in \$50,000 if possible.*”

Rykert to Adams, 6th October :

" I hope you will soon be able to organise a Company at the figures we mentioned, namely \$250,000.

" If, however, you can get \$200,000 in cash, I would be inclined to let it go and then go in for something still better. We deserve something for the trouble we have gone to, and the amount of flesh we have lost thinking over it."

Rykert to Adams, 28th November :

" It is clearly understood that Hunter was to have all over \$175,000. If he is not satisfied we cannot help that ; a bargain is a bargain ; I cannot do any business as I am so much annoyed about this and so anxious."

Rykert to Adams, 12th December :

" I have been very much put out by the additional time given to the parties to purchase and am fearful the delay will very much prejudice us in the event of their failing to carry out the agreement. I can get up a Company which will run the whole affair, advance all the money we want for the.....and take one-third of the profits. This is as good as we could expect.....I can get good men on whom we can rely..... I have lost all my fall courts through this. I had two Courts this week and being afraid that I might be required any day, I let all the business go, which will hurt my Office very much. This will not be of much account however, if we can close up the matter. Do not let them beat you down any. If any person has to come down Hunter must and not us. The securities ought to be so that they can be easily handled and not all in one lump, as we will have to give Hunter his."

Rykert to Adams, 25th December :

" What is the reason that some person writes the full particulars of our business to some parties here ?.....It is of the utmost importance to keep the sale out of the papers or we may be injured at Ottawa. Already they are threatening the Government to bring the matter before the House, and if they do it will, perhaps, hurt us very much."

Rykert to Adams, 28th January, 1883 :

" If we succeed in beating the Railway, we will have to pay the amount we agreed to pay."

Rykert to Adams, 12th February :

" If it costs all we spoke of, we had better do it than lose all."

Rykert to Adams, 5th March :

" We must do something if we have to let a note apiece go."

Rykert to Adams, 8th March :

" I am afraid it will cost us \$6,000 or \$7,000 to get this matter made all right..... Even if we lost the amount I have mentioned, we had better do so than lose all, as we surely will if we let the rascals have their own way.".....

We are, therefore, of the opinion that the statement made by Mr. Rykert in his place in the House was untrue, and was designed to mislead the House.

Summing up our view of the whole affair we are of opinion that having regard to Mr. Rykert's conduct and representations in respect to the matters on which we have above reported, Mr. Rykert's course has been discreditable, corrupt and scandalous.

D. GIROUARD,

Chairman.

OTTAWA, 5th May, 1890.

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# SELECT STANDING COMMITTEE

ON

## PRIVILEGES AND ELECTIONS.

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ORDER OF REFERENCE AND MINUTES OF PROCEEDINGS.

WEDNESDAY, 22nd January, 1890.

*Ordered, That Messieurs—*

Amyot,	Edgar,	McDonald ( <i>Victoria</i> ),
Barron,	Girouard,	McIntyre,
Beausoleil,	Hall,	Mills ( <i>Bothwell</i> ),
Blake,	Hudspeth,	Moncrieff,
Bryson,	Ives,	Mulock,
Caron (Sir A. P.),	Kirkpatrick,	Patterson ( <i>Essex</i> ),
Casgrain,	Landry,	Préfontaine,
Chapleau,	Langelier ( <i>Montmorency</i> ),	Prior,
Colby,	Langelier ( <i>Quebec</i> ),	Riopel,
Costigan,	Langevin (Sir Hector),	Temple,
Curran,	Laurier,	Thompson (Sir John),
Davies,	Lister,	Tupper,
Desaulniers,	Macdonald (Sir John),	Weldon ( <i>Albert</i> ), and
Desjardins,	Mackenzie,	Weldon ( <i>St. John</i> ),
Dickey,	McCarthy,	

do compose the said Committee on Privileges and Elections.

*Attest,*

J. G. BOURINOT,

*Clerk of the House,*

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MONDAY, 17th March, 1890.

*Ordered, That the attention of the House having been called to certain documents, letters and statements, published during the present Session in the Votes and Proceedings of this House, under the dates of the 14th February, the 18th February, and the 10th March, relating to the connection of John Charles Rykert, Esquire, member for the County of Lincoln and Niagara, with a grant of certain timber limits in the North-West Territories, all the questions involved in the said papers be referred to the Select Standing Committee on Privileges and Elections, and that they be directed to inquire into all the facts and merits of the case, and into the conduct of the said John Charles Rykert in relation thereto, and to report the result of their inquiries at the earliest practicable moment, and that the said Committee have power to examine witnesses on oath or affirmation where affirmation is allowed by law.*

FRIDAY, 18th March, 1890.

*Ordered, That the said Committee obtain leave to employ a shorthand writer to take down such evidence as the Committee may deem necessary.*

*Attest,*

J. G. BOURINOT,

*Clerk of the House.*

## MINUTES OF PROCEEDINGS.

WEDNESDAY, 19th March, 1890.

The Committee met.

PRESENT :

*Messieurs :*

Amyot,	Ives,	Mulock,
Barron,	Langelier ( <i>Quebec</i> ),	Riopel,
Blake,	Langevin (Sir Hector)	Temple,
Davies,	Laurier,	Thompson (Sir John),
Desjardins,	McDonald ( <i>Victoria</i> ),	Weldon ( <i>Albert</i> ), and
Edgar,	Mills ( <i>Bothwell</i> ),	Weldon ( <i>St. John</i> ).
Girouard,	Moncrieff,	

The Committee being called to order it was

Moved by Sir Hector L. Langevin, seconded by Sir John Thompson, That Mr. Girouard be Chairman of this Committee during the present Session of Parliament, which question being put by the Clerk, it was agreed to, and accordingly Mr. Girouard took the chair.

The Order of Reference was read by the Clerk.

The Chairman informed the Committee that Mr. Payne was in attendance as shorthand writer, in accordance with an Order of the House.

Moved by Sir Hector Langevin, seconded by Sir John Thompson, That all the Papers, Letters and Documents, referred to in the Order of Reference, be served on Mr. Rykert, and that he be summoned to appear before this Committee with any witnesses and Papers that he may desire to bring before the Committee, on Friday, the 21st March instant, at 11 o'clock a. m.—Carried.

On motion of Sir John Thompson, it was

*Resolved*, That Mr. Rykert be heard before the Committee by counsel.

Moved by Mr. Ives, That the Chairman do ask the House for leave to have the Letters, Papers and Documents referred to in the Order of Reference, reprinted in Pamphlet Form, for the use of the members of the Committee.—Carried.

Adjourned to Friday next, at 11 o'clock a. m.

D. GIROUARD,  
*Chairman.*

FRIDAY, 21st March, 1890.

The Committee met at 11 o'clock, a. m.

PRESENT :

*Messieurs*, GIROUARD, *Chairman.*

Amyot,	Desjardins,	Macdonald (Sir John),
Barron,	Dickey,	McDonald ( <i>Victoria</i> ),
Blake,	Ives,	Mills ( <i>Bothwell</i> ),
Bryson,	Kirkpatrick,	Mulock,
Caron (Sir A. P.)	Landry,	Prior,
Casgrain,	Langelier ( <i>Montmorency</i> ),	Riopel,
Chapleau,	Langelier ( <i>Quebec</i> ),	Temple,
Colby,	Langevin (Sir H. L.),	Thompson (Sir John),
Davies,	Laurier,	Weldon ( <i>Albert</i> ) and
Desaulniers,	Lister,	Weldon ( <i>St. John</i> ).

The Chairman stated, that in regard to the *reprinting*, in pamphlet form, of the Letters and Documents referred to the Committee, it had been found on enquiry that the type had been distributed, and as the cost of reprinting would be very con-



siderable it was thought better not to incur it; but as there was a large number of the Votes and Proceedings of the 14th and 18th February on hand, the clerk had had the letters and papers in the Votes and Proceedings of the 10th March (about 4 pages) reprinted, and had made a complete pamphlet by having the three parts stitched together, eliminating any irrelevant matter.

Mr. Ives suggested that some form of procedure should be adopted.

Sir John Thompson moved: That inasmuch as the correspondence, documents and proceedings which have been referred to this Committee, have caused the conduct of John Charles Rykert, Esq., member for Lincoln and Niagara, in the premises to be questioned, as having been discreditable, corrupt and scandalous;

And inasmuch as Mr. Rykert stated in his place in the House of Commons that "there are circumstances connected with the transaction which have not yet been brought to light, and which ought to be investigated by a Committee, and asked the House to refer the question to this Committee, and stated further "that there is evidence to be produced, which," he thought, "would justify" him "in saying "that" his "whole course throughout the transaction was strictly honorable," and stated further that he had "letters and evidence of importance to place before the "House," and asked an "opportunity of defending" himself "before a Committee;"

The Committee orders and directs that Mr. Rykert be now heard in relation to the said charge, that his conduct has been discreditable, corrupt and scandalous, and that he be so heard by himself, or by counsel, and that any witnesses whom he may desire to produce be also heard, and that any documents relevant to the subject, which he may desire to submit, be received, and that all testimony adduced be taken under oath.—Carried.

Hon. Mr. McDougall, Q. C., appeared as counsel for Mr. Rykert.

Right Hon. Sir John A. Macdonald being sworn, was examined by Mr. McDougall.

During his examination the following Letters were produced and fyled:

Exhibit No. 1, Letter (20th July, 1883) from Sir John A. Macdonald to Mr. Rykert.

Exhibit No. 2, Letter (5th April, 1883) from Mr. Rykert to Sir John A. Macdonald.

Exhibit No. 3, Letter (14th April, 1883) from Mr. Rykert to Sir John A. Macdonald.

Hon. Mackenzie Bowell being sworn, was examined by Mr. McDougall.

During his examination the following telegrams were produced and fyled:

Exhibit No. 4, Telegram (4th Sept., 1882) from Mr. Bowell to J. C. Rykert.

do No. 5 do (10th Sept., 1882) do do

do No. 6 do (13th June, 1883) do do

Mr. Rykert requested that the following witnesses be summoned:—

Mr. Lindsay Russell, of Kingston, Ont.

Mr. A. M. Burgess, Deputy Minister of the Interior, Ottawa.

Mr. G. U. Ryley, Clerk, Department of Interior do

Mr. James A. Gouin, Postmaster, Ottawa.

Mr. James A. McMahon, of St. Catharines, Ont.

Sir David L. Macpherson, Senator, of Toronto, Ont.,

which was agreed to.

*Resolved*, That the Chairman do move in the House that a message be sent to the Senate, requesting that their Honours will be pleased to grant leave to Sir David L. Macpherson, one of their members, to appear before this Committee and give evidence.

Moved by Mr. Ives, seconded by Mr. Blake, That the Chairman do ask leave of the House to have the evidence printed from day to day for use of members of the Committee, and also all papers and documents which Mr. Rykert may fyle with the Chairman for that purpose.—Carried.

The Committee then adjourned until Thursday next, the 27th March, at 10 a.m.  
D. GIROUARD, *Chairman*.

THURSDAY, 27th March, 1890.

10 a.m. The House being still in Session (since 3 o'clock in the afternoon of the 26th instant) the Committee did not meet.

All the witnesses summoned for this day being in attendance were notified to be in attendance before the Committee to-morrow, the 28th instant, at 10 o'clock a.m. The Chairman being absent, the clerk was directed by Sir Hector L. Langevin to notify the members of the Committee to meet in the Railway Committee Room on Friday, the 28th instant, at 10 o'clock a.m.

D. GIROUARD,  
*Chairman.*

FRIDAY, 28th March, 1890.

The Committee met at 10 o'clock a.m.

PRESENT:

*Messieurs, GIROUARD, Chairman.*

Barron,	Ives,	Moncrieff,
Blake,	Kirkpatrick,	Mulock,
Bryson,	Landry,	Préfontaine,
Caron (Sir A. P.),	Langelier ( <i>Quebec</i> ),	Riopel,
Casgrain,	Langevin (Sir H. L.)	Thompson (Sir John),
Costigan,	Laurier,	Tupper,
Desaulniers,	Macdonald (Sir John),	Weldon ( <i>Albert</i> ), and
Desjardins,	McDonald ( <i>Victoria</i> ),	Weldon ( <i>St. John</i> ).
Dickey,	Mills ( <i>Bothwell</i> ),	

The investigation into the connection of J. C. Rykert, Esq., M.P., with the grant of certain Timber Limits in the North-West Territories was resumed.

Sir David L. Macpherson, K.C.M.G., being sworn, was examined by Mr. McDougall, and also by members of the Committee. During his examination the following letters were produced and filed:

Exhibit No. 7, Letter (21st April, 1883) from J. C. Rykert to Hon. D. L. Macpherson.

Exhibit No. 8, Letter (21st April, 1883,) from D. L. Macpherson to J. C. Rykert.

Mr. Lindsay Russell, late Deputy Minister of the Interior being sworn was examined by Mr. McDougall and by members of the Committee.

Mr. A. M. Burgess, Deputy Minister of the Interior being sworn was examined by Mr. McDougall; during his examination the following letters were produced and filed:—

Exhibit No. 9, Letter (31st August, 1882,) (Report) from L. Russell to Sir J. A. Macdonald.

Exhibit No. 10, Letter (28th August, 1882,) from J. C. Rykert to Sir J. A. Macdonald.

Mr. James A. Gouin, Postmaster, Ottawa, being sworn was examined by Mr. McDougall; during his examination the following telegrams were produced and filed:—

Exhibit No. 11, from J. A. Gouin to J. C. Rykert, 20th Sept., 1882.

do	12	do	do	25th Jan., 1883.
do	13	do	do	26th do
do	14	do	do	27th do

Mr. Blake suggested that the file of Letters and Papers produced by the Deputy Minister of the Interior be deposited with the Committee so that members may have

an opportunity of examining the same; and that the Chairman be authorized to select from it and have printed such of the Papers as he may deem advisable; which was agreed to.

The Committee then adjourned to Tuesday next the 1st April at 10 o'clock a.m.

D. GIROUARD,  
*Chairman.*

TUESDAY, 1st April, 1890.

The Committee met at 10 o'clock a.m.

PRESENT :

*Messieurs*, GIROUARD, *Chairman.*

Barron,	Dickey,	McIntyre,
Blake,	Ives,	Mills ( <i>Bothwell</i> ),
Bryson,	Kirkpatrick,	Moncrieff,
Caron (Sir A. P.),	Landry,	Mulock,
Casgrain,	Langelier ( <i>Quebec</i> ),	Riopel,
Chapleau,	Langevin (Sir H. L.),	Temple,
Costigan,	Laurier,	Thompson (Sir John),
Curran,	Lister,	Tupper,
Davies,	Macdonald (Sir John),	Weldon ( <i>Albert</i> ),
Desaulniers,	McDonald ( <i>Victoria</i> ),	Weldon ( <i>St. John</i> ).
Desjardins,		

Mr. McDougall stated that Mr. Rykert was prepared to give his evidence.

Mr. Rykert was then sworn by the Chairman and made a long statement, during and after which he was questioned by members of the Committee.

During the giving of his evidence the following letters were produced and fyled :

Exhibit No. 15, Letter from D. L. Macpherson to Rykert, 2nd March, 1882.

do	16	do	John Adams to Rykert, 10th July, 1882.
do	17	do	J. C. Rykert to Sir John Macdonald, February, 1883.
do	18	do	do L. Russell, 3rd February, 1883.
do	19	do	do John Adams, 3rd February, 1883.
do	20	do	do do 5th February, 1883.
do	21	do	do do 8th February, 1883.
do	22	do	J. Adams to J. C. Rykert, 7th February, 1883.
do	23	do	J. C. Rykert to J. Adams, 10th February, 1883.
do	24	do	J. Adams to J. C. Rykert, 11th February, 1883.
do	25	do	do do 16th February, 1883.
do	26	do	do do 19th February, 1883.
do	27	do	J. C. Rykert to J. Adams, 23rd February, 1883.
do	28	do	J. Adams to J. C. Rykert, 9th March, 1883.
do	29	do	do do 13th March, 1883.
do	30	do	Laidlaw to J. Adams, 24th May, 1883.

Mr. Rykert also submitted a copy of an address which he had issued to the electors of Lincoln and Niagara bearing upon the subject under consideration, which was ordered to be printed for the use of the Committee. (*See Appendix B. to Evidence*).

Mr. McDougall being asked whether he desired to address the Committee, requested to be allowed to do so at their next meeting, which was agreed to. The Committee then adjourned to the call of the Chair.

D. GIROUARD,  
*Chairman.*

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THURSDAY, 10th April, 1890.

The Committee met at 10:30 o'clock a. m.

PRESENT :

*Messieurs, GIROUARD, Chairman.*

Barron,	Desaulniers,	Macdonald (Sir John),
Blake,	Desjardins,	McDonald ( <i>Victoria</i> ),
Caron (Sir A.P.),	Dickey,	Mills ( <i>Bothwell</i> ),
Casgrain,	Ives,	Mulock,
Chapleau,	Kirkpatrick,	Patterson ( <i>Essex</i> ),
Colby,	Langlier ( <i>Montmorency</i> ),	Riopel,
Costigan,	Langelier ( <i>Quebec</i> ),	Thompson (Sir John),
Curran,	Langevin, (Sir H.L.),	Weldon ( <i>Albert</i> ).
Davies,	Laurier,	

Hon. Wm. McDougall, Q.C., counsel for Mr. Rykert addressed the Committee on behalf of his client.

The question being raised as to whether the argument of counsel should be taken down by the official stenographer, and the question being put it was decided in the negative (as being contrary to precedent).

On conclusion of the argument the Committee, on motion of Sir John Thompson adjourned to Wednesday, 16th inst., at 10:30 o'clock a. m.

D. GIROUARD,  
*Chairman.*

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WEDNESDAY, 16th April, 1890.

The Committee met at 10.30 o'clock a.m.

PRESENT :

*Messieurs, GIROUARD, Chairman.*

Amyot,	Desjardins,	McCarthy,
Barron,	Dickey,	McDonald ( <i>Victoria</i> )
Blake,	Edgar,	McIntyre,
Bryson,	Hall,	Mills ( <i>Bothwell</i> ),
Caron (Sir A. P.),	Hudspeth,	Moncrieff,
Casgrain,	Ives,	Mulock,
Chapleau,	Kirkpatrick,	Patterson ( <i>Essex</i> ),
Colby,	Langlier ( <i>Quebec</i> ),	Riopel,
Costigan,	Langevin (Sir H. L.),	Temple,
Curran,	Laurier,	Thompson (Sir John),
Davies,	Lister,	Weldon ( <i>Albert</i> ).
Desaulniers,	Macdonald (Sir John),	

The question being put whether the Committee should now proceed to consider a form of Report :

Mr. Dalton McCarthy asked for leave to make a statement, as his name had appeared in connection with this matter; he said that he was ready to be sworn and also to be examined if necessary.

Mr. McCarthy was then sworn, and made a statement explanatory of his connection with an application in 1882 for a timber license in the North-West Territories. He was afterwards examined by several members of the Committee.

During the taking of his evidence the following letters and papers were produced and fyled :—

Exhibit No. 31, Letter from Department of Interior to D. McCarthy, 25th January, 1882.

Exhibit No. 32,	Letter from D. McCarthy to Wm. Laidlaw,	11th April, 1882.
do 33	do Wm. Laidlaw to D. McCarthy,	15th April, 1882.
do 34	do D. McCarthy to Wm. Laidlaw,	19th April, 1882.
do 35	do Wm. Laidlaw to D. McCarthy,	21st April, 1882.
do 36	do D. McCarthy to Wm. Laidlaw,	22nd April, 1882.
do 37,	Telegram from L. Russell to D. McCarthy,	2nd August, 1882.
do 38,	Letter from D. McCarthy to Shortreed & Laidlaw,	30th Jan., 1882.
do 39	do D. McCarthy to Sir John Macdonald,	8th Jan., 1882.
do 40,	Application of Shortreed & Laidlaw.	
do 41,	Memo. to Council thereon,	22nd April, 1882.
do 42,	Instructions to a qualified D. L. Surveyor,	10th May, 1882.
do 43,	Letter from Horace Thorne to L. Russell,	13th June, 1882.
do 44,	Mr. Kinloch's report thereon.	
do 45,	Letter from C. W. Allen to Deputy Minister,	5th August, 1882.
do 46	do J. C. Rykert to L. Russell,	2nd September, 1882.
do 47	do Wm. Laidlaw to do	25th January, 1883.
do 48	do do	John Adams, 24th May, 1882.

Subsequent to Mr. McCarthy's statement Mr. Blake moved, That the Deputy Minister of the Interior be requested to attend with the file of the Shortreed & Laidlaw papers, and that Mr. McCarthy and Mr. Laidlaw be now heard as witnesses. —Carried.

Mr. Wm. Laidlaw, Q.C., Toronto, was sworn, and made an explanation in regard to the telegram of Mr. Rykert to Mr. L. Russell of 8th September, 1882, accusing him of levying blackmail. He was also examined by members of the Committee.

During his examination the following letters were produced and fyled:—

Exhibit No. 49,	Letter from J. C. Rykert to Wm. Laidlaw,	25th April, 1882.
do 50	do do do	7th April, 1882.
do 51	do Wm. Laidlaw to J. C. Rykert,	19th April, 1882.

At this sitting of the Committee, the official stenographers not being present, Mr. F. A. Acland was sworn to take down the evidence.

The Committee adjourned to Tuesday next at 10.30 o'clock a.m.

D. GIROUARD,  
*Chairman.*

TUESDAY, 22nd April, 1890.

The Committee met at 10.30 o'clock a.m.

PRESENT:

*Messieurs, GIROUARD, Chairman.*

Barron,	Ives,	Mills ( <i>Bothwell</i> ),
Blake,	Kirkpatrick,	Moncrieff,
Caron (Sir A. P.),	Langevin (Sir H. L.),	Mulock,
Casgrain,	Laurier,	Patterson ( <i>Essex</i> ),
Chapleau,	Lister,	Prior,
Curran,	Macdonald (Sir John),	Temple,
Davies,	McDonald ( <i>Victoria</i> ),	Thompson (Sir John),
Dickey,	McCarthy,	Weldon ( <i>Albert</i> ),
Hall,	McIntyre,	Weldon ( <i>St. John</i> ).

Mr. A. M. Burgess, Deputy Minister of the Interior, was re-called and further examined.

He submitted a plan (in tracing paper, marked A), showing tracts of land applied for by both Mr. John Adams and Messrs. Shortreed and Laidlaw, also the tracts of land in which each was allowed to select a timber berth, and the berth selected by Mr. Adams.

During his examination the following papers were produced and fyled :

Exhibit No. 52, copy of Adams' application.

do 53, Memorandum dated 16th September, 1882.

Mr. G. U. Ryley, Clerk of Timber and Mines, Department of the Interior, was sworn and examined :

Exhibit 54, copy of plan taken from printed petition of Shortreed and Laidlaw to House of Commons, and showing manner in which applications conflicted, produced and fyled.

Arthur O. Wheeler, Clerk, Department of Interior, was sworn and examined.

Mr. Rykert having a further statement to make asked if the Committee would now adjourn till to-morrow, which was agreed to.

Committee accordingly adjourned till to-morrow at 10.30 o'clock a.m.

D. GIROUARD,  
*Chairman.*

WEDNESDAY, 23rd April, 1890.

The Committee met at 10:30 o'clock a. m.

PRESENT :

*Messieurs*, GIROUARD, *Chairman.*

Amyot,	Desaulniers,	McDonald ( <i>Victoria</i> ),
Barron,	Dickey,	McIntyre,
Beausoleil,	Hall,	Mills ( <i>Bothwell</i> ),
Blake,	Ives,	Monterieff,
Bryson,	Kirkpatrick,	Mulock,
Casgrain,	Langelier ( <i>Montmorency</i> ),	Riopel,
Chapleau,	Langelier ( <i>Quebec</i> ),	Temple,
Costigan,	Langevin, (Sir H. L.)	Thompson (Sir John), and
Curran,	Lister,	Weldon ( <i>Albert</i> ).
Davies,	McCarthy,	

Mr. G. U. Ryley, Department of the Interior, was recalled and further examined :

He produced a map (marked B) with field-notes (marked BB) showing the place at which the trail crossed the 4th Principal Meridian ; also a map (marked C) of part of the North West Territories, dated 31st December, 1878 ; a copy of which had been in use in the Department, prior to the date when the map marked "B" had been used ; it was from this map that the sketch produced by Mr. McCarthy, (Exhibit No. 54) had been taken.

Mr. Rykert asked for leave to make a further statement, which was agreed to.

He then made his statement, during which he produced the following Letters and Papers, which were fyled :

Exhibit No. 55,	Letter from Wm. Laidlaw to J. C. Rykert,	26th April, 1882.
do 56	do Rykert to Adams,	18th April, 1882.
do 57	do Wm. Laidlaw to Adams,	4th August, 1882.
do 58	do do Rykert,	2nd September, 1882.
do 59	do Rykert to Adams,	5th September, 1882.
do 60	do do	7th September, 1882.
do 61,	Petition to House of Commons, of Shortreed and Laidlaw.	

Mr. G. U. Ryley was again recalled and further examined.

Mr. McCarthy made a further statement as to the date of the interview of Mr. Rykert and himself with Mr. Lindsay Russell.

Mr. Wm. Laidlaw, Q. C., was recalled and examined.

Mr. G. U. Ryley was again recalled and examined.

Mr. Wm. Laidlaw was again recalled and examined.

At 11 o'clock Mr. Girouard asked permission to leave the chair to attend another Committee, which was agreed to. At his request, Mr. Weldon (*Albert*) took the chair *pro tem*.

Mr. McCarthy produced the following Letters, which were fyled :

Exhibit No. 62,	Letter from Rykert to Laidlaw,	11th April, 1882.
do 63	do C. W. Allen to Laidlaw,	5th August, 1882.
do 64	do D. McCarthy to do	12th August, 1882.
do 65	do do do	4th September, 1882.
do 66	do Rykert to do	4th September, 1882.

The question being put as to whether there were any other witnesses to be examined : Mr. McDougall, on behalf of Mr. Rykert, said that he had no other witness to call; Sir John Thompson said he did not know of any other witnesses to be examined.

The Chairman then declared the case closed.

Sir John Thompson moved that the Committee do meet to-morrow, Thursday, at 11 o'clock a. m., for the purpose of considering and drawing up a Report to the House, which was agreed to.

The Committee then adjourned to to-morrow at 11 o'clock a. m.

D. GIROUARD,  
*Chairman.*

THURSDAY, 24th April, 1890

The Committee met at 11 o'clock a. m.

PRESENT :

*Messieurs, GIROUARD, Chairman.*

Amyot,	Desaulniers,	Mills ( <i>Bothwell</i> ),
Barron,	Desjardins,	Moncrieff,
Blake,	Dickey,	Mulock,
Bryson,	Hall,	Patterson ( <i>Essex</i> ),
Caron (Sir A. P.),	Kirkpatrick,	Prior,
Casgrain,	Langelier ( <i>Montmorency</i> ),	Riopel,
Chapleau,	Langelier ( <i>Quebec</i> ),	Temple,
Colby,	Langevin (Sir H. L.),	Thompson (Sir John),
Curran,	McDonald ( <i>Victoria</i> ),	Weldon ( <i>Albert</i> ).
Davies,	McIntyre,	

The Chairman stated that, as the Committee had met for the purpose of deliberating on the form of Report to be submitted to the House, he must request all strangers to withdraw from the room.

The room was cleared accordingly.

Sir John Thompson submitted a draft form of Report, which he moved be adopted as the Report of the Committee on the first branch of the enquiry. He also submitted another draft as the proposed Report of the Committee on the second branch of the enquiry.

And a debate arising thereon :

The debate was, on motion of Sir Hector L. Langevin, adjourned.

The Committee then adjourned to Tuesday at 11 o'clock a. m.

D. GIROUARD,  
*Chairman.*

TUESDAY, 29th April, 1890.

The Committee met at 11 o'clock o'clock a. m.

PRESENT :

*Messieurs*, GIROUARD, *Chairman*,

Amyot,	Desaulniers,	McDonald ( <i>Victoria</i> ),
Barron,	Desjardins,	McIntyre,
Blake,	Dickey,	Mills ( <i>Bothwell</i> ),
Bryson,	Hall,	Mulock,
Caron (Sir A. P.),	Ives,	Patterson ( <i>Essex</i> ),
Casgrain,	Kirkpatrick,	Riopel,
Chapleau,	Langelier ( <i>Quebec</i> ),	Temple,
Colby,	Langevin (Sir Hector),	Thompson (Sir John),
Curran,	Laurier,	Weldon ( <i>Albert</i> ).
Davies,	Lister,	

The Chairman having requested any strangers present to withdraw, and the room being cleared :

The debate on the motion of Sir John Thompson, that the Draft Reports now before the Committee be adopted as the Report of the Committee, was resumed.

Mr. Blake then submitted a Draft Report, and moved in amendment that the Draft Reports submitted by Sir John Thompson be not concurred in, but that the said Draft now submitted be adopted in lieu thereof, as the Report of the Committee.

And the Debate continuing: Sir John Thompson moved that the Debate be adjourned.

*Ordered*, That the said Draft Reports be printed and distributed to members of the Committee only.

The Committee then adjourned to Friday at 10.30 o'clock a.m.

D. GIROUARD,  
*Chairman*.

FRIDAY, 2nd May, 1890.

The Committee met at 10.30 o'clock a.m.

PRESENT :

*Messieurs*, GIROUARD, *Chairman*,

Amyot,	Desjardins,	Macdonald (Sir John),
Barron,	Dickey,	McDonald ( <i>Victoria</i> ),
Blake,	Edgar,	Mills ( <i>Bothwell</i> ),
Caron (Sir A. P.),	Hall,	Moncrieff,
Casgrain,	Hudspeth,	Mulock,
Chapleau,	Kirkpatrick,	Patterson ( <i>Essex</i> ),
Colby,	Langelier ( <i>Montmorency</i> ),	Riopel,
Costigan,	Langelier ( <i>Quebec</i> ),	Temple,
Curran,	Langevin (Sir H. L.),	Thompson (Sir John),
Davies,	Laurier,	Weldon ( <i>Albert</i> ).
Desaulniers,	Lister,	

Mr. Blake said that when he drew up the Draft Report submitted by him at the last meeting of the Committee, he did not have the printed evidence of the 22nd and 23rd of April before him, and had omitted several important letters, which he would like, with the permission of the Committee, to insert in their proper place.

Mr. Blake then read the proposed additions and corrections, which were agreed to and ordered to form part of the said Draft Report.



The Chairman informed the Committee that he had this morning received an affidavit from Mr. Rykert, in explanation of the disposal of the sum of \$200,000 for which the timber limit had been sold to Sands.

*Ordered*, That the said affidavit be read and received as part of the case.

The affidavit was then read by the clerk and fyled. (See *Appendix C to the Evidence*).

Mr. Weldon (*Albert*) asked for leave to read several letters received this morning, corroborating Mr. McCarthy's evidence as to his presence at the Orangeville Assizes.

*Ordered*, That the said letters be read and received as part of the case.

Letters read and fyled. (See *Appendix C to the Evidence*).

The debate on the motion of Sir John Thompson, and the amendment thereto of Mr. Blake was then resumed:

Mr. Curran moved seconded by Mr. Weldon (*Albert*), That the Draft Reports now before the Committee and all the evidence adduced, be referred to a sub-Committee composed of the Chairman, Sir John Thompson, Hon. Edward Blake and Mr. Davies, with instructions to prepare a Draft Report for the consideration of the Committee, which was agreed to.

*Ordered*, That an edition of 500 copies of the evidence adduced in this case be printed forthwith; that the Pamphlet of Further Letters and Papers and the affidavit of Mr. Rykert and the letters submitted on behalf of Mr. McCarthy be included therewith as appendices and that 250 copies be distributed to members of the House, as soon as printed.

The Committee then adjourned to Monday next at 11 o'clock a.m.

D. GIROUARD,  
*Chairman.*

FRIDAY, 2nd May, 1880.

The sub-Committee met at 12.30 o'clock p.m.

PRESENT:

Sir John Thompson, Hon. E. Blake, Mr. Girouard, Mr. Davies.

A Form of Report was drawn up and unanimously adopted as the Draft Report to be submitted by the sub-Committee.

The sub-Committee then adjourned.

MONDAY, 5th May, 1890.

The Committee met at 11 o'clock a.m.

PRESENT:

*Messieurs*, GIROUARD, *Chairman.*

Amyot,	Davies,	Mulock,
Barron,	Dickey,	Patterson ( <i>Essex</i> ),
Blake,	Edgar,	Riopel,
Chapleau,	Hall,	Temple,
Colby,	Laurier,	Thompson (Sir John),
Costigan,	McDonald ( <i>Victoria</i> ),	Weldon ( <i>Albert</i> ),
Curran,	Mills ( <i>Bothwell</i> ),	Weldon ( <i>St. John</i> ).

Mr. Girouard, from the sub-Committee, presented the Draft Report drawn up by the said sub-Committee, which was read.

Mr. Blake moved that the Draft Reports laid before the Committee on the 24th and 29th days of April be withdrawn and that the Draft Report prepared and submitted by the sub-Committee be substituted in lieu thereof.—Carried.

Sir John Thompson moved that the Draft Report submitted by the sub-Committee be adopted and presented to the House as the Report of the Committee which was agreed to unanimously.

*Ordered*, That so soon as the Report of the Committee has been presented to the House, one copy thereof be distributed to each member of the House.

The Committee then adjourned *sine die*.

D. GIROUARD,  
*Chairman.*

WALTER TODD,  
*Clerk.*  
Ottawa, 6th May, 1890.

## APPENDIX No. 4.

## MINUTES OF EVIDENCE.

## WITNESSES:

RT. HON. SIR JOHN A. MACDONALD—Evidence	-	-	-	See pages	3 - 7
HON. MR. BOWELL	do	-	-	do	7 - 8
HON. SIR DAVID MACPHERSON	do	-	-	do	9 - 11
MR. LINDSAY RUSSELL	do	-	-	do	12 - —
MR. A. M. BURGESS	do	-	-	do	12 - 14
do	Recalled	do	-	do	59 - 73
MR. J. A. GOVIN	do	-	-	do	14 - 15
MR. J. C. RYKERT	do	-	-	do	16 - 39
do	do	-	-	do	85 - 100
MR. DALTON MCCARTHY	do	-	-	do	39 - 52
do	do	-	-	do	102 - 103
do	do	-	-	do	107 - 109
MR. WM. LAIDLAW	do	-	-	do	53 - 58
do	Recalled	do	-	do	103 - 104
do	do	do	-	do	106 - 107
do	do	do	-	do	109 - —
MR. G. U. RYLEY	do	-	-	do	73 - 82
do	Recalled	do	-	do	82 - 85
do	do	do	-	do	100 - 102
do	do	do	-	do	104 - 106
MR. A. O. WHEELER	do	-	-	do	82 - —



# MINUTES OF EVIDENCE.

## APPENDIX No. 4.

FRIDAY, 21st MARCH, 1890.

The Committee met, Mr. GIROUARD presiding :—

Sir JOHN MACDONALD SWORN :

*By Mr. McDougall :*

Q. Sir John, Mr. Rykert informs me that he put some letters in your possession—copies of letters?—A. Yes he sent them to me.

Q. Have you examined them?—A. These are the copies of letters, which he sent to me. I have no reason to doubt that they are correct copies.

THE CHAIRMAN—I think the letters ought to be read first?

Mr. RYKERT—They will go in in the regular way.

Q. You recollect the application of Mr. Rykert, for a license for timber in the North-West Territory?—A. Yes, I do.

Q. For whom?—A. Well, for Mr. Adams. I gathered that from the papers. I had forgotten all about it until I saw the correspondence published.

Q. In what character did Mr. Rykert apply to you?—A. He applied to me as agent for Mr. Adams.

Q. Did you act upon his request as agent for Mr. Adams in looking into the matter and proceeding upon it?—A. We proceeded upon it as we would in all such cases. The papers were sent to the Deputy-head—the permanent officer of the Department, and filed, of course, to be acted upon.

Q. Was it acted upon afterwards? Were proceedings taken in the Department?—A. Yes.

Q. On Mr. Rykert's application for Mr. Adams?—A. Yes.

Q. Was a license issued at any time?—A. Yes; there was.

Q. To Mr. Adams?—A. To Mr. Adams, I think.

Q. For a limit? Now, do you remember the extent?—A. No; I do not. It is mentioned in the papers.

Q. There was nothing special or out of the ordinary course in the nature of this application by Mr. Rykert?—A. No; it was like any other application.

Q. It was proceeded with, and dealt with as in ordinary cases?—A. Yes.

Q. I hardly need ask it; but was there any peculiar influence exercised in any direction in accomplishing this object?—A. No; I really forget whether the application was given to me or sent to the office; that is, addressed to the Department. Sometimes, and most generally, applications of this kind were addressed to the

Minister of the Interior, and they were opened by the Deputy-head of the Department. Sometimes they were sent to me—addressed to me, without it being stated on the envelope that they were for the Minister of the Interior. In such cases I opened them and sent them on to the Department. How it was in this case, I do not remember; whether Mr. Rykert sent his letter to me as an individual, or as Minister of the Interior. But the practice was the same—it always went to the Department—to the proper officer.

Q. Do you happen to remember, Sir John, the name of Mr. Laidlaw, as making some pretence or application near the same time?—A. Oh, yes, I do.

Q. Will you explain to the Committee your recollection of the interference and how it was disposed of?—A. As far as I now remember, I think it must have been after this application on behalf of Mr. Adams by Mr. Rykert. There was an application from Mr. Laidlaw, and, if I remember right, it was through Mr. Dalton McCarthy acting for him. My recollection of dates and so on is very imperfect. However, the question came up. It was a question of conflicting claims, which very often arises in such matters and that was investigated. There was a good deal of discussion about it. Mr. Lindsay Russell was the Deputy Minister of the Department. There was a great deal of discussion and a great deal of trouble about it. Both parties were pertinacious in asserting their claims, and finally, I think on the report of Mr. Lindsay Russell, it was decided in favor of Mr. Adams. I think so.

Q. Mr. Lindsay Russell made, I am instructed, a lengthy and elaborate report going fully into the whole matter, and that report was acted upon by the Government?—A. He made a report, I think, which ought to be produced. It was a report which I called for, as the political head of the Department, in all such cases. It was the report on which the decision to award the license to Mr. Adams was made. I have not read it lately and I cannot speak as to whether it is exhaustive or not, but it was upon that report the license was issued.

Q. That is, was issued to Mr. Adams. Now, Sir John, I think you have already answered the question. I will repeat it again, for it appears to be one of the principal charges going abroad. Was there any improper, corrupt or otherwise, influence used by Mr. Rykert in this matter to your knowledge?—A. There certainly was no improper suggestion or intimation from Mr. Rykert. He applied on behalf of Mr. Adams. He was very energetic and persistent, as is his habit. He was very energetic in pressing the claims of Mr. Adams, and so was the other side. There was no influence or attempt to influence from his position as a member of Parliament, certainly.

Q. Do you remember, Sir John, subsequent to the grant of this license and interference by the Canadian Pacific Railway Company—claims set up by them to an interest in, or a right to some of those timber limits granted in the license to Adams?—A. I have no very distinct recollection of the circumstances, because I have not looked at the papers. The Canadian Pacific Railway deflected its line, and by such deflection it brought these lands or portion of these lands which were being given by a license within the 24-mile belt, which had been granted to them by Parliament, the Canadian Pacific Railway Company claiming the odd-numbered sections under the grant to them.

Q. As being within the belt?—A. As being within the belt.

Q. Do you recollect how the claim was adjusted?—A. No; I do not. I remember that it gave us a good deal of trouble. It gave me trouble in this way: There was the statutory provision that the 24-mile belt on each side of the Canadian Pacific Railway—that the odd-numbered sections, should be reserved as a portion of the grant of 25 millions of acres. Then, on the other hand, Mr. Rykert on behalf of his client pressed strongly that there had been a license issued, that that license would have the effect of withdrawing those lands or reserving those lands from the effect of the statute, and he argued that very strongly, that the license had been issued before the statutory provision, if I remember right, and therefore these lands must be reserved, as having been disposed of before the Canadian Pacific Railway right commenced. That, I think, is my recollection of it, and it was rather

an embarrassing question. It was pressed strongly by Mr. Rykert, that the Government were bound in honor by the license, that had been issued, to renew it, as is always the habit of renewing licenses when the parties had performed all the conditions; and then, on the other hand, there was a statute disposing of these lands to the Canadian Pacific Railway. At the request of Mr. Rykert, and in order to get rid of this troublesome question, I asked Sir George Stephen, the President of the Canadian Pacific Railway—whether by letter or in a conversation I do not now remember—I told him that he had better settle this question by selling the land at a reasonable price to Mr. Adams, and then this whole question would be removed. It seemed to be the opinion of those who knew about it, that the license would be of little value if it could be broken in upon by the Canadian Pacific Railway Company. When I communicated with Sir George Stephen about their selling this land—I don't now remember whether in conversation or by letter—he informed me that it was rather a complicated question, by these lands, or a portion of them, being already disposed of by the Canadian Pacific Railway to the company of which the Duke of Manchester was the head. I think it was the North West Land Company.

Q. There is a letter, Sir John, which probably will refresh your memory. (Letter produced.)—A. Yes; I saw it this morning. I considered it of great importance to settle this question, because there was a good deal to be said in favor of the renewal of the license, and, on the other hand, there was this statutory provision the other way. Mr. Rykert sent me the original letter which I shall read. I was down at Rivière du Loup at the time, and Sir David Macpherson, then Honorable D. L. Macpherson, was acting for me. The letter reads:

(Private.)

“RIVIÈRE DU LOUP EN BAS, 20th July, 1883.

“MY DEAR RYKERT,—Mr. Stephen says that the Duke of Manchester's Land Co. has an interest in the lands, and therefore he cannot act with the same freedom as if they were the property of the Canadian Pacific Railway. He charges \$5 an acre, and I wish you would let me know by telegraph—or letter, if there are no telegraphs—when this reaches you, if you will give that price. In haste.

“Yours always,

Exhibit No. 1.

“(Signed) JOHN A. MACDONALD.”

Q. I have in my hand an alleged copy of a letter in which Mr. Rykert addresses you as follows:—

“OTTAWA, 5th April, 1883.

“MY DEAR SIR JOHN,—I would again like to call your attention to the gross injustice done to Mr. Sands, who purchased the limit in good faith, relying upon the license which had been duly issued by the Department at a time when no claim whatever was made to the same by the Canadian Pacific Railway. I fully explained the whole matter to you in my letter written to you in February last. Mr. Sands is willing to test the matter before the proper courts; and it seems to me the Government is in honor bound to let him do so, and in the meantime renew the license according to agreement. It is not just to the parties who have invested so much money to have the same lost through the cupidity of the Canadian Pacific Railway. Mr. Sands is, as I told you, willing to purchase the whole limit at the Government price, or pay the Canadian Pacific Railway the same price per acre that the Government usually sell this land. Mr. Sands will, as he tells me, take on settlers on all this land and thereby greatly assist the development of the country. I really hope you will see your way to have the license renewed, and if any difficulty arises with the Canadian Pacific Railway it had better be fought out in the courts. Mr. Sands will take all the risks and is willing to indemnify the Government in its action on receiving the license. Surely this is fair.

“Faithfully,

„ (Signed) J. C. RYKERT.”

Exhibit No. 2.

Q. You will remember having received a letter of that character?—A. No; I do not. I do not remember it. I saw those copies, and I have no reason to doubt their accuracy.

Q. They are consistent with your general recollection of the course of action?—A. I cannot speak about that. I shall look for those letters. I got a note two days ago, enclosing those copies, but I have not had time to look for the originals. I have little doubt that I have preserved them and shall get them all here.

Q. Another letter that Mr. Rykert seems to think important, is to the following effect:—

“Saturday, 14th April, 1883.

“MY DEAR SIR JOHN,—I am very sorry that you did not grant me the interview which you said you would to-day.

“I have been waiting patiently for three months to get what I think I have a right to get for my friend and am now no nearer than when I first applied for it.”

SIR JOHN MACDONALD—That was in consequence of the two disputes, first the Laidlaw dispute, and then the Canadian Pacific Railway dispute.

“I cannot see what there is to discuss with Mr. Macpherson.”

SIR JOHN MACDONALD—Mr. Macpherson was acting for me when I was down at the seaside.

“There is no claim in the Department on behalf of the Canadian Pacific Railway, nor has there been any filed, as I am informed by Mr. Burgess. Why the license is not renewed in accordance with the pledge of the Government, I cannot conceive. Your Order in Council was granted long before the Canadian Pacific Railway had the right to change their line.

“Sir Charles Tupper informed me he had discussed the matter with you and you agreed with him that the Government was in honor bound to renew the license and hold sacred their Orders in Council.

“Surely the Canadian Pacific Railway is not to ride rough-shod over all of us even if they had made any claim. I am informed by one of the officials that they make no claim.

“The delay is simply ruin to my friends. I notified them the matter would be decided to-day and hope I will not have to wait any longer. You can order this done if you like.

“I regretted that I intruded myself upon you to-day, as it is not my habit to do so with any Minister.

“Faithfully,  
“(Signed) J. C. RYKERT.”

Exhibit No. 3.

Q. The tone has a little evidence of disappointment or dissatisfaction; but you have no doubt that those are copies of letters received from Mr. Rykert?—A. I have no reason to doubt it. I shall try and find them.

Q. I wish to have an answer—I think it follows from what has been already stated—as to whether Mr. Rykert used any undue or improper influence in this transaction?—A. He used to me no improper influence. He made no improper suggestions of any kind. He pressed the interests of his client or friend very strongly, and very energetically, to a very inconvenient extent sometimes—but that is a common occurrence with persons having claims before a public department—but he never made any suggestions, never made any political suggestions, for instance. He dealt with it purely on business principles.

Q. I need hardly ask, that so far as the Government was concerned, no concessions or grants were made through any special friendship or influence of Mr. Rykert?—A. No; certainly not. The license was granted on the report of the Deputy-head—the Deputy Minister of the Interior, Mr. Lindsay Russell—who, as far as I know, was a man of no political proclivities one way or the other.



Q. I knew him for many years, and never knew what his politics were.—A. Nor do I.

Q. Is there any statement that you would like to make on your own account with reference to this matter?—A. Well, no; I have nothing to say. I am quite ready to answer any questions—I am obliged to do so—but I have no statement to make. The only thing I considered personal to myself was in so far as it was connected with a relative of mine—my son. He never in any way approached me on the subject at all, except to the extent that he mentions in his letter, which is now before the Committee. His firm were acting for Mr. Sands, who had purchased from Mr. Adams. He was down here, and so was his partner, Mr. Stewart Tupper, on other matters in no way connected with this affair, and I think that he, as far as I can gather, states the facts in his letter. At all events, he never approached me in the slightest degree, or spoke to me about the matter. I had no conversation with him about it, nor had I with Mr. Stewart Tupper, until a very late date, long after this transaction took place, when he complained that Sands had been badly used by Mr. Adams.

Q. That was not a matter that the Government was concerned in, or that they could remedy if he had been badly used?—A. No.

Hon. Mr. BOWELL, sworn :

*By Mr. McDougall:—*

Q. Do you recollect in 1882 and 1883, Mr. Bowell, being applied to by Mr. Rykert, with reference to some license and lands in the North-West?—A. I have no recollection as to the years. I have a recollection that Mr. Rykert came to me and spoke to me about a difficulty he had with the Department of the Interior in obtaining a renewal of some license for timber limits. I cannot now say whether that was in 1882 or 1883.

Q. Do you remember the effort made by Mr. Rykert to obtain the license in the first instance—the first application? Did he not telegraph you with reference to it to give your personal attention to the matter? I call your recollection to the dispute between Mr. Laidlaw, whose name has been mentioned in connection with this, and who is said to have been the first applicant to the Department. Do you remember the circumstances?—A. I had forgotten all about it until I saw some letters and telegrams which were published in connection with the subject. Not being in my Department. I was merely acting at one time while Sir John was at River du Loup. Whether it was in 1882 or 1883 I do not know. I have no recollection of it further than an interview with Mr. Rykert then.

Q. Do you remember telegraphing to Mr. Rykert to St. Catharines in September, 1882, to the following effect:—"Sir John expected about middle of month. Cannot say positively. M. Bowell."—(Exhibit No. 4.)?—A. It is very likely I sent it. I had no recollection of it until I saw the telegram. I have no doubt I sent it.

Q. Have you any doubt as to the telegram of September 11th, which you may read?—A. "Telegraphed you last week that neither Sir John nor Russell were here; will give it personal attention as soon as Sir John returns. Have seen papers; think it is all right. M. Bowell"—(Exhibit No. 5.) I have no doubt of the correctness of that, and I presume that was sent after I had examined the papers in the Department.

Q. Do you remember Mr. Gouin, a citizen of Ottawa, calling upon you in 1883 in connection with this matter of the license?—A. No; I have no recollection of it, but if Mr. Gouin says he called upon me I have no doubt he is correct.

Q. There is a telegram also I would like you to look at.—A. "Have just seen Sir John, who says your matter will be settled first of next week. M. Bowell"—(Exhibit No. 6.) I have no doubt of the correctness of that.

Q. Then it results from these letters, without reference to anything further, that you were in communication with Mr. Rykert or that Mr. Rykert was in communication with you in connection with this application for his clients; that was corres-

pondence between you and you were looking after the matter from a friendly point of view?—A. My recollection is that Mr. Rykert called upon me and complained that he was not receiving justice at the hands of the Department in the refusal or neglect to renew this license, and asked me if I would look into it. I did in that matter as I do in most others affecting the Government, when any person comes to me. I looked into the matter. I think I had a number of conversations with Sir John about it, laying before the Premier the complaints made by Mr. Rykert; and the complaint made to me was—I am speaking purely from recollection now—that the Canadian Pacific Railway Company had deflected their line to the south for the purpose of securing these timber lands, which were then considered to be very valuable. He thought it was very unjust to interfere and that the Government should not sustain the Canadian Pacific Railway, but renew the license.

Q. He based that upon the fact that he had obtained the license previously and this was encroaching upon his rights so far as the license gave him rights?—A. That is the representation made to me. I confess I was impressed that his representation was correct, but after I had looked into the matter I was not so sure that he was correct in the matter; that is, after I made a more thorough investigation. I remember, also, that Mr. Rykert gave me a plan showing where the line had been deflected to the south.

Q. Do you remember the final solution of the difficulty?—A. No; I cannot say that I do; that is, not positively. If you are asking my impressions, I should say that it was settled by the Canadian Pacific Railway Company receiving pay for the lands.

Q. Do you happen to remember the price? The reduced price which they accepted?—A. No; I do not further than what I have seen in the papers.

Q. Now, Mr. Bowell, will you say whether Mr. Rykert at any time during the negotiations attempted to use any influence of an improper or an unlawful kind, of any kind, except pressing his claim for his client, which he asserted as just and right?—A. He certainly made no suggestion of influence, inferential, directly or indirectly to me, which I would consider to be of an improper character. His conduct was persistent. He gave me a good deal of trouble and a good deal of annoyance.

Q. He was hard to shake off?—A. Yes; that is a very good expression to use. I sent these telegrams, I think, in order to show him at least that I was attending to it; which I deemed it my duty as a Minister of the Crown to do with any person interested in matters connected with the Government.

Q. Is there anything else which you would wish to add to your testimony?—A. I have no hesitation in saying this, I had no knowledge whatever of his negotiations or understandings with Mr. Adams or Mr. Sands or anyone else. Mr. Rykert's intercourse with me was of a character similar to that of any other member of Parliament having any matter before the Government.

Q. He was not the least persistent in pushing his case, I presume?—A. No; Mr. Rykert is one of the members who is about as persistent as any I have had to do with.

Q. But in this case you saw nothing in which his persistence was objectionable from any point of view?—A. Nothing.

Q. Acting for his client?—A. Nothing from an improper point of view that I know of.

The Committee then adjourned.

HOUSE OF COMMONS, Friday, 28th March, 1890.

The Committee on Privileges and Elections met at 10 a. m., Mr Girouard in the Chair.

Enquiry relating to the connection of J. C. Rykert, Esq., M.P., with the sale of certain timber limits in the North-West Territories, resumed.

Sir DAVID MACPHERSON sworn.

*By Mr. McDougall:*

Q. I wish to ask you if you were Acting Minister of the Interior in the early part of 1882?—A. I was.

Q. Do you recollect a Mr. Adams applying for a limit through Mr. Rykert—a timber limit in the North West?—A. I recollect that such an application was made.

Q. It came under your observation at that time?—A. I do not know that it did, when it first came in. I came to know of it. I know that it was made, but I do not recollect when it came under my observation, or when it came in exactly.

Q. Do you remember if it was like or unlike the other applications made? Was there anything peculiar in this application?—A. Not that I am aware of. It was like all the others, as far as I know.

Q. As far as you remember?—A. Yes.

Q. I have asked the question before, and I suppose I must repeat it again: Was there any undue or improper influence used by Mr. Adams or by Mr. Rykert?—A. None that I am aware of.

Q. Do you remember if there were other applications for timber limits in the same territory?—A. I remember that there was another.

Q. In the same region of country?—A. In the same region of country. An application was made by Mr. Dalton McCarthy. I forget the men's names on whose behalf it was made.

Q. Shortreed and Laidlaw?—A. Yes, that was the application.

Q. Do you remember if there was some difficulty in the application of Mr. Adams—some question which arose with regard to it?—A. There was a conflict between the two applications. Both applications applied for a portion of the same territory, one overlapping the other to some extent.

Q. And that was the question of dispute between them?—A. So I understood.

Q. That resulted in some considerable delay in furnishing the order or preparing the Order in Council, did it not?—A. I do not remember particulars, but of course the Report for Council would not be prepared until the conflict was settled.

Q. Can you recall the fact that there was a good deal of communication with reference to it, and frequent visits by Mr. Rykert on behalf of his client during your time?—A. There may have been, but not so far as I recollect. I may have seen Mr. Rykert at that time, but I do not recollect. My impression is that Mr. Rykert did not see me until the difficulty arose with the Canadian Pacific Railway Company. He might have seen me before, but it was not impressed upon my recollection.

Q. Respecting this difficulty with the Canadian Pacific Railway Company, what is your recollection of it as to how it arose?—A. It arose on the locating of the Canadian Pacific Railway line, when the railway land grant extended to, and included the limit granted.

Q. It has been stated here, and I suppose there is no doubt about that fact, that the line was changed. The original line was changed and extended in the direction of this timber limit, so that a portion of this timber limit, at all events, was brought within the 24 mile belt? Is that your recollection of it?—A. I do not know how that was. The Canadian Pacific Railway line had been changed after the route by Tête Jaune Caché was abandoned. I am not aware that there was any change made for the purpose of including these limits. I am not aware that it was made for that purpose.

Q. It had that effect?—A. Yes, it had that effect.

Q. There was a difficulty arose as to their claim to the alternate sections. You remember that question was up in your time?—A. Yes.

Q. Do you remember if any report was made on the subject by Mr. Russell to the Department? Were you cognizant of that at the time?—A. I do not remember it.

Q. You do not know what was the nature of that report? You do not remember it?—A. No; I do not.

Q. You remember Mr. McCarthy appearing before you with Mr. Rykert and discussing their relative claims?—A. No; I cannot say that I do. I remember Mr. McCarthy coming to see me, and I remember Mr. Rykert coming, but I do not remember them coming there together.

Q. Do you remember a protest being put in by Mr. McCarthy against the granting of this license?—A. I do not. I was absent three or four months every summer, and some of these things may have taken place during my absence.

Q. Now, do you remember Mr. Rykert making an application on behalf of his client for a renewal of his license?—A. I do.

Q. What was the difficulty about renewing it, as you remember it?—A. The difficulty was that by that time the Canadian Pacific Railway line had been located, and located so as to bring the limit within the belt of land granted to the Canadian Pacific Railway Company by Parliament. That was the difficulty, and, therefore—

Q. A dispute arose thereupon, and that came before the Government for adjustment of it in your time?—A. Yes.

Q. Do you remember what action was taken upon that?—A. The Government decided that they could not renew the license and include in that renewal the odd-numbered sections, because they belonged to the Canadian Pacific Railway by Act of Parliament.

Q. That was the contention of the Canadian Pacific Railway authorities. Do you understand that the Government decided that point?—A. That is my recollection of it. I knew that was my own opinion very strongly.

Q. That was your own opinion at the time? You have a recollection of that?—A. Yes.

Q. You remember Mr. Rykert applying frequently and earnestly to have the license renewed, I suppose?—A. Yes; I do.

Q. Do you remember his offer to indemnify the Government on behalf of Mr. Sands against the Canadian Pacific Railway? Do you remember the name of Sands having been used during your time?—A. Yes.

Q. Do you remember his having offered to indemnify the Government?—A. I know he urged very strongly that the license for the full area should be renewed—very strongly.

Q. Do you remember Mr. Rykert, on behalf of Sands, or anyone, offering to purchase the alternate sections from the Canadian Pacific Railway?—A. I do not remember that distinctly. He may have done so; very likely he did. I cannot say that I remember his having done so.

Q. Do you remember that they were purchased ultimately while you were acting—that that was the final arrangement, that they were purchased from the Canadian Pacific Railway?—A. No; I do not.

Q. You were simply performing the duties of another Minister during these discussions, I suppose?—A. Yes; that was all.

Q. I have in my hand a copy of a letter addressed to you, Sir, in the following words:—

“21st April, 1883.

“Hon. D. L. MACPHERSON,

“Acting Minister of the Interior, Ottawa.

“DEAR SIR,—I am in receipt of your letter of to-day, informing me that the Council had decided to renew Mr. Adams' license for the even-numbered sections only.” (That coincides with your statement a moment ago as to your view.) “You admitted to-day that the limit would be practically worthless in this way, and I again repeat that it will be impossible for two different companies to work the same limit. I regret the action of the Government in this matter, more especially

as it involves a principal which I had hoped a Conservative Government would always recognize, viz.: To keep and preserve inviolate its agreements and engagements. No lawyer would stand up in a court and contend for an instant that the Canadian Pacific Railway had a right under the circumstances." (Exhibit No. 7.)

Q. Have you any recollection of receiving that letter?—A. No I have not. I may have received it, but I cannot recall it.

Q. You cannot recollect it?—A. No.

Q. There is a letter in your handwriting?—A. Yes; that is my handwriting; the Signature is.

Q. It reads thus :

"OTTAWA, 21st April, 1883.

"DEAR MR. RYKERT—Council has decided that the license to cut timber which was granted to Mr. Adams can be renewed for the even numbered sections only. I shall be glad to see you on Monday forenoon in respect to the matter.

"Yours very truly,

Exhibit No. 8.

"(Signed) D. L. MACPHERSON."

"J. C. RYKERT, Esq., M. P."

A. I see here two other paragraphs in the letter of 21st April 1883 (Exhibit No. 7) which I omitted to read. I will read them now:

"I suggested that the license should be renewed leaving the Canadian Pacific Railway and my friends to settle the matter among themselves, because if they have a legal right there, then the license would be of no avail.

"I still hope the Council will reconsider the matter and not permit so flagrant an outrage to be done to those who have relied upon the good faith of the Government.

"Yours very truly,

"(Signed)

J. C. RYKERT."

Perhaps the last paragraph may recall your recollection of the letter?—A. The substance of that letter was frequently urged by Mr. Rykert. I may have received that letter. I do not remember it. But the substance was frequently urged by Mr. Rykert.

Q. That was his line of argument and protest?—A. Yes.

Q. Do you remember how it was ultimately settled? Was that during the time you were concerned in the matter—by the purchase of the alternate section at \$2.25 per acre?—A. I do not remember that transaction being closed. I remember suggesting and perhaps pressing on Mr. Rykert that that was about the only way he could obtain the odd numbered sections.

Q. Your recollection is, that that was the solution of the difficulty in the end?—A. It is; and the fact can be very easily ascertained. My recollection is not very clear in regard to it.

Q. I would simply say, as I have said to the other witnesses, is there any other statement you would care to make on your own account?—A. None whatever.

Q. I may repeat again that you have no recollection of any improper influence having been attempted by anyone to obtain any undue advantage?—A. I am quite certain there was not.

*By Mr. Casgrain :*

Q. You were aware at the time that Mr. Rykert was a member of Parliament?—A. I was.

Q. Did he in any way lead you to believe that he had any personal interest in this matter?—A. He never did.

*By Mr. McDougall :*

Q. I would like just to ask, in consequence of the question of my learned friend, are you aware of other members of Parliament having applied during your time for timber limits and other public property?—A. Yes; as agents for others.

Q. You remember such cases?—A. Yes.

Mr. LINDSAY RUSSELL, sworn :

*By Mr. McDougall :*

Q. Were you Deputy Minister of Interior in 1882 and 1883 ?—A. As well as I can remember, I was.

Q. You were in the office and acting as Deputy Minister ?—A. Yes.

Q. Do you recollect notifying Mr. Rykert on behalf of Mr. Adams that he would be granted the timber limit ?—A. I regret, Sir, that to answer your question I have to go a little aside, in order that my answer may not be misunderstood. I regret that owing to effects of the illness that caused my leaving the public service—paralysis—I cannot remember any official transactions of that kind, and therefore I cannot truly answer any question of that character.

Q. While you make this explanation, you still do remember some of these transactions and we shall be obliged to take so much as you remember ?—A. Anything I can remember I shall be happy to answer.

Q. Do you remember Mr. Rykert's application for a timber limit ?—A. I do not.

Q. Do you remember making a report on the subject of this timber limit in the North-West ?—A. Unfortunately not. I have no memory of anything of the kind.

Q. Look at your signature in this report (exhibiting report dated 31st August, 1882). (*See Exhibit No. 9.*) ?—A. That is my signature.

Q. I shall produce this report again. Do you remember the circumstances of the application at all? If I asked you was there any improper influence used to depart from the ordinary rules of the Department in this case, have you any recollection of anything of that kind ?—A. I shall have to answer that question in a general way. I would say that I have no recollection of having had any communication with Mr. Rykert in relation to the report I have been looking at, but as a general question I state most positively from conviction, that there never was any improper influence exercised, by anyone, during my time in the office to obtain a timber limit. I hence must say there was not by Mr. Rykert in this particular case.

Q. At all events, you have no recollection of any attempt of that kind ?—A. I have no recollection of any such attempt.

Q. It went through in the ordinary way ?—A. I can only assume so.

*By Mr. Casgrain :*

Q. If you look at the letter of 11th April, 1882, on page 147 of the Votes and Proceedings, you will see you are personally mentioned. Do you recollect anything that passed between you and Mr. Rykert ?—A. I do not remember anything of what this letter concerns, but I see an affirmation, in the closing lines, of a statement on my part that I would take exception to as not having been said by me. I could not have said that.

Mr. CASGRAIN :—The portion of the letter I referred to reads as follows :—

“The Order in Council went before the Government to-day, and it is likely it will pass at once. Instructions will then be given to the surveyor. We are awfully lucky, as the Deputy told me that no other man could have forced them to yield.”

Mr. A. M. BURGESS, sworn :

*By Mr. McDougall :*

Q. Were you in the Department in 1882 ?—A. Yes.

Q. Have you any recollection of this application of Mr. Rykert for timber in the North-West ?—A. Yes.

Q. What branch were you in at that time ?—A. I was Secretary of the Department.

Q. Do you remember in what character he was applying for the limit ?—A. Yes.

Q. Who was it for ?—A. For a Mr. Adams.

Q. Did he make an application in the ordinary way ?—A. Yes ; in the ordinary way.

Q. Was there any attempt, or do you remember any influence being brought to bear, to obtain a grant of this limit under conditions that were not common to other parties at that time ?—A. I never was aware of any.

Q. The license was issued in the ordinary way ?—A. The license was issued in the ordinary way.

Q. Do you remember the circumstance of a conflicting application by other parties?—A. Yes.

Q. How was that adjusted? What is your recollection of that?—A. My recollection is that it was adjusted on a report made by Mr. Russell, the Deputy Minister.

Q. And the report will, of course, explain to us the conditions laid down by the Department?—A. Yes.

Q. What is your recollection of it since you are speaking of it?—A. That the boundaries of one application were shifted a little bit north and of the other a little bit south, and the conflict in this way was removed.

Q. The result was, that both claimants were apparently satisfied. The Department made that arrangement, at all events?—A. Yes.

Q. Then I understand this was an ordinary application, and carried through the Department in the ordinary way?—A. So I understand it.

Q. No irregularity in the arrangement made, so far as you know?—A. So far as I know, nothing irregular.

Q. Are you cognizant of any attempt to persuade the Department to depart from their ordinary course in this matter?—A. I am not.

“DEPARTMENT OF THE INTERIOR,

“OTTAWA, 31st August, 1882.

“Rt. Hon. Sir JOHN A. MACDONALD, K.C.B.,

“Minister of the Interior, Rivière du Loup *en bas*.

“MY DEAR SIR JOHN,—I enclose a letter from Mr. Rykert, representing Mr. Adams, respecting a timber berth near Cypress Hills, for which he had Order in Council to locate within certain limits.

“Messrs. Shortreed and Laidlaw, who were represented by Mr. Dalton McCarthy, had a like Order for similar location in an adjoining tract.

“The latter complain that the choice made by Mr. Adams is within the bounds of the original application by them, to meet which the Order in Council in their favor was passed, and affirm an official blunder in our having included in the tract within which Adams could locate ground which formed part of their prior application.

“The matter truly stands thus: Both parties filed applications of unreasonable extent, so much beyond anything that could in rule be granted that I assumed that their conflict, on one side on which they overlapped each other, was of secondary importance, and also assumed, as acting for you, the right to deal with them by a curtailment and re-adjustment, in such wise as to do away with the overlapping.

“This action I clearly explained to Messrs. Rykert and Dalton McCarthy, at an interview which I had with them together, pointing out to them that the alternative would be, under the regulations, to make them compete for that part of the ground on which they both had application. They seemed fully to understand the adjustment I proposed. So far from there being any difficulty, they proposed to act in harmony, by employing jointly, with a view to economy, a surveyor to lay out their berths.

“I submit to you that inasmuch as under the regulations they would, if each maintained his application in conflict with the other, be obliged to compete, and that in their interest, not that of the Department, an adjustment doing away with such competition was made, of which both parties were cognizant, and that the adjustment was made in good faith, without any knowledge as to location of any valuable timber (for of this I was as ignorant as I believe were the parties themselves), and was therefore impartial, they can now have no ground for complaint, even though the hazard in the arrangement has, it would appear, turned out to be much more in favor of one than the other.

“It may be mentioned as additional ground for maintaining the course taken, that Mr. Adams has made a most costly survey, of which the returns have been filed,

while the other party, the one that complains, has, so far as the Department is aware done nothing in this direction.

Exhibit No. 9.

“Respectfully yours,  
“ (Signed) LINDSAY RUSSELL,  
“ *Deputy of the Minister of the Interior.*”

*By Mr. Blake:*

Q. I see the report refers to a letter of Mr. Rykert's, which is said to be enclosed. Is that there?—A. Yes.

Q. You had better read that too.

Witness reads as follows:

“28th August, 1882.

“MY DEAR SIR JOHN,—Mr. Adams has made his survey in accordance with the Order in Council at an expense of \$5,000 in cash, and I hope there will be no delay in having the license issued. Mr. Laidlaw has done nothing, has not made any survey, and now, through Mr. McCarthy, objects to Mr. Adams getting the license.

“Before the Orders in Council were issued, McCarthy and I met Mr. Russell, and we agreed upon the respective boundaries. Each party was quite satisfied. Mr. Russell will tell you that there was no mistake, no advantage taken, but everything done in good faith. It would be an outrage now to delay the license, especially after all the expense and trouble. Mr. Russell will report, I think, that I am fairly entitled to the license.

“Will you kindly give the Order at once, so that there will be no more delay. Would it not be absurd to say that after all parties agree to an Order in Council we should be allowed to protest against one or the other.

“Up to this day Laidlaw has not made his survey.

“Faithfully,

Exhibit No. 10.

“(Signed) J. C. RYKERT.”

Mr. JAMES A. GOUIN, sworn :

*By Mr. McDougall :*

Q. You were living in Ottawa in 1882?—A. Yes.

Q. In 1883?—A. Yes.

Q. And since?—A. Yes.

Q. Do you remember being concerned in, or being aware of, any application for a timber limit by one John Adams in 1882?—A. I do not remember.

Q. Do you remember the name of the man?—A. I have heard of the name of the man since.

Q. Do you recollect his putting up at your hotel in 1882?—A. Not that I am aware.

Q. In 1883?—A. I do not remember.

Q. Do you remember any man at that time applying for a timber limit?—A. I heard so.

Q. At that time?—A. I do not remember exactly.

Q. At what time do you remember?—A. I do not remember anything about Mr. Adams making an application.

Q. Perhaps I can refresh your recollection a little if I give you this telegram to look at?—A. That seems to be mine.

Q. The telegram reads:

“OTTAWA, 20th September, 1882.

“J. C. RYKERT, ‘Windsor,’ Kingston.

“Ryley will send you license to St. Catharines by mail to-night without fail. I have paid him the money.

Exhibit No. 11.

“J. A. GOUIN.”



Do you recollect the money passing through your hands, as stated in this telegram?  
—A. It must have, but it is some time ago, and I do not remember.

Q. If it had remained in your hands, we would have heard of it since?—A. Yes; certainly.

Q. On 25th January, 1883, we have this telegram :

“ OTTAWA, January 25th, 1883.

“ J. C. RYKERT, M.P., St. Catharines.

“ Did not answer your letter; Macpherson promised to wire you and send license direct; on inquiry to-day they say they will decide to-morrow.

Exhibit No. 12.

“ J. A. GOUIN.”

Does that recall nothing to your memory?—A. No; it does not.

Q. You have no doubt that was your telegram?—A. I have no doubt.

Q. On January 26th, 1883, we have the following telegram :—

“ OTTAWA, 26th January, 1883.

“ J. C. RYKERT,

“ Have not been able to see the Minister; and Ryley cannot do anything in your matter; you had better come down.

Exhibit No. 13.

“ J. A. GOUIN.”

Have you any doubt that telegram was sent by you?—A. No; I have not.

Q. Do you recollect paying over a considerable sum of money in connection with that transaction?—A. I do not remember anything now.

Q. Have you any doubt that you paid over any money you received?—A. If I received it, I paid it.

Q. You cannot recall to any extent the circumstance?—A. No.

Q. Have you any recollection of having had a conversation with Mr. Bowell in connection with Mr. Rykert's affairs?—A. Yes; I remember that.

Q. Will you be good enough to tell us what the nature of the conversation was? What was the difficulty, as you remember it?—A. Mr. Rykert wrote me on this matter of limits, and I met Mr. Bowell at the Russell. I spoke to him about it, and I understood him to say he was doing what he could for Mr. Rykert.

Q. In connection with this application?—A. Yes.

Q. Had you more than one conversation with him on this subject?—A. Not that I remember.

Q. Do you remember distinctly having the conversation with him, and having got that statement from him?—A. Yes.

Q. On 27th January, we had this telegram :—

“ OTTAWA, 27th January, 1883.

“ J. C. RYKERT,

“ Letter and telegram received; syndicate says Adams limit within railway belt; Russell will see to it on Monday; Bowell doing all he can; you had better come.

Exhibit No. 14.

“ J. A. GOUIN.”

Perhaps that is more important. I would like to have you recollect that telegram?  
—A. Yes; I believe that was sent by me.

Q. Does that recall to your mind the circumstances?—A. No more than the conversation I had with Mr. Bowell. It was a few words.

Q. You have stated the purport of that conversation?—A. Yes.

Q. Mr. Rykert lived at your hotel when he was here?—A. Yes.

Q. And was on very friendly terms with you?—A. Yes.

*By Mr. Langelier (Quebec):*

Q. Who is Mr. Ryley, alluded to in this letter?—A. He is in the Department of the Interior.

*By Sir John Thompson:*

Q. I suppose you had no interest in this matter?—A. No; none at all.

The Committee then adjourned.

HOUSE OF COMMONS, Tuesday, 1st April, 1890.

The Committee on Privileges and Elections met at 10 a.m. Mr. GIROUARD in the chair.

Enquiry relating to the connection of J. C. Rykert, Esq., M.P., with the sale of certain timber limits in the North-West Territories, resumed.

HON. MR. McDOUGALL.—I propose, Mr. Chairman, this morning to ask Mr. Rykert to give his evidence.

THE CHAIRMAN.—Is it the pleasure of the Committee that Mr. Rykert should give his evidence under oath?

MR. J. C. RYKERT was then sworn.

HON. MR. McDOUGALL.—I think, Mr. Chairman, considering the position of Mr. Rykert in this case, and that he is a counsel learned in the law, that he is more familiar with his own case; that it will save the time of the Committee if Mr. Rykert will make a statement and answer any questions as the members of the Committee may think proper to ask. I propose to watch the case, and if anything occurs I may make a suggestion now and then.

MR. J. C. RYKERT.—Mr. Chairman, I desire to state on oath what I have not had a full opportunity of stating before, that is, the facts in connection with the matter. When out of the House a few days ago, not being able to hear what was said, I have since ascertained that a number of gentlemen have spoken under a misapprehension of the facts. One gentleman stated that all these facts presented to the House were not before my constituents at the time of my election and in consequence of that I have been guilty of a betrayal of trust in applying to the Government for a limit for my friend Mr. Adams. If the gentleman who made that observation were to turn to page 170 of the Votes and Proceedings of the House, now before the Committee, he will see that I addressed the electors of my constituency, and in that address I set forth the same facts that have been presented to the House, both for and against myself, and upon that statement of facts, as I told the House, I was elected by a very considerable majority. Sir Richard Cartwright who was in my county at the time admits that to be the case. He says on page 1786 of Hansard that "he (Mr. Rykert) came here with the full knowledge and consent of his constituents, who were acquainted with, at all events, all the material facts hereto stated before they sent him here." That shows, so far as he is concerned, that he bore testimony to the fact that my electors knew everything which had taken place; that the matter was fully and fairly discussed in all its details and, therefore, I am justly entitled to say that I was guilty of no breach of confidence or betrayal of trust. I may also say that in the year 1882 the whole matter of obtaining this limit was discussed by my electors at the general election of 1882. Although all the details were not then before them, the fact that I had applied for, and obtained a limit for Adams was well known to my constituents, and the question of the Government permitting members of Parliament to apply for and obtain those limits was fully and fairly discussed. In 1887 all the facts now presented to the House became known and were placed before my electors, as stated by Sir Richard Cartwright in the House. They knew I had done nothing except what I assumed and contended I had a perfect right to do. Then another point has been raised that I had full knowledge of the value of the limit at the time I made the application. Sir Richard stated in the House that "the hon. gentleman knew perfectly well that those limits he was acquiring were likely to prove of great value," and he went on to say that the letters pointed out that fact. I state here most unreservedly and unequivocally that I knew nothing of the value of that limit. I knew nothing of the North-West whatever. I had never been nearer the North West than Minneapolis or St Paul. Adams knew nothing of the value of the limit and the letters which I have put in clearly indicate that fact. I knew nothing whatever of the value of the limit and what is more after that limit was obtained from the Government, or permission given by the Department to obtain that limit, Adams did not know the value of it until after many months. On the contrary he hawked the limit about the country at sums varying from five to ten thousand dollars, I knew nothing of

the value of it, nor did he until 2nd July, 1882, when a report was sent to him by his son who was out with the surveyors on the limit. A telegram published in that correspondence, which I addressed to the electors, shows conclusively that the value of the limit was not known to me, and, therefore, I am not open to the accusation of having used political or personal influence with the Government to acquire for myself or for Adams a vast domain, knowing it to be of great value. Judging from the remarks of several hon. members of the Committee, the Committee has nothing to do with the question of the value of the limit, but I am prepared to prove beyond all question that that limit was offered to different parties at different prices, to one a fourth interest for \$2,000, to another a half interest for \$5,000, and the whole limit at \$5,000 and \$8,000 at different times.

If it were necessary I could prove all these facts; but I do not think it necessary. I merely state further, that Mr. Adams repeatedly asked me to get up a company; but I considered that the limit was outside of the reach of any railway, and, therefore, not likely to be of any value. The facts as represented to the House show that at the time this limit was granted the Canadian Pacific Railway had no right to go any further south than Yellow Head Pass, and that after the Order in Council for the limit was passed, on the 18th May I think, a Bill introduced on the 13th April by Sir Charles Tupper was passed, in which provision was made to go to a southern pass at least one hundred miles north of the southern boundary of the territory. So up to that time it could not be assumed that this limit would be valuable, and it did not get to be valuable until after the line was built in the month of October or November, when the railway was being built near it. I make that statement to show that as far as the limit was concerned neither Mr. Adams nor myself knew its value. An hon. gentleman has stated—Sir Richard Cartwright—that no member had the right to use his influence or position for his private gain or advantage. I wish to show that I used no influence of a political or private character to personally assist me to get any advantage from the Government. Now, not being aware as to what letters exception has been taken by the gentlemen of the Committee, or what they may take exception to, I propose to take the different letters *seriatim* or classify them, and then if honorable gentlemen wish to cross-examine me on any one of these I shall be glad to answer any questions in reference to the same. Honorable gentlemen will see that a large amount of this correspondence, in fact nearly all of it, consists of replies to letters to myself, which, if produced before the Committee, would involve a large expenditure of money in printing the same. This will be understood when I say that I received upwards of three hundred letters regarding the limit, copies of which I have in my possession, and I received over one hundred telegrams. To these letters before the Committee I take no exception. I do not repudiate the letters at all; but I say that some of them are not true copies of the original letters. The verbiage has been altered to a limited extent; but I assume all the responsibility of all that appears on the papers. I wish to take no exception to anything at all, but I say that several of the letters are not susceptible of the meaning placed upon them. If honorable gentlemen will look at the letters from 15th December, 1881, to 27th March, 1882, they will see that they clearly indicate that neither Adams nor myself knew anything about the value of the limit, or even its whereabouts. The request put in by myself for Mr. Adams upon the 18th February asking for this limit was at a time when I knew nothing about the location. I simply guessed at it from a description handed to Mr. Adams, and therefore applied for a larger amount of territory from which a limit could be selected than the Department would allow. Upon the 2nd March information was conveyed to me by Sir David Macpherson that there were a number of applications over the same territory. As early as 2nd March he says:—

“OTTAWA, March 2nd, 1882.

“DEAR MR. RYKERT,—There are half a dozen ahead of your friend Mr. Adams. Better apply for a limit where he will have less competition. If he does so, it shall be granted, if possible.

“Yours very truly,

Exhibit No. 15.

(Signed)

“D. L. MACPHERSON.”

Upon receipt of that communication from Sir David Macpherson, I at once went to the Department to enquire what applications were in ahead of Mr. Adams and what application, if any, came in conflict with him, and after a very considerable amount of trouble and delay in looking over the different applications and after mapping them out, upon a map of the territory which was in the Department, I discovered that there was only one that at all conflicted—that of Messrs. Shortreed & Laidlaw. That was settled as shown by Mr. Lindsay Russell, by an arrangement between Mr. McCarthy and myself; Mr. McCarthy acting on behalf of Mr. Laidlaw, which was satisfactory, as a final adjustment.

This limit that Mr. Adams applied for was over an area of 500 square miles and at once the Department, as Mr. Russell states in his report, found it was utterly impossible to allow so large a range of country in order to pick out a limit of 50 square miles, and it was amicably arranged between Mr. McCarthy, myself and Mr. Laidlaw, that the boundary should be settled by Mr. Russell, by cutting off all that claimed by Mr. Adams which overlapped Mr. McCarthy's application, and he prepared the Minute for Council, based upon that. On the 20th March, notice was sent to me that the application had been granted. That notice, I sent to Mr. Adams, and mentioned the fact of the application being granted in the letter of the 20th March. Up to that time, I knew nothing whatever about the territory, knew nothing whatever about the value of the limit, and the letters here show clearly that I pointed out to Adams that it was utterly useless for him to involve himself in so large a speculation which would necessarily make him incur a large expenditure in the survey, and in making a proper description and report for the Government. As a matter of fact the exploration of the limit cost Mr. Adams over \$5,000.

*By Mr. Ives:*

Q. Would you take it unkindly to have questions asked as you go on, or would you prefer to go clear through?—A. I am entirely in the hands of the Committee.

Q. In your letter of the 8th April you say: "If I could only see McCarthy." Does that refer to this, that, if you could see him, you could probably make this amicable arrangement?—A. Oh no; it had been made before that, Laidlaw had telegraphed to me to see if I would not help him to put through the application. He complained that McCarthy was not in Ottawa very much, and he thought I was perhaps a little more persevering and would be enabled to put the matter through. The reference to McCarthy was about this: They were going to pool as Mr. Russell says—they proposed pooling the limits regarding the survey and I wanted to see McCarthy, to see whether his clients would pay one-half of what might be the cost. You see from the correspondence that the proposition was made, and I have letters from Mr. Laidlaw which, if necessary, I can produce and in which it was proposed to have several meetings and see whether Adams would agree to pooling the two limits and joining in the survey. Those letters clearly show that, up to that time, at all events that neither Adams nor myself knew anything whatever about the value of it. The next letters, those of 8th April and the 10th May, classified as they were published in the *Globe*, and put in by Sir Richard Cartwright, have reference to the limits for which applications were put in by Mr. McCarthy for Shortreed and Laidlaw. The application of Adams, was granted some time before it was discovered by a clerk in the Department that the application conflicted with that of Shortreed and Laidlaw. The letter of the 20th March clearly shows this fact. As a matter of fact, after the order had been given, after the application had been granted, there was still an effort made to have those boundaries altered, but Mr. Lindsay Russell settled the matter satisfactorily to all parties. The letter of the 8th April complained of the difficulty which I had incurred in getting instructions for the surveyor. I went back and forth to the Department over and over again. They were overwhelmed with applications for grazing lands and lands for colonization companies, and it was utterly impossible at that time to get the Department to facilitate matters, as I would have liked to have done. Adams was here. He was backwards and forwards between Toronto and Ottawa urging me not to delay in getting this matter put through. On the 8th April, Adams writes to me

inquiring why instructions are delayed, and says he will get up a company with \$40,000 and intimates that he will apply for another limit. That is the first time the question of the value of the limit comes up. He did not in fact know anything about the value of the limit and merely made the suggestion that it would be a good thing to get up a company with \$40,000 and apply for another limit. I, as a matter of fact, never applied for another limit for Adams or any other person, except putting in an application for Capt. Murray a year afterwards. I simply sent in the application in the ordinary form. Adams kept importuning me all the time to get him another limit and that will account in a large measure for the expression in my letter that we were going in for another limit. But as regards the value of it, the suggestion as you will see came from Mr. Adams, himself. In my letter of April 10th, 1882, I advised Mr. Adams to sell for \$40,000, which was really to satisfy Adams, who made the suggestion in his letter of April 8th, 1882. In the letter of the 11th of April, 1882, you will see that Mr. Laidlaw was willing to join in the survey. I have in my possession correspondence showing that Mr. Laidlaw desired me to assist him in pushing his application forward. Mr. McCarthy was absent a great part of the time and did not push the matter on. I used the expression "we are awfully lucky, as the Deputy told me no other man could have forced them to yield." Mr. Russell was interviewed by me over and over again and I interviewed clerks of the Department in order to show that no other application was ahead of Mr. Adams. I persistently followed it up, and as stated by Sir John A. Macdonald, I have some little persistence in me, and sometimes impudence a little more than I should, and Mr. Russell told me that I had so persistently followed it up, that the Department had granted my request. Although Mr. Russell said he did not remember using that expression, I remember when I interviewed him that he said that by my persistency, I gained for Mr. Adams, what I applied for. I made no reference to either the Minister or the Deputy. I have already stated that I insisted upon all applications being looked over and inspected, and I saw that Mr. Adams' limit had not been infringed upon except, by Mr. McCarthy's application, and in my letter of the 16th April, in which I say that I have more influence than Mr. McCarthy, has no reference to my influence in getting this limit. It refers to a conversation with Mr. Laidlaw. Mr. Laidlaw said he was willing to do almost anything if I would assist him in getting this limit. He referred to the fact over and over again, that he thought I had more push than McCarthy in dealing with a matter of this kind.

*By Mr. Mulock :*

Q. Who is Mr. Laidlaw?—A. He was a lawyer from Hamilton. He was acting for his brother of the firm of Shortreed & Laidlaw. The letter of 21st April shows that we were acting in concert with Mr. Laidlaw. The letter of Mr. Laidlaw shows that. In the letter of April 24th it is stated: "if this is done, I will go for something else." That has reference to a conversation with Adams, in connection with his letter of April 16th. Adams was continually telling me that we must go for something else. The expression in the letter of 10th May, 1882, "so you will see who had the influence with the Government after all," was in no way intended to convey the idea that improper influence was used, but simply that Adams had repeatedly complained to me that I ought to have sufficient influence to push the matter through and reach an immediate settlement. I state here, as I have stated before, that no improper influence, either direct or indirect, was ever used by me with any one. There is no man in the Department who can say that I did anything more than push Mr. Adams' claim, perhaps unduly sometimes, and perhaps at times when they were busy, but no expression ever came from me in which I said I would pay them or hold out any inducement whatever, or give them any share in the limit, or anything else. On the contrary everything was done, I think, consistently with my duty after having undertaken to get the limit for Mr. Adams. Certainly no improper influence was ever used by me, as was stated by the leader of the Government.

*By Mr. Casgrain :*

Q. At that time—at the date of that letter, or rather since—did you intimate in any way to the Government or to the Minister that you had any interest?—A. No; I never did.

Q. That you had a personal interest in those limits?—A. No; I never did. I said before that I did not look upon the limit as worth anything. I had no idea that it was worth anything.

Q. Did you state to any of the Ministers that you had a personal interest?—A. I did not. No Minister nor any person in the Department, nor any one else can say that I ever stated I had a personal interest in the matter.

Now, the next batch of letters, July 2nd, July 18th, July 24th, and July 25th, and August 1st, have reference to the Canadian Pacific Railway interfering with the limit and the suggestion made by Adams to induce the Canadian Pacific Railway to purchase. Now with reference to these letters, I do not know whether the Committee will consider whether it has anything to do with my conduct or that of Mr. Adams in trying to effect a sale of the limit to anybody, or whether it considers it is a matter which would come under the cognizance of this Committee. I do not wish to shirk any responsibility for what I have done. I wish to explain everything fully and satisfactorily. Mr. Adams, or I, acting for him, had a perfect right to use every legitimate means to induce any person to buy the limit, or to negotiate the sale of the limit. It was a matter over which, in my opinion, this Parliament has no jurisdiction. The information as to the Canadian Pacific Railway cutting the timber on the limit was conveyed to Adams by Mr. Muckle, the timber agent of the Canadian Pacific Railway, who claimed to have an interest in the limit with Adams. Muckle was the first to suggest that the Canadian Pacific Railway be induced to purchase.

I received a letter from Adams dated 10th July 1882, which goes on to say:—

“To-day I received Mercer’s telegram. I telegraphed you the same day I received a letter from him and in the evening he came home. My limit takes in all the “lumber that is in that section, and as it is bluffs I will have to take in some open “prairie.”

*By Mr. McDougall :*

Q. Where is that letter now?—A. I am reading a letter from Adams to myself speaking about this limit, it is dated the 10th July.

*By Mr. Ives :*

Q. Who was Muckle?—A. He was the timber agent for the C. P. R. Muckle was the person who claimed an interest in this limit. He claimed that he first discovered this limit and gave Adams the information. He claimed also that Adams had agreed to pay him \$5,000, for the information, provided the limit turned out satisfactorily. I will be able to show that Adams paid \$5,000 when the limit was sold. This same Mr. Muckle, who was out in that neighborhood when the survey was being made, commenced to cut down the timber with a view to making the C. P. R. buy it. He claimed he had an interest in it with Adams. He and young Mr. Adams as I was subsequently informed in the month of October, thought that by cutting and trespassing upon the limit the C. P. R. would be compelled to purchase the same. Mr. Adams knew nothing about it at the time. Muckle kept strict account of every stick of timber which he cut, the size and value of it, and placed it in the hands of Adams, so that he could make a claim on the C. P. R. for damages. I received a telegram as you will see by the correspondence, in either August or September, to go to Winnipeg and stop the C. P. R. cutting down this lumber. I fortified myself with the legal opinion of Mr. Lash and I showed it to Mr. Dewdney at Regina, and we made up our minds, if necessary to compel the C. P. R. to stop cutting. I then went to Mr. VanHorne, in Winnipeg, and he at once told me that Adams had no claim whatever, and that the company had cut no timber.

Q. That he had no claim?—A. That Adams had no claim. That they had not cut a single stick upon the Adams’ territory. I had in my hands at the very moment

the paper which was given by Muckle to Adams, showing the dimensions, the quantity and the value of the timber cut to be \$22,000. I told him he had been cutting on the limit and he then asked me to call again. In the afternoon I again went to see him, when he introduced me to Sir George Stephen, and he said I am now satisfied that timber has been cut, and we will pay whatever we discover to be the value of that timber. Muckle had cut down this timber with a view of getting the C. P. R. to buy the limit, but he purposely refrained from letting old Mr. Adams know that he had that object in view in doing so. I cannot say positively that young Mr. Adams knew why Muckle cut this timber, but his father thought he did, as he informed me in the month of October, 1882.

*By Mr. Landry :*

Q. For whom was he acting? On behalf of the Canadian Pacific Railway?—A. Mr. Muckle cut it down to build a bridge at Medicine Hat for the Canadian Pacific Railway; but he went into that limit without any authority and began cutting it down with a view of making the Canadian Pacific Railway buy it.

On July 10th, 1882, I received this letter :

“July 10th, 1882.

“MY DEAR RYKERT,—The day I received Mercer's telegram (I telegraphed you that same day) I received a letter from him, and in the evening he came home. My limit takes in all the lumber that is in that section, and as it is in bluffs I will have to take in some open prairie. The timber consists of A 1 Douglas pine, and averages in diameter 14 x 16 inches, and will average from 45 to 65 ft. in length, very straight, free from limbs, and holds its size well. Our Hamilton friend is out of luck.”

*By Mr. McDougall :*

Q. Just explain, before you go further, who Mercer was. A. He was Mr. Adams' son—Mr. Mercer Adams. The letter proceeds:—

“Muckle is cutting in the east end now, and he received a telegram from VanHorne saying to cut away, that he would soon have the timber matter arranged. So Muckle thought that he was making arrangements with me, and he said his reason for thinking so was that he wrote VanHorne a month ago to buy it or make some terms with the lessee. Muckle thinks I should not sell at less than \$80,000. It is worth more. Mercer thinks we had better work it. There is a party out there that will put up a mill and work for an interest. I would rather sell and let somebody else make a little. I had to secure Muckle his \$5,000, and he will deserve it. We have telegraphed to Muckle to send us down another location of some splendid spruce. He was locating it when Mercer left, but he wants it taken in my name, but I could not take any more in my name. I should like to see you get the papers put through as soon as you get them. I am saving the cash for the survey, &c.

“Respectfully,

Exhibit No. 16.

(Signed)

“JOHN ADAMS.”

*By Mr. McDougall :*

Q. You, on your oath, say that is a copy of the original letter?—A. Yes; that is a true copy of the original letter.

In my letter of 1st August, 1882, I said that the limit was well worth \$150,000. That was based on Adams' letters of July 2nd, 10th and 18th, in which he speaks of paying that amount. Exception has been taken to these letters on the ground that we were putting up a job, or that I was helping to put up a job on the Canadian Pacific Railway in relation to this matter. The first suggestion, as you will see by Adams letter of 10th July, came from Mr. Muckle, their own timber agent, and as you will see in the letter of 18th July, he speaks about the value of the limit being \$150,000. The expression in the letter of 1st August, 1882, “we will then be in a position to go in for something larger,” was in consequence of letters written to me by Mr. Adams and which have not been published. In the letter of 8th August, 1882, the words “I never spent such six weeks before, as

I did while endeavoring to force the Department to do justice" refer to the fact that I was energetically pursuing Mr. Adams' claim, before the Department, which I considered a legal and just claim and which took some time to push through. The reference to what I had done may have been an idle boast, but the evidence shows I was working as I stated there and doing all I could to have justice done to Mr. Adams. I do not for one moment insinuate or pretend to insinuate, that anything was done improperly by the Department or any officer of the Department; but when, as intimated by Mr. Macpherson's letter, there appeared to be a conflict of claims it was my duty to see that those claims were properly looked into.

I remarked a few minutes ago, I had all the descriptions mapped out and found, as a matter of fact, that only one limit overlapped. The letters of 19th August, 1882, and the telegram of 28th August, 1882, referred to the attempt, on Laidlaw's part, to prevent the issue of the license after Adams had made the survey. This dispute was settled by the Department but there was a very considerable delay. There is no reference in these to the Government or officials or any undue influence. My own opinion is that this is a matter with which the Committee has nothing whatever to do. The records do show that Laidlaw, after he saw this letter to Mr. Adams appearing in the public prints stating that he was left out in the cold, sent to Ottawa in order to try and prevent the license being issued. It was after that I first met Mr. Bowell in reference to the matter and explained the whole thing to him. He inquired into the matter fully and made up his mind then, from what he had seen in the report of Mr. Russell, that that license should be issued. That is where I first used Mr. Bowell's name. In the letter of 14th September, 1882, in which the following appears: "Bowell has promised me that he will do all he can to put it through." That refers to the fact that I had requested Mr. Bowell to urge the issuing of the license at an early day. Mr. Bowell telegraphed me on 11th September, from Ottawa: "Telegraphed you last week that neither Sir John nor Russell were here. Will give it personal attention as soon as Sir John returns. Have seen the papers; assume it is all right." I did not consider I was going out of my way in writing Adams and telling him Bowell had promised to do all he could to put it through. I may state here, that he felt it his duty, seeing that Adams had a right to the limit and having gone to the expense of a survey, he made up his mind that the matter should be put through. That is why I made use of Mr. Bowell's name in that first letter. The telegram is already in possession of the Committee. Now as to the letters of the 6th October, 28th November, and the 12th and 25th December, 1882, they all have reference to the negotiations for the sale of the limit. The letter of the 28th November, 1882, refers to a proposed sale by Adams through a Mr. Hunter to one Mr. Zimmerman; but I presume that the Committee has very little to do with this. An attempt was made to sell the limit to this man Hunter and to another person named Zimmerman, which afterwards fell through. On the 16th day of January, Mr. Sands carried out the sale in accordance with a previous agreement which Adams made in December, 1882, for the sale of that limit and without my knowledge. Upon that occasion Mr. Sands complained that he did not like the yearly license. I then took occasion to read to him an extract from the speech of the leader of the Government in which he pointed out that licenses for a year in the Dominion of Canada were as good as those for 21 years, so long as the licensee performed all the conditions of the license. This satisfied Mr. Sands and he then carried out the contract. Mr. Sands at that time asked if the Government would sell out the whole of the limit at their ordinary price for lands of this description in the North-West. I asked him what he was prepared to do. He said he would buy out the whole limit if an absolute title were given: that is, if he were given the fee simple in his own name, he would pay the money at once, which would not have to be paid under the agreement for two years. I asked him what price he would pay for the limit; and that is a matter for the Committee to bear in mind, because you will see reference made to it by-and-by. He said the outside figure would be \$4 an acre. I told him the Government price was \$5 per acre. It was then discussed how much land there was with timber on it and it was supposed there would be about ten or



twelve thousand acres. Sands said he thought the Government would sell the lands for less than the usual price if he took in settlers. I told him I would make that proposition to the Government when I returned home. Upon the same evening Adams discussed that matter with me and thought it better to pay the difference between four dollars offered by Sands and five dollars, the Government price per acre, and have the purchase money all paid immediately, than wait for two years and run the risk of this American never paying a cent. It was then finally agreed between Mr. Adams and myself that we would make a proposition to the Government to buy out the limit, and if we could not get it for \$4 an acre, whatever was above that amount would be borne equally by Mr. Adams and Mrs. Rykert. I left him with that understanding. It was Mr. Adams who spoke about paying Mr. Muckle \$5,000.

*By Mr. Ives :*

Q. Is that the reference to the money at the Queen's Hotel?—A. Yes; I will come to that in a minute. I will show that a bargain was made and that that letter referred to that transaction. Mr. Adams did not want to pay Mr. Muckle the \$5,000. I said he was in honor bound to pay it; but he said he would not until all the money was paid by Mr. Sands. I said if he did pay him that he (Mr. Muckle) would be more likely to make satisfactory arrangements with the Canadian Pacific Railway for the damage done to the limit, as he was the only person who knew all about it. It was understood from reports sent to Adams by the surveyor, and I think there is a surveyor now in the Department who knows all about it, that there were ten thousand or twelve thousand acres, and that if the Government charged \$5 per acre, the amount to be paid would be \$10,000 or \$12,000. On the 22nd January, Mr. Sands wrote me a letter which I did not receive until the 27th, notifying me that the Canadian Pacific Railway was cutting on the limit and asked me to defend his rights. On the 25th January, 1883, on my return to St. Catharines, I received the following telegram from Mr. Gouin:—"Did not answer your letter. Macpherson promised to wire you and send license direct. On inquiry to-day, they say they will decide to-morrow." On the 26th January a second telegram was received:—"Have not been able to see the Minister, and Ryley cannot do anything in your matter; you had better come down. J. A. Gouin."

In the letter of 27th January, 1883, will be found the words:—"If the Canadian Pacific Railway are entitled to the alternate sections, we must buy them out. That has reference to the conversation before spoken of, with Mr. Adams with respect to buying out the Government title. On the 27th January, I received this telegram:—"Letter and telegram received; Syndicate says Adams' limit within railway belt. Russell will see to it on Monday; Bowell doing all he can; you had better come. J. A. Gouin."

Then on the 28th January I wrote to Mr. Adams:—"I have Bowell working for me." That had reference to the telegrams sent to me, and I did not consider, nor do I say so now, that Mr. Bowell was doing anything wrong. Mr. Bowell had very kindly volunteered to do all he could to have this matter satisfactorily settled, and only did, what I may say any other Minister would have done in the case of a request properly made. He said at that time, as he stated the other day, that he at first thought the license should be renewed.

In the same letter of the 28th January, 1883, there appears the following:—"And if we succeed in beating the railway, we will have to pay the amount we agreed to pay, as you recollect, when we were at the Queen's Hotel, Winnipeg." Now, this had reference to the promise to pay Mr. Muckle \$5,000. I thought then Mr. Adams was wrong in not paying the money over at once, as he had agreed to pay it, and I advised him in that letter that we had better pay what we agreed to pay at the Queen's Hotel. There is a confusion in the correspondence between the Queen's Hotel, Winnipeg, and the Queen's Hotel, Toronto. That refers entirely to that transaction. "If we succeeded in beating the railway we will have to pay the amount we agreed to pay at the Queen's Hotel." I wished to have Mr. Muckle satisfied, and he would then be more likely to see that the claim was properly adjusted with the Canadian Pacific Railway. Referring to the letter of the 28th January:

"I am engaging all I can to assist me in Ottawa and we will have to pay them well for it," that was written in St. Catharines to Adams; at that time I had made up my mind to fight the Canadian Pacific Railway. Fortified as I was by a strong legal opinion I made up my mind I would see that the license would be renewed by the Government, if at all possible. I had at that time written several letters to Ottawa to persons who had acted as legal agents of mine in reference to the matter, in order to get all the information as to the claim of the Canadian Pacific Railway, with a view ultimately of applying to the courts to restrain them from interfering with the limit. Therefore, in that letter I say "I am engaging all I can to assist me in Ottawa and we will have to pay well for it." That refers wholly to legal expenses. A few days afterwards I saw Adams in reference to that matter, and we determined, if it became necessary, to buy the claim of the Canadian Pacific Railway, and also the sections belonging to the Government. I made up my mind that that was the only course we could pursue to get the thing carried through speedily and satisfactorily. I knew what litigation meant. I knew what it amounted to, particularly if action had to be taken in court. I then placed the whole matter before the leader of the Government. You will see in a letter which was published the other day that I referred to a previous letter of February. That letter I was unable to find until last week. It was written in February, 1883:—

"February, 1883.

"MY DEAR SIR JOHN,—I have waited very patiently for over one month in the hopes that you would give the order to renew the Adams license, in accordance with the understanding at the time the same was granted in September. The gentlemen who have undertaken to provide the capital for working the limit, and who have already advanced a large sum of money on the strength of your speech in Parliament, that the license would be renewed as a matter of course, are daily importuning me to have the same renewed. The machinery of the mill, which is to cost \$60,000, is already lying at the station in Minneapolis. (I understood that to be the case. I had letters to that effect.) I cannot understand what the Canadian Pacific Railway have to say to the license being renewed, especially as it is in the unsurveyed territory. Surely, if they cannot get land allotted to them in the unsurveyed part, then how can they claim the timber. The good faith and honor of the Government is at stake in this matter, and as I have pledged my word that your utterances in Parliament are always respected, I trust you will immediately give the order to renew the license, leaving the Canadian Pacific Railway and Mr. Adams to fight the matter out. I have reason to know that the Canadian Pacific Railway will not push their claim, if you, in any way, intimate to them that the good faith of the Government must be kept with the licensee. Let them get timber elsewhere, but do not let them ruin innocent people who have invested their money in good faith; by the license you give until January, 1884, to erect the mill. I have already informed you how important it is to me personally, to have my word kept good. Your son's office in Winnipeg will be compromised in this matter, as they acted for the parties who advanced the money, and gave their opinion that the license would be renewed.

"Yours very truly,

(Signed) "J. C. RYKERT."

Exhibit No. 17.

Now, that is a copy of a letter I sent to the First Minister, which shows that I did not put myself in a position of a beggar, but demanded it as a matter of right—a position which I took from the beginning to the end. I did not place myself in the position of using money or influence to induce them to yield in this matter, but, on the contrary, I placed myself in this position: that we had a perfect right to have this license renewed. All the correspondence will go to show that.

*By Mr. Casgrain :*

Q. Did you actually receive in hand on the 16th January, 1883, the sum mentioned in the receipt, page 152?—A. There was not a dollar paid to me personally. The notes were made payable to Mrs. Rykert and the cheques made payable to her.

Q. Did the money pass through your hands?—A. The cheques passed through my hands; they were payable at the Bank of Montreal, in Toronto.

Q. The money was delivered into your hands?—A. There was no money at all. The drafts were made payable to her at the Bank of Montreal, Toronto. The only money I received personally was for my expenses and fees in going back and forth to Winnipeg. The only money I received was for my services for 33 days, while I was in Winnipeg and elsewhere in the North-West trying to fight out this claim.

Q. What I mean to say is this, you received, through your wife, or for your wife, the money specified in that receipt?—A. That receipt speaks for itself. I say that I received notes and drafts made payable to her order.

Q. On the 16th January, 1883?—A. Certainly. I never denied that. On February 3rd, 1883, I wrote to Mr. Russell as follows:—

“ February 3rd, 1883.

“ L. RUSSELL, Esq., Ottawa.

“ DEAR SIR,—I have been informed by Mr. Gouin, to whom Mr. Adams sent the money to renew his license in the North-West, that the Canadian Pacific Railway has put in a claim to the alternate sections. How is it possible that they can interfere with a license issued in territory over which they have no right? Mr. Van Horne did not make any claim last summer when Adams threatened to prosecute him for trespassing on the limit, but, on the contrary, he agreed to pay for the damage and enter into a contract for all the ties he could deliver. Surely that ought to be evidence enough. I understand the company has deflected its line at this point for the sole purpose of taking in this limit. I hope there will be no more delay in this matter, and that the Government will recognise and protect its written agreement with Mr. Adams.

“ Faithfully,

Exhibit No. 18.

(Signed) “ J. C. RYKERT.”

On February 3rd, 1883, I wrote to Mr. Adams as follows:—

“ February 3rd, 1883.

“ DEAR ADAMS,—I this day wrote the Deputy Minister, explaining what I considered to be the true position of matters, and demanded the immediate renewal of the license. I explained when the difficulty about the Canadian Pacific Railway last year in trespassing, and showed him that Van Horne, up to that time, never contended that the Canadian Pacific Railway had any claim to the limit. It looks as if Hamilton was here for the purpose of causing us trouble. Will let you know what he says in a day or two. I intend writing Sir John fully all about the matter. I am sure he will do Sands justice.

“ Yours faithfully,

Exhibit No. 19.

(Signed) “ J. C. RYKERT.”

On 5th February, 1883, I wrote to him again:—

“ February 5th, 1883.

“ MY DEAR ADAMS,—I had an interview with Sir John yesterday, and fully explained to him the whole facts in connection with this outrage on the part of the Canadian Pacific Railway, and he seemed to agree with me, that he ought to protect Sands as far as he could, by renewing the license. I explained to him that Sands wanted to purchase the limit out-and-out, and that he would bring in settlers. I think he felt disposed to recommend the sale of the land at a fair price. If he will do this, we will have little or nothing to pay in order to satisfy Sands. I intend seeing Sir Charles Tupper to-day, if possible. I know he will take the right view of the whole matter.

“ Faithfully yours,

Exhibit No. 20.

(Signed) “ J. C. RYKERT.”

All I can say in reference to that is, that I saw Sir Charles Tupper at the Grand Union Hotel, and he at once took the view that I had taken in reference to the matter, and he made use of the expression, as I wrote in my letter to the leader of the Government, that he would take the bull by the horns and make them respect the license. I have correspondence from him afterwards, in which he says that he has seen Sir George Stephen, and that the matter will be amicably arranged.

On 8th February I wrote again:—

“February 8th, 1883.

“DEAR ADAMS,—I have drawn up a complete statement of all the facts and sent the same to Sir John, and I am certain from what he said to me a few days ago, that he will renew the license in full. I also urged upon him the fact that Sands will help the country by introducing a certain number of settlers each year. Will let you know result.

“Yours truly,  
(Signed) “J. C. RYKERT.”

Exhibit No. 21.

Sir John did not do that, but he did all he could to effect a settlement of the difficulty.

On February 7th, Mr. Adams writes to me:

“February 7th, 1883.

“DEAR RYKERT,—I hope you will be successful in getting the whole thing settled, as I cannot feel right to see Sands lose any part of the limit, and I will not use any of the money until this is done. Somebody is at the bottom of this, and you must see who it is. Sands told me he would take on settlers on the land. If he does this, the Government ought to sell for less than \$5. You must try to let us out of this, so that we will not have to pay anything. Heard from Mercer to-day. They are all well. He is a trifle anxious.

“Yours respectfully,  
(Signed) “J. ADAMS.”

Exhibit No. 22.

Then I wrote to him on February 10th, as follows:—

“February 10th, 1883.

“DEAR ADAMS,—I explained to you yesterday, when you were here, that I had intimated to Sir John and Mr. Bowell, that Sands would indemnify the Government against the Canadian Pacific Railway. I also gave them to understand that, if they could not persuade the Canadian Pacific Railway to withdraw its claim, I thought Sands would be willing to buy from the company, if the Government would also sell the other sections. This may let them out of the difficulty. We must get this settled in some way, and get out of it as cheaply as possible. Will keep you informed.

“Truly,  
(Signed) “J. C. RYKERT.”

Exhibit No. 23.

Then Adams writes me again on 11th February:—

“TORONTO, February 11th, 1883.

“DEAR RYKERT,—I am very much troubled over this difficulty with the railroad. We must make Sands all right. This is a terrible thing. I cannot consent to using his money until I have seen him through safely. Hope you will compel them to renew license, or sell as we talked about, which will suit Sands as well. Please keep at them until you get fixed.

“Yours truly,  
(Signed) “JOHN ADAMS.”

Exhibit No. 24.

Then again on February 16th, Adams writes:—

“ 16th February, 1883.

“ DEAR RYKERT,—Why do you not push this matter through? I must have it settled immediately. Tell John A. that this must be done, as we all relied on what he said in Parliament, about renewing yearly licenses. Try and get them to sell out, if they will not renew the license. We can raise our share at any time, by putting notes in the bank. But do try to get the license renewed, as that will satisfy Sands.

“ Respectfully yours,

Exhibit No. 25.

(Signed) “JOHN ADAMS.”

That shows that at that time, it was contemplated paying money and raising it from the banks, in order to pay it. Then on the 19th February Adams writes:—

“ 19th February, 1883.

“ DEAR MR. RYKERT,—I cannot stand this worry at all. You must get this settled. I know you can have influence enough to do it if you try. I will do my share when called on, if I can satisfy Sands, who is an honorable man. Keep at them, and let me know what we have to pay. Sands wrote you that he will be willing to pay you for your trouble, so you can work the harder.

“ Yours respectfully,

Exhibit No. 26.

(Signed) “JOHN ADAMS.”

From that letter on the files it appears that Mr. Sands said he would pay me, which, however, he forgot to do. On 23rd February I wrote as follows:—

“ 23rd February, 1883.

“ MY DEAR ADAMS,—Things look a little better here for the settlement. Sir Charles Tupper told me he would take the bull by the horns and have the Canadian Pacific Railway respect the Government license. I hope he will do so at once. I think he has consulted with Sir John and will attend to it. If they will not renew, he tells me it is probable they can procure the Canadian Pacific Railway to sell its claims, when we can easily settle with Sands. The Canadian Pacific Railway want the same as the Government, and claim the limit is very valuable to them.

“ Yours truly,

Exhibit No. 27.

(Signed) “J. C. RYKERT.”

In my letter of 8th March appears the following:—

“ I am afraid it will cost us each six or seven thousand dollars to get this made all right. I have five or six at work for me, and have agreed to pay them well if they succeed.”

Now, we had decided, as I have shown by the correspondence, to buy out the Canadian Pacific Railway or the whole title from the Government. In addition to that I may mention that there were a number of persons who happened to run foul of Mr. Adams and kept persuading him that they could have this matter settled if they were paid a certain amount of money. Among the rest this same man Muckle followed him to Toronto and told him that he could get the Canadian Pacific Railway to release the claim if he were paid \$5,000. Mr. Adams talked the matter over and agreed to pay \$5,000, and the agreement was drawn up with Mr. Muckle by which he was to get \$5,000 if he could release the claim. A few days afterwards he telegraphed:—“Place \$5,000 to my credit, I have settled the claim.” Adams was in favor of depositing the money to his credit, but I told him not to do so until he saw the release. I told him to telegraph to have the release sent to the bank of Toronto: but the release never came. That is what I referred to when I spoke about parties working.

*By Mr. Blake :*

Q. Was Mr. Muckle at that time timber agent for the Canadian Pacific Railway?—A. I really cannot tell you. I think he was.

*By Mr. Mills (Bothwell) :*

Q. Who were the other five or six persons?—A. I cannot tell you, but Mr. Kirby was one.

*By Mr. Langelier (Quebec) :*

Q. Who was Mr. Kirby?—A. The celebrated Mr. Kirby. He made himself very officious about it, and I see that in one of the telegrams he says he had an appointment with the First Minister. He told Mr. Adams that he could have the Canadian Pacific Railway claim released for \$3,000. He told him that a dozen times.

*By Mr. Ives :*

Q. This reference to cost, all has reference to the Canadian Pacific Railway claim?—A. The Canadian Pacific Railway claim alone. I will read you Mr. Adams' reply to that letter.

Q. These references, you say, are all connected with the Canadian Pacific Railway claim?—A. Yes.

Then, on 9th March, I received a letter from Mr. Adams. That letter I had lost until a few days ago, when I found the original while hunting among several thousand letters at home. I had a copy in my brief before; but I have the original here if anyone wishes to see it.

The letter which is dated the 9th in the public proceedings should be the 8th. It reads as follows:—

“TORONTO, 9th March, 1883.

“MY DEAR RYKERT,—Yours of the 8th received. If we have to pay \$6,000 apiece it is better to do that. I am quite willing to sell one of the notes, which I can, at a little sacrifice, providing we can secure it satisfactory to Mr. Sands. I am going to telegraph Mr. Muckle was here, but I sent the message by Mr. Montgomery of Winnipeg. Mercer told him that all he got was one of the notes, and he wants to scare the note from Mercer, but he does not care much for you and me. I told him that I should not have sent the \$5,000 to him only for you, as I wanted to see this matter through. Hoping to hear from you soon,

“I am yours, &c..

Exhibit No. 28.

(Signed) “JOHN ADAMS.”

That has reference to the \$5,000 that he wished to retain in his hands for 2 years until the whole matter was settled. I mention that fact and produce the letter of Mr. Adams to show that he was perfectly well aware of the nature of the transaction. To say that the letters bear the interpretation that I was trying to get money out of Mr. Adams for illegitimate purposes, is disproved by these letters, and the fact is, that a bargain was made on the 16th January, 1883, that we would buy out the claim of the Government, not then knowing anything about the Canadian Pacific Railway. Subsequently we agreed to buy out the Canadian Pacific Railway and the Government, and negotiations were carried on by which it was intended that the land would be purchased. I say distinctly that no money was ever paid by me, to influence the Government or any person or persons in the Department, nor was Mr. Adams asked to pay \$1. I supposed Mr. Sands had a legal claim against the Government and had the right to have that claim enforced. There was no necessity to ask Mr. Adams to pay me any money at all. Mr. Adams knew about the agreement made in January, 1883, and the correspondence I have produced here shows that the reference I have made is to that same transaction: “We will have to buy out the Canadian Pacific Railway.” I mention the letters of February 5th, 7th, 8th, 10th, 11th, 16th, 19th and 23rd to confirm the statement that there was an agreement to purchase the land in order to secure Sands' title, and they also show that my statement that Muckle was to be

paid is correct. I might state that, subsequent to this, arrangements were made, as stated by the leader of the Government the other day, by which the Canadian Pacific Railway should be bought out.

*By Mr. Ives:*

Q. The odd sections were bought out?—A. Yes, subsequently.

On March 13th, I received the following letter from Mr. Adams:—

“ March 13th, 1883.

“ DEAR RYKERT,—After leaving you yesterday, I thought perhaps Muckle was trying to play a trick upon us, but he was so certain he could get the Canadian Pacific Railway to give up, that I made up my mind to pay him the amount agreed upon. We must settle this matter soon even if it costs us a little more. You ought to be able to get it settled with the Government. Cannot make any difference to us if we pay the Canadian Pacific Railway or the Government, but do try to settle it.

“ Yours truly,

(Signed) “ JOHN ADAMS.”

Exhibit No. 29.

That is, perhaps, the last letter bearing upon this subject. I have other correspondence showing the character of the negotiations with the Canadian Pacific Railway, which it is not necessary for the Committee to have. In my letter of January 23rd, 1884, there is an expression made use of which I do not know what the Committee have thought of. That is: “ there is the devil to pay in the House about the whole affair.” The First Minister may remember that there was a petition sent down by Mr. Laidlaw in which it was stated that there was fraud in the matter. That petition was shown to me, in which certain facts were set out, and I explained what Mr. Russell had done, and the leader said that Parliament had nothing to do with it. I saw that this petition was to be scattered about, and that is the reason I said “ there would be the devil to pay about it.” That was long after the transaction with Sands was closed, but Mr. Laidlaw was persistent about it and thought that fraud had been committed. That, however, has been satisfactorily explained by Mr. Russell. It was a departmental matter wholly. I state positively again, that I never tried to use any corrupt influence, or any influence any more than anyone should use to push a matter of this kind through. I put myself in the position that I demanded justice should be done to Mr. Sands and Mr. Adams, and any person who interprets the letters as showing that I used corrupt influence misunderstands what I meant. I used no improper influence whatever, but did what I considered to be my duty to Mr. Adams and Mr. Sands. I am prepared to answer any questions which honorable gentlemen might like to ask me. I have one letter from Mr. Laidlaw addressed to Mr. Adams, a part of which, I would like to put in:—

“ HAMILTON, 24th May, 1882.

“ MESSRS. JOHN ADAMS & SON, Winnipeg.

“ DEAR ADAMS,—How are you? Do you remember me? I saw you at Ottawa, and chaffed you about that timber limit you were after. I was after one too and had priority over you, and I did not expect that either of us would have got a limit. Well, we have both got Orders in Council, thanks to the untiring attention of Messrs. McCarthy and Rykert, &c., &c.”

Exhibit No. 30.

*By Mr. Ives:*

Q. Your last letter of the 10th April, refers to the size of the limit as 400 square miles. You say, “ if that is not satisfactory, I do not know what is.” Are you prepared to state whether that 400 square miles was larger than the regulations or Orders in Council?—A. I have the original application which was put in. It asks for 500 or 600 square miles; but 400, Mr. Russell stated that that was larger than was ever granted, but he said, “ if your 400 does not conflict with Mr. McCarthy we will let it go.” There is a sketch among the papers showing the size of the limit.

Q. What I want to get at, is, whether the limit given to you was unusually large?—A. All we could get was 50 square miles.

Q. Was any special favor shown to you in this matter?—A. No; not at all.

MR. BLAKE,—Mr. Rykert has shown several propositions. As early as the 10th February, 1882, he says: "I have made inquiries in the Department and they tell me it is necessary to state as nearly as possible the boundaries in the application within which you wish to select 50 square miles (you cannot have any more); but they will not permit you to wander all over the country. I think they will let you select a limit out of a defined area of 400 square miles."

*By Mr. Ives:*

Q. I have noticed that. I am glad to hear you say that the terms given you were ordinary terms?—A. Yes; Mr. McCarthy had the same.

Q. I see a postscript in one of your letters, in which you say: "Try McCarthy perhaps he will buy." Who is that McCarthy?—A. That is Peter McCarthy of Winnipeg, formerly of St. Catharines. He was then in that locality, speculating. You will see in the correspondence that in one of the letters addressed to me that Adams said he consulted Mr. McCarthy. That is the Mr. McCarthy. He is now in Calgary.

Q. I do not know that it has any particular relevancy to this matter, but is it not a fact, that during the two or three sessions previous to the session of 1883, that Mr. Dalton McCarthy had charge of a large amount of railway legislation and other North-West bills, in the House of Commons; that by far the larger proportion of the North-West legislation—that is, private bill legislation—passed through his hands?—A. I suppose the records of Parliament will show that. I know that Mr. McCarthy did take charge of different bills, but I cannot recollect what they were.

Q. I am asking merely as a matter of fact. Is it not a fact that you were a little jealous of the amount of business Mr. McCarthy was doing, in the Railway Committee and in the House of Commons, and that is the reason why you were so persistent?—A. I was never jealous of anybody. I have more business now than I can attend to at home. I know this much, I have never come in contact with Mr. McCarthy. I had no reason to come in contact with him, and I was not jealous of him.

*By Mr. Blake:*

Q. How could it become a matter of jealousy?—A. I never took any interest in private bill legislation and have had but one bill for a railway, and to that I was at first personally opposed. It was for a railway in my constituency and I was obliged to push it through, as I have done again this session.

*By Sir John Thompson:*

Q. Without wishing to ask Mr. Rykert any question about it, I would like to call his attention to a statement which appears in *Hansard* and also on page 289 of the Votes and Proceedings, in which Mr. Rykert is reported to have said:—"The hon. gentleman has asked me several questions, and I propose now to answer them. I neither directly nor indirectly drew the money he spoke of, nor put any sum in my pocket except professional fees, and professional fees only. I deny that I negotiated any timber lease for Mr. Adams, or any other person. On the contrary, Mr. Adams had his own agents to negotiate for him; he made his own bargain, and I had nothing to do with it, and did not pocket the money the hon. gentleman has spoken of. On the contrary, I advised Mr. Adams not to dispose of the limit, but to work it. The hon. gentleman on several occasions has made remarks outside of the House to the same effect, and I am glad now to have an opportunity to give it an emphatic denial."

A. I did not overlook that, but I did not refer to it because it was not a matter referred to this Committee. It was in the motion of Sir Richard Cartwright, and was expunged by the Minister of Justice.



Q. I did not make any motion about it?—A. I mean Mr. Kirkpatrick. So I did not make any explanation because I did not consider it necessary. That has been expunged.

Q. The object in calling your attention to it is to have you say whether it is true or not that you made this statement to the House, and if you did make it, do you desire to make any explanation with relation to it?—A. I do not deny making that statement. I had no interest in that limit except what may be interpreted as the interest my wife had. All money was paid to her. It was a voluntary offer made by Mr. Adams. Before that, I had made arrangements with Mr. Adams, that for every day I was engaged for him, away from my business, I was to get the sum of \$100 per day. The other money was paid direct to her, and I had no interest whatever in that money, except what may be said that I have an interest in what my wife has. I further say, that I never touched \$1 of her money, and you will find that parties in St. Catharines have invested her money and that I have not had any control over it.

*By Mr. Ives :*

Q. Were you paid professional fees?—A. Yes; I was by Mr. Adams. I was paid \$3,300 for 33 days services. I did not negotiate the sale of the limit, as stated there. I had nothing to do with negotiating the sale of the limit. It was sold without my knowledge. Adams in his letter states that he had consulted Mr. McCarthy about the sale of the limit, and I never saw Mr. Sands in my life until the day the whole thing was closed. On the contrary, I understood that Mr. Adams was going to sell to a man named Zimmerman, from Chicago. I had nothing to do with the negotiations or the sale.

Q. What was the \$5,000 referred to in the letter which has been read? Was that for Muckle?—A. That was carrying out the arrangement that Sir John Macdonald spoke of—of buying from the company at \$5 per acre.

*By Mr. Langelier (Quebec) :*

Q. I see in your letter to Adams of 8th March, 1883, the following statement :—“I am afraid it will cost us each six or seven thousand dollars to get this made all right. I have five or six at work for me, and have agreed to pay them well, if they succeed.” Who are those five or six?—A. The only two persons I can recollect now are, Mr. Muckle and Mr. Kirby. A number were interceding and had volunteered to get this claim released, in the city of Ottawa, for Mr. Adams.

Q. Do you remember any other names?—A. No.

Q. In your subsequent letter of 28th March, 1883, you say: “I am having a hard time with the limit matter. It will cost us each, at least, \$5,500 to get this through. I have laid my ropes so that I expect to have it settled in a few days. I have a dozen at work for us. You must be prepared to pay the amount of your share at any time, as it will have to be all cash.” Do you remember any of the parties?—A. Those are the only two I can remember. I have been trying to recollect. I know a number were after Adams here, and chasing him here and there. Mr. Adams was a man rather susceptible of being caught by almost any person, and was in the habit of telling his grievances to almost anybody. I forget who they were now, it is so long since. I know those two, however. Mr. Adams knew what the bargain was, that he was to pay his share between the price the Government would charge and the Canadian Pacific Railway would charge, and that which Sands would give.

*By Mr. Dickey :*

Q. Was any such money paid to Mr. Muckle or to other men?—A. No; Mr. Muckle has been trying to get this \$5,000 from me. The other day I received a registered letter in which he says he wants his money and threatens to expose the whole thing if I do not send it to him.

Q. He got \$5,000?—A. Yes; certainly. I got a registered letter the other day demanding this other \$5,000 or he would expose me before this Committee.

Q. This other you did not pay then?—A. No.

*By Mr. Curran :*

Q. How did you arrive at this figure of \$5,000?—A. There was 10,000 or 12,000 acres on which there was timber. If there were 10,000 acres of timber it would be \$5,000, or if 12,000 acres it would be \$6,000 apiece.

*By Mr. Ives :*

Q. That is to say, Sands was willing to pay \$4 and you expected to have the Government ask \$5 per acre, and this money was to represent Adams half of the extra dollar?—A. Yes; but as a matter of fact the Government was not bought out. They renewed the license for the alternate sections. The Canadian Pacific Railway afterwards sold their alternate sections, and you will see that the 5,000 acres was subsequently increased to 8,000, subject to the inspection of Mr. Sand's surveyor, and it was found that the best timber was on the Government section, so that altogether there were only 5,000 or 6,000 acres that the Canadian Pacific Railway had of any value as a limit.

*By Mr. Blake :*

Q. You say in your letter of 28th January, "We will have to pay the amount agreed"?—A. That is the \$5,000 to Muckle. Mr. Adams did not want to pay him the \$5,000 until after two years had elapsed, until we had got the money in.

Q. You say "beating the railway"?—A. I thought it important that Mr. Muckle should be kept on the right side, inasmuch as there were \$22,000 at stake, which claim was afterwards released to the Canadian Pacific Railway when the final arrangement was made.

Q. Then in the same letter:—"I am engaging all I can to assist me at Ottawa, and we will have to pay them well for it, as we cannot afford to lose this"?—A. What I had reference to there was that I had determined to employ lawyers,—Mr. Mosgrove and Mr. Gormully—and I had written Mr. Lash and intended to fight the Canadian Pacific Railway.

Q. These were legal expenses?—A. Nothing else. I say: "I am engaging." That was written in St. Catharines. I saw Mr. Adams after that, and this was all abandoned. We determined to settle without law.

*By the Chairman :*

Q. In the telegram produced from Mr. Gouin, by you, Mr. Gouin says: "Ryley will send you licenses to St. Catharines by mail to-night, without fail. I have paid him the money." It is some time ago; but can you explain what this money refers to?—A. To renew the license, which costs \$250 a year. Late in December or in the early part of January, Mr. Adams sent money to me at St. Catharines, to renew the license. Knowing that Mr. Gouin would attend to any business for me, I sent him the \$250 to pay Mr. Ryley. He took the money to the Department and paid it in; but to whom I do not know. The letter is on file.

*By Mr. McDougall :*

Q. Who was Mr. Ryley?—A. A clerk in the Department of the Interior.

*By Mr. Blake :*

Q. Referring to Mr. Sands' letter of the 4th May, 1883, I observe that he says: "When I went to Winnipeg last winter, and paid out \$200,000 in cash and notes for the purchase of the Cypress Hill, and paid a large fee for legal advice, I little thought I would have to go through this siege of anxiety and trouble, not knowing the law and rule regulating those land limits in your country. I relied entirely upon the legal and friendly advice given me at Winnipeg, and, having paid all that the Cypress limit is worth, I feel somewhat as if your Government ought to protect me in this matter"?—A. I did not refer to the Sands matter at all.

Q. I am speaking simply of this question of advice. You have nothing to do with this question of advice?—A. No; I appeared simply as Mr. Adams' representative.

*By Sir John Thompson :*

Q. Do I understand you, that you and Mr. Adams were arranging with the Canadian Pacific Railway to buy out their claim?—A. An arrangement was made as stated by the First Minister, that they were to get \$5 an acre, and after negotiations were going on during the whole of the summer of 1883 and 1884, Mr. Drinkwater stated he was prepared to settle the whole matter. Then the question of damages arose. He wanted \$3 an acre and a release of claim for damages, and then I said that Mr. Sands would not give more than \$2 per acre. The timber had fallen in value and Mr. Sands was not so well satisfied. Finally, Mr. Drinkwater sold for \$2 per acre; but there was the claim for damages which had to be released.

Q. What sum was eventually paid?—A. \$2.25 per acre.

Q. I mean, what was the whole sum?—A. I do not really know. There were several thousand acres bought. I examined Mr. Hamilton in Winnipeg and he informed me that the letters and papers were destroyed.

Q. But do you not remember how much you and Mr. Adams paid?—A. No; Sands paid it. Adams paid nothing to the Canadian Pacific Railway.

Q. How much did you and Mr. Adams pay?—A. Not one cent.

Q. All these letters in which you speak of money being paid, had reference to the probable necessity of buying this limit?—A. That is all.

Q. When did you begin to contemplate buying it?—A. In the early part of January, 1883. I went to the First Minister and explained the matter to him, and in order to get the Government out of the difficulty in respect to the renewal of license, I suggested that \$5 per acre be paid to the Government for the whole limit. The First Minister will recollect that he advised the Government to sell their share at \$5 per acre, and Mr. Stephen agreed to take \$5 per acre for the Canadian Pacific Railway.

Q. Was it ever contemplated that you and Mr. Adams should pay it?—A. It was contemplated that we should pay whatever was above what Sands had agreed to pay, and what the Government or Canadian Pacific Railway charged. You will see that after that, Mr. Sands withdrew his offer.

*By Mr. Landry :*

Q. Sands withdrew that. But it was eventually settled at less than that, so you had nothing to pay?—A. Nothing to pay.

*By Sir John Thompson :*

Q. When did you make up your mind to pay?—A. On the evening of the 16th January. At the meeting in the Queen's Hotel, Winnipeg, we agreed to pay the extra dollar, if it were a dollar, and less if possible. I thought, from a remark I heard in the House from one of the Ministers, that if settlers were brought in, some consideration might be made for that, and I then made the proposition which you see in the letters, that Mr. Sands should bring in settlers.

*By Mr. Ives :*

Q. After the final adjustment between Mrs. Rykert and Adams, was anything paid by Adams, contributing out of his part what was not *pro rata* borne by Mrs. Rykert on her part?—A. It had to be paid out of the profits.

Q. There was no advantage shared by one, or disadvantage shouldered by one that was not by the other?—A. None.

Q. The professional fees you received were taken out of the whole sum?—A. Yes; you will see that stated in my address to the electors.

Q. This talk about contributing money had relation to the final arrangement with the Canadian Pacific Railway; but no money was paid, inasmuch as in that final arrangement it was not necessary?—A. After Sir John told me that they would sell for \$5 per acre Mr. Sands got angry, and I suppose I have one hundred letters from Mr. Sands discussing the final settlement; but after the final settlement was made by Mr. Drinkwater, he got angry again and put it off until April, 1884 and finally closed up the bargain.

Q. For the quantity he bought he got the right of sale?—A. Bought it out-and-out. The Government was willing to sell theirs at \$5 per acre.

Q. But he did not take that?—A. No; Mr. Sands would not have that.

*By Mr. Langelier (Quebec):*

Q. I see in your letter of March 8th, 1883, "I find difficulties surrounding us, in every way, in reference to the limit," and "I find that the Canadian Pacific Railway have certain Ministers working for them." Who were the Ministers? A. Sir David Macpherson expressed the view the other day, that he held a different opinion from what I did. He expressed the view that the Canadian Pacific Railway were entitled to their claim, and that Mr. Pope thought the same; but I think I am justified in saying, that nearly all the other Ministers took a different view. At all events, the whole question was settled by my proposition to buy out.

*By Mr. Blake:*

Q. Can you tell us anything at all about these telegrams and letters of Mr. McCarthy which were produced at the last meeting, dated mostly in September, I think, declaring that fraud had been committed and that he wanted to go down to Ottawa, and to stay the hand of the Department until he should come down, and see further about it. Were you present at any interview or discussion with Mr. McCarthy before the Department?—A. No. I never saw Mr. Russell from the early part of the year until that time. I was not in Ottawa after that. Mr. Bowell communicated to me what the report of Mr. Russell was.

Q. I am speaking of a time since then. On the 4th September, there is a letter, and on the 5th there is a very strong telegram?—A. I never saw Mr. McCarthy at all in reference to this dispute.

Q. You were aware that objections were being made, because you yourself telegraphed Sir John. You say: "Would like copy of Laidlaw's objection; I think he is only trying to bluff."—A. I came down to Ottawa to try and get the license renewed. Sir John was away, and Mr. Bowell explained to me how matters stood.

Q. There was no sort of discussion between the two opposing parties? Although that is implied in the letter of Mr. Lindsay Russell, dated 31st August, 1882, and addressed to Sir John Macdonald?—A. No; I knew nothing about it. Russell, I think, must refer to the original difficulty.

Q. There is just one other thing which arises from this same letter of Mr. Russell. You will observe that Mr. Russell, in his letter to Sir John Macdonald, points out that the applications overlap one another, and he also refers to the adjustment which he had arranged at that time. I want to know if you remember anything about that. It appears on page 13 of the Evidence? Mr. Rykert explained by means of a pencil diagram how the two limits overlapped.

Q. Mr. Russell says:—"Both parties filed applications of unreasonable extent, so much beyond anything that could in rule be granted, that I assumed that their conflict, on one side on which they overlapped each other, was of secondary importance, and also assumed, as acting for you, the right to deal with them by a curtailment and readjustment, in such wise as to do away with the overlapping. This action I clearly explained to Messrs. Rykert and Dalton McCarthy, at an interview which I had with them together, pointing out to them that the alternative would be, under the regulations, to make them compete for that part of the ground on which they both had applications. They seemed fully to understand the adjustment I proposed. So far from there being any difficulty, they proposed to act in harmony, by employing jointly, with a view to economy, a surveyor to lay out their berths." This was Mr. Russell's method of settlement?—A. Yes.

Q. Neither you nor Mr. McCarthy proposed any such settlement as that?—A. No. On the contrary, I said: "Mr. McCarthy, which will you take now?" I said: "Mr. McCarthy has first choice; which will you take?" Mr. McCarthy said: "I will take it down near Fort Walsh."

Q. It was the deputy of the Department who proposed that the alternative would be competition, and pointed out that that would involve a bonus being paid. You were aware of the regulation that provided for case of conflict?—A. Yes.

Q. Neither of you were supposed to know very correctly, where the timber was?—A. No, none of us knew anything about it.

Q. Mr. Russell goes on to say: "I submit to you that inasmuch, as under the regulations they would, if each maintained his application in conflict with the other, be obliged to compete, and in their interest, not that of the Department, an adjustment doing away with such competition, was made, of which both parties were cognizant, and that the adjustment was made in good faith, without any knowledge as to location of any valuable timber (for of this I was as ignorant as I believe were the parties themselves), and was, therefore, impartial. They can now have no ground for complaint, even though the hazard in the arrangement has, it would appear, turned out to be much more in favor of one than the other." This also accords with your recollection? I ask you this question, because Mr. Russell was unable to give us any evidence from memory. Does this accord with your recollection of the facts?—A. Yes; one of the letters to the Department refers to our meeting there.

*By Mr. Mills (Bothwell):*

Q. This overlapped territory all went to the other party?—A. Yes.

Q. You received no portion of that?—A. No; it was cut off. The whole area in which there was any timber at all, was 37½ miles. There were many sections in which there was none.

*By Mr. Blake:*

Q. The adjustment was proposed, but you state that Mr. McCarthy, as the first applicant, had the choice, and your client took what was left.

*By Mr. Davies:*

Q. The agreement of 3rd April, 1882, between Adams and your wife was actually as given in the papers?—A. I have not seen it lately. I do not know where it is now, but I know Mr. Adams had it drawn up.

Q. Did you communicate to the Government at any time that you were interested in this way on behalf of your wife?—A. I do not think that we have anything to do—

Q. Never mind what you think. Did you communicate to the Government your wife's interest in this matter? This was in April, and a few days after you thought the limit was worth \$40,000 or \$50,000?—A. His letter speaks of \$40,000 or \$50,000, and I simply referred to it. I said: "If you can sell it for \$40,000, do so." I tried to get up a company in St. Catharines for \$20,000, but Captain Murray, to whom I applied, would not advance a dollar. I asked Captain Murray to advance \$10,000 in cash to put up a mill, and take the whole thing as security, but he would not touch it.

Q. Then you led the Department to believe that you were acting as solicitor for Mr. Adams solely?—A. I did not lead them to believe anything. I simply applied for Adams.

Q. Then you were indirectly interested through your wife?—A. At the time this limit was granted, there was no thought whatever of my wife's having a share.

*By Sir John Thompson:*

Q. How was it after that?—A. Mr. Adams said to me: "I am going to make your wife a present of this."

Q. After the settlement on your wife of \$74,000, a good deal of negotiation took place with the members of the Government. Was it disclosed then?—A. It had already been sold. It had gone out of our hands altogether.

*By Mr. Davies:*

Q. Not in April, 1882?—A. Sir John Thompson is speaking of negotiations with the Government after the sale to Sands.

Q. I mean subsequent to arrangements made with Mr. Adams and Mrs. Rykert. Did you, on the 3rd April, 1882, or subsequently, give any member of the Government to understand that Mrs. Rykert was half owner of the limit?—A. No, sir; I have said so.

*By Mr. Blake :*

Q. I think in the letter you read to-day, there is a clause in which you say: "I have explained to you my personal interest in this matter"?—A. No, that refers to keeping my personal word. I said in that letter: "I have already informed you it is important, personally, to have my word kept good." Because I had represented to Mr. Sands, that the license would be renewed. That is what I referred to throughout.

Q. That allusion had no reference to any pecuniary interest, but to your word as a man of honor?—A. Wholly so.

*By Mr. Davies :*

Q. It may be that my question has been anticipated; but between the 28th January, 1883, and the last of March, 1883, in some five or six of these letters, you speak of employing different people. In one case five or six, and in another case a dozen?—A. I have already explained that.

Q. You did not pay any of these any moneys?—A. I have already explained the whole thing. I intended at first to employ men to fight them legally, but afterwards abandoned that.

Q. When you say: "I have five or six men working for me, and I have agreed to pay them well," is that true?—A. It had been agreed to pay Mr. Muckle \$5,000, and Mr. Kirby \$3,000, and different persons had volunteered to assist in the matter.

*By Mr. Dickey :*

Q. Did you get any money from Adams to pay these men?—A. Not a cent.

Q. Adams did not pay a dollar?—A. Not a dollar.

*By Mr. Davies :*

Q. You say in your letter of the 28th March, "I am having a hard time with the limit matter. It will cost us at least \$5,500 to get this through. I have laid my ropes so that I expect to have it settled in a few days. I have a dozen at work for us. You must be prepared to pay the amount of your share at any time, as it will have to be all cash."—A. That has been explained.

*By Mr. Mills (Bothwell) :*

Q. The difficulty is, that this sum arises from the payment of these parties, and not from any difficulty in relation to the land?—A. That may be an exaggeration about a dozen. I would not say there were a dozen.

*By Mr. Davies :*

Q. Mr. Adams knew all about the payment to Muckle?—A. Yes; I have read his letter.

Q. You are writing to him from Ottawa, saying you have five or six or a dozen men working for you, and now you say there is no reference to paying them?—A. I said we would have to pay them; but what I asked the cash for, was to pay the Government or the Canadian Pacific Railway, in accordance with the arrangement previously arrived at.

Q. Excuse me, I will read it again. On the 28th March, you said: "I am having a hard time with the limit matter. It will cost us at least \$5,500 to get this through. I have laid my ropes so that I expect to have it settled in a few days. I have a dozen at work for us. You must be prepared to pay the amount of your share at any time, as it will have to be all cash"?—A. That was to pay the \$5,500 to the Canadian Pacific Railway and the Government, with whom we had been negotiating for \$5 per acre.

Q. On the 8th March, you had said: "I have five or six working for me"?—A. That would be Mr. Muckle and Mr. Kirby and the others, whoever they were. I was not deceiving Mr. Adams.

Q. You said here in your letter of the 12th February, to use your own language: "John A.'s son, from Winnipeg, McArthur's partner, is here, and I intend employing him to go for his father. I think if you had young Tupper here, and paid him pretty well, he would help us materially;" and on the 5th March, you said: "I have brought Macdonald and Tupper from Winnipeg, and I hope they will be able to induce their fathers to act properly in the matter." Are these statements correct?—A. I have already explained that matter in the House.

Q. But you said you were going to explain it to-day?—A. In the first place, I may say, that whoever is telling the truth will make no difference. As far as this Committee is concerned, the mere fact of introducing persons' names there, does not give this House any jurisdiction over them at all. I have explained to the House—I will not say that what the young gentlemen say, is untrue, but they may be mistaken—that I had written to Mr. McArthur on February 10th, 1883, this letter:—

" OTTAWA, February 10th, 1883.

" DEAR McARTHUR,—I presume you have heard before this, that the Canadian Pacific Railway has put in a claim to part of the limits sold to Sands, which is a most unfortunate piece of business. We must, if possible, try to get the Government to compel the company to abandon its claim. It seems to me, that if you get Macdonald and Tupper to come to Ottawa, and explain to the Government, that your firm passed the title for Sands, and that they ought to protect the holders of the license, especially when the license was granted before the railway was built anywhere near the limit, they will do so.

" You will recollect reading Sir John's speech in Parliament to Sands, where he speaks of yearly licenses being as good as those for twenty-one years. I am satisfied, if the matter is explained by those gentlemen, that the Government will renew the license. In conversation with several members of the Government, I find that they take the ground, that the license should not be interfered with.

" Faithfully,

(Signed) " J. C. RYKERT."

I wrote to Mr. McArthur asking him to use his personal influence, and I presume that when Mr. Macdonald and Mr. Tupper came down, it was in accordance with that request. I saw Mr. Tupper here, but he does not seem to recollect it. I saw him here, and went as far as the Grand Union Hotel to see his father. I do not wish to say that these gentlemen would tell what was untrue, but it may have escaped their recollection. I wrote this letter to Mr. McArthur and he recollects it.

*By Mr. McDougall:*

Q. Who is Mr. McArthur?—A. He was a leading member of the firm. I would not for one moment say that these gentlemen would wilfully say what was untrue; but it is quite possible they are mistaken as to their recollection of the matter.

*By Mr. Davies:*

Q. You do not seem to appreciate my question at all. I simply wanted an answer without this long rigmarole about what you did with Mr. McArthur. You said: "John A.'s son, from Winnipeg, McArthur's partner, is here, and I intend employing him to go for his father." Was that a true statement?—A. He was here.

Q. Did you employ him to go for his father?—A. That was just like some idle expression which I might make or you might make. I knew very well that he could not do anything with his father, except what was right; nor would he attempt to do so.

Q. Did you bring Macdonald from Winnipeg, as you state?—A. I wrote to Mr. McArthur to get his partners to come down. I saw them in Ottawa and supposed that they had come here in accordance with that letter.

Q. Did you employ them, if they were here?—A. No; I did not employ anyone. I simply wanted them, as solicitors for Mr. Sands, to explain the matter to the Government, and I felt certain the Government would renew the license if the matter was properly explained to them.

*By Mr. Langelier (Quebec):*

Q. Why were you anxious to have these gentlemen from such a distance as Winnipeg?—A. I supposed they would come down here and explain to Sir Charles Tupper and Sir John Macdonald the facts, and they would have more influence with them than any other.

*By Mr. Davies:*

Q. When you said you intended to employ Mr. Macdonald, you did not mean what you said?—A. You can place whatever construction you please on my correspondence. I did intend to use Mr. Macdonald, and get him to interest himself in the matter. I did not employ him, as a matter of fact.

*By Mr. Langelier (Quebec):*

Q. I want to know why you were anxious to employ Mr. Tupper and Mr. Macdonald, who are from Winnipeg, as solicitors for you here with the Government, instead of employing other solicitors nearer?—A. They had passed the title, and I thought they were in duty bound to see it protected. I did not want to employ them as solicitors.

*By the Chairman:*

Q. They had acted for Sands before?—A. Yes; they were his solicitors.

*By Mr. Blake:*

Q. This firm was Messrs. McArthur, Dexter, Macdonald and Tupper. The statements of Messrs. Macdonald and Tupper themselves, are before the House. Mr. McArthur alone was the person who had personal cognizance of this matter at Winnipeg. Mr. McArthur would be the person whom it would be presumed had the knowledge, if knowledge was valuable?—A. It was the same firm.

*By Mr. Davies:*

Q. The reason I asked you specially about that, is this: In your letter of the 12th February, you stated that you intend to employ these gentlemen. In your letter of the 5th March, you stated that you had brought them here, and in your letter of the 28th March, you again said that you had brought them from Winnipeg. Now, there are three letters—12th February, 5th March, and 28th March. You state in one your intention to employ them, in the other that you had, and in the last that you had brought them here, and that they were working for you?—A. I said I had them brought here. I supposed that in consequence of my letter written to Mr. McArthur, asking him to see them, and that they had come in pursuance of that.

Q. What you refer to in the letter is that they had been brought here by you, and "they have been working here for me." Are these statements true or false?—A. I told you that I supposed they had come here in accordance with this letter.

Q. Do you remember in the House of Commons, in the month of January, 1883, that certain questions were put to you?—A. I have already explained that fully to the Committee.

*By the Chairman:—*

Q. In the Pamphlet containing Further Letters and Papers (*Appendix A to the Evidence*), appears an Indenture purporting to be a transfer in favor of Mr. Sands. About half of it refers to a certain agreement evidently passed on the same day, 16th January, 1883. Have you got a copy of that indenture?—A. I have had nothing at all to do with it. My name is simply used there as a trustee for Mr. Adams and Mr. Sands. I had nothing to do with the papers after they were executed.



Q. What is this agreement referred to in the transfer?—A. To work the limit, if I recollect rightly.

Q. As far as your interest is concerned?—A. I had no interest in it. When Mr. Adams sold the limit to Mr. Sands, Adams would not let the title go out of his possession altogether, and finally they agreed that Mr. McArthur should act as trustee until he paid up the whole of this money, and I was to act as trustee for Mr. Adams.

*By Mr. Blake :*

Q. That is the reason the renewal is in your name and that of Mr. McArthur?—A. Because we were the trustees. I have a report from Mr. Ryley, setting forth all those facts. All those letters and affidavits were published during the election and they are all here. Here is the report of Mr. Ryley, setting forth all the facts. (*See Appendix B to the Evidence.*)

*By Mr. Davies :*

Q. There was a letter which I understood you sent to Sir John Macdonald, dated February, 1883?—A. That is put in.

Q. Is Sir John's reply put in?—A. I got no reply from him—simply a verbal reply. I saw him day after day.

*By Mr. McDougall :*

Q. I would like to suggest to Mr. Rykert, to say under oath that that document (Mr. Rykert's address to the electors) was circulated during the last election?—A. It was.

HOUSE OF COMMONS, Wednesday, 16th April 1890.

The Committee on Privileges and Elections met at 10:30 a.m., Mr. Girouard in the Chair.

Enquiry relating to the connection of J. C. Rykert, Esq., M.P., with the grant of certain timber limits in the North-West Territories, resumed.

Mr. DALTON McCARTHY being sworn deposed as follows :

Mr. Chairman, if you desire I will make a statement first and will then answer any question which may be put to me by members of the Committee. Messrs. Shortreed and Laidlaw were constituents of mine carrying on business as lumbermen in the County of Simcoe. In the month of January, 1882, Robert Laidlaw, one of the members of the firm, requested me to forward to the Department of the Interior an application for a timber limit at Cypress Hills. (See page 45, Exhibit No. 40.) He had the application ready, and I forwarded it in the ordinary way, no doubt recommending that it should be favorably considered, but I cannot speak definitely as to that. I received in reply a communication the substance of which was that the limit was not then for sale, and that if it were so it would have to be sold by public auction. The wording of the letter is as follows :

DEPARTMENT OF THE INTERIOR.

OTTAWA, January 25, 1882.

DALTON McCARTHY, Esq., M. P.,  
Barrie, Ont.

SIR,—In further reply to the application of Messrs Shortreed and Laidlaw for a timber limit in the Cypress Hills, I am directed to say that the Minister does not deem it expedient to grant any timber berths at present in this locality. In any case under regulations, license for the limits in question would have to be put up to competition.

Exhibit No. 31.

I have, &c.

That letter was apparently received by me about the 1st of February, and I communicated the result to Messrs. Shortreed and Laidlaw. I heard but little more of

the matter at the time, though it was indicated to me by Robert Laidlaw on more than one occasion, perhaps, that if I pressed the matter there would be a more favorable response to the application. I did not see my way to pressing it, and I may add that I did not see either Sir John Macdonald or Sir David Macpherson in regard to the matter, so far as I can recollect. I supposed the matter, like many other applications, had come to an end, when, on returning to Ottawa I was informed by Mr. Rykert that he had also applied for a limit. Of course I am only giving my recollection of the conversation. He asked me whether I had not applied on behalf of Shortreed and Laidlaw. I said I had made such an application, and told him the result. He told me the Department had determined to grant the limit provided that an arrangement could be made between Messrs. Shortreed and Laidlaw on the one hand, and Mr. Adams, for whom he was applying, on the other. I said I knew nothing about the limit, but I had learned in the meantime that Mr. William Laidlaw was interested on behalf of Shortreed and Laidlaw, he being a brother of Robert Laidlaw, a member of the firm, and I told Mr. Rykert I thought I had better put him in communication with Mr. Wm. Laidlaw, who lived at that time in Hamilton. It was arranged that I was to write to Mr. Wm. Laidlaw, and suggest that he should meet Mr. Rykert. I did so; I wrote to Mr. Laidlaw at Hamilton, the following letter:

WM. LAIDLAW, Esq.

OTTAWA, 11th April, 1882.

MY DEAR SIR,—Mr. Rykert has been in communication with the Minister of the Interior respecting his friend's application for a timber license. He wants to see about defining the boundaries of the limit applied for by Messrs. Shortreed and Laidlaw, so that some arrangement may be made if possible. I think that the limits applied for do not clash to any very great extent, but Mr. Rykert will explain.

Exhibit No. 32.

Yours truly,

(Signed) DALTON McCARTHY.

Mr. Laidlaw and Mr. Rykert, as I understood, met. Of course I don't know what took place. They met in Hamilton, and in the end an arrangement was arrived at, which was communicated to me by Mr. Laidlaw, and I think will be perhaps better stated in the letter itself:—

HAMILTON, 15th April, 1882.

DEAR McCARTHY,—I received a letter from Mr. Rykert, followed by a telegram appointing a meeting, and also your telegram. I will, of course, act on your telegram, and I have decided to incur the expense of an actual survey and plan so that we may be sure that we have the timber. The present description embraces too much land for a 50 square mile limit. I wired you to-day for information whether the limit should be rectangular or whether lines may be run forming oblique or acute angles. The survey will cost about \$500, and of course it is desirable to leave out all space upon which there is little or no timber. I would also like to have the plan I had originally and gave to Robert to show to you. Please answer as early as you can for I have difficulty in getting a surveyor, and if I am not ready at the time I have agreed I may lose my man. Mr. Justice Meredith has at last delivered judgement in that Quebec suit against Berr for \$2,010 a very small judgment.

Exhibit No. 33.

Yours truly,

(Signed)

WM. LAIDLAW.

The closing part of the letter refers to a case of mine in Quebec in which we were interested as solicitors. That letter was followed by a subsequent communication dated 21st April, in answer to mine of the 19th. They read as follows:

OTTAWA, 19th April, 1882.

DEAR SIR,—Your telegram as also your favor of the 15th inst., came duly to hand. I had, prior to receiving either of them, requested Mr. Lindsay Russell to obtain an Order in Council permitting you to get the 50 square miles within the

limits of the application made by your friends, but I don't think it is actually necessary that you should send up a surveyor at present, unless indeed you might otherwise miss the chance of getting a surveyor.

Yours truly,  
(Signed) DALTON McCARTHY.

P.S.—I think it would be better to delay until the Order in Council is passed, so that the terms of it may be known for certain.

Exhibit No. 34. (Sg'd) D. McC.

DALTON McCARTHY, Esq., Q.C., M.P.,  
Ottawa.

HAMILTON, 21st April, 1882.

DEAR SIR.—I have received your letter of 19th inst., and I am very much pleased with your attention to this application.

Mr. Rykert called upon me yesterday on his way to Ottawa, and he expressed to me his wish to avoid anything like a conflict between the applications of Shortreed & Laidlaw and of Mr. Adams. *I do not know whether application of Shortreed & Laidlaw will describe the better quantity of the timber—no lines were actually run around it*, and Mr. Rykert agreed with me that the Order in Council should give Shortreed & Laidlaw first right of selection—and that as against application of Adams; Shortreed & Laidlaw are not to be confined to the limits in the description given in the application.—Application of Shortreed & Laidlaw probably embraces about 100 square miles—Application of Adams about 500 square miles—Mr. Rykert appears to think that application of Adams will also be granted, and in the drafting of the Order in Council (and I specially request that you will draft and settle the terms of this Order.) I wish that you would have special regard to the description and make it broad enough to cover the first right of selection of 50 square miles within the territory described in applications of Shortreed & Laidlaw and Adams. Mr. Rykert agrees to this. We will send a competent man with the surveyor and he will show the surveyor the boundaries. I have made an engagement with a surveyor who is ready to go at once, and I would be very much pleased if you could get through the Order in Council at once—and give us the right to appoint—The surveyor to be guided by instructions from us as to the location within the limits referred to—in all other respects by instructions from the Department.

If you find that you cannot get the Order in this form I would rather delay it and in the meantime go on and make the survey. We would not like to be absolutely bound by the description without a further inspection by a more competent surveyor than the one from whom we received the report. He was not a judge of quality of timber.

Exhibit No. 35. Yours very truly,  
(Signed) WM. LAIDLAW.

I may say here that I consider this letter from Mr. Laidlaw which said that his clients were to have the choice, not merely over their own limit, but over the territories which both applications covered, was no doubt communicated by me to Mr. Rykert. I was then informed by him that that was not the understanding, but that where the limits overlapped, Messrs. Shortreed and Laidlaw were to have the right of selection, but that they were not to go over both. Considering that to be a fair arrangement I agreed that an Order in Council should be drawn in that way, and a report or draft report was drawn accordingly. I saw it prepared—at least I saw the draft of it. I went to the Department with Mr. Rykert and between the Deputy Minister and Mr. Rykert and myself the Order in Council was drawn.

By Mr. Blake:

Q. The report to the Council, I suppose you mean?—A. Of course it was not the Order in Council at that time, only the draft of the report. But that provided that the limit that should be granted to Shortreed and Laidlaw was to be within

the bounds of the territory they had applied for in the application made in January. I was not at all interested as a solicitor or in any other way than simply as acting for my constituents. I had no personal interest pecuniary or otherwise. I simply acted for Shortreed and Laidlaw as for hundreds of others of my constituents in various ways. On 22nd April I wrote the following letter to Mr. Wm. Laidlaw:—

OTTAWA, 22nd April, 1882.

WM. LAIDLAW, Esq., Hamilton.

MY DEAR SIR,—I have yours of the 21st instant. The minutes of the Order in Council have gone in *re* Mr. Adams' application, and Mr. Lindsay Russell has promised that yours, or Shortreed & Laidlaw's shall go through at once. You are, however, very much mistaken in supposing that your friends are to have the selection from the limits applied for by both the applicants. Your friends are to be allowed to select from the limits defined in their application, 50 square miles, and Adams the same except where his description overlaps yours. You are entitled to the prior choice. This is, I think, a reasonable settlement. I hope the Order in Council will go through at once.

Exhibit No. 36.

Yours truly,  
(Signed) DALTON McCARTHY.

In July towards the end of the month, or early in August, complaint was made by Shortreed & Laidlaw that they rather inferred from some communications and information they had, that Adams' surveyor had laid out his limit upon the ground which was included in their application, and which they supposed to be covered by the Order in Council in their favor. I satisfied myself after an examination of the papers at the time that it was so, and that there was something wrong about it. That where the limits overlapped in the two applications as I then supposed, Adams was getting the better of it, contrary to the agreement arrived at when the report was settled. I then telegraphed, early in August, to Mr. Lindsay Russell. (See *Appendix A, Further Letters, &c.*, No. 1). The object of this telegram, which is before the Committee, was to ask him to stay his hand until I could see him. I also wrote him to the same effect. I received a reply from Mr. Lindsay Russell, or it was received by some member of my firm, I am not sure which, saying that nothing would be done until he had had an opportunity of seeing me. It reads as follows:

OTTAWA, 2nd August, 1882.

DALTON McCARTHY, M.P., Toronto.

Survey report not received—no action in meantime in issuing license.

Exhibit No. 37.

LINDSAY RUSSELL.

I then wrote a letter which was read by Mr. Davies this morning, pointing out that there had been some mistake in the matter, and subsequently becoming more confirmed in my suspicion that a wrong had been perpetrated I sent a telegram saying that I thought there had been gross fraud done. (See *Appendix A, Further Letters, &c.*, No. 8.) I thought, in the face of all these circumstances, that nothing further would be done in this matter by the Department until I had had an opportunity of seeing Mr. Russell in regard to it. Mr. Laidlaw asked me to come here during the holidays and do what I could to prevent any further action, but I said there was no use in my coming during the holidays; that Sir John Macdonald was at Rivière du Loup, and most of the other officials being away probably, I could not do any good by coming here. In the meantime I thought my communication would act as a caveat. In October, 1882, having other business at Ottawa, I took occasion to go to the Department and enquire into this matter, and found then, from Mr. Lindsay Russell, that the license had been already issued to Adams. The nature of the fraud of which we complained was this: This diagram will perhaps explain the position of matters according to my recollection. (See diagram on page 96.) At the time of the application the country had not been surveyed, and the application of Shortreed & Laidlaw, therefore, commenced

by starting at the international boundary and going up north along one of the principal meridian lines a certain distance, then east, then north and west, and so on.

Q. Was it rectangular?—A. It was rectangular, but not square.

The arrangement, as I have already explained, was that where the limit applied for overlapped, that of Shortreed & Laidlaw, as the earlier application, was to prevail.

Q. It was to cut into that of Adams?—A. Yes. Adams was to withdraw owing to Shortreed & Laidlaw being the earlier applicants. The description of the territory embraced in the Order in Council rendered it very difficult to understand. Here it is. (See page 46, Exhibit No. 41.)

Now I am told, though I did not know it then, that at that time there was no such survey. The townships were not laid out. At all events Shortreed & Laidlaw did not get what they had applied for. In the end it turned out that substantially they got none of the limit they applied for. Shortreed & Laidlaw's limit went north, as here in the diagram, but the description in the Order in Council of the same boundary goes south, and in this way they were left with prairie instead of timber. That was the result by reason of the way the order was drawn, and that was what we complained of; because I was present and was perfectly satisfied with the report as agreed to by Mr. Rykert and Mr. Lindsay Russell, and was perfectly sure also that that report was in accordance with my statement at the time to Mr. Laidlaw, that we were to have, not the choice of the whole of the two limits, but of 50 miles out of the 140 applied for, with the privilege of first choice wherever they might overlap each other. Subsequently representations were made by me to the Department on more than one occasion setting forth this condition of affairs but without redress. I may say that Mr. Lindsay Russell's statements are not correct in the letter that was read this morning. In the first place the settlement was made at Hamilton, but was varied by me on my own responsibility at Ottawa. Mr. Rykert and I, on Mr. Laidlaw's behalf, agreed to the terms which Mr. Rykert said were agreed to at Hamilton. That was the only agreement, and Mr. Russell had nothing to do in adjusting matters in any shape or form. We appeared before Mr. Lindsay Russell but once. Again, as Mr. Davies has observed, his report to Sir John Macdonald is misleading, because it rather implies that there was substantially an agreement between Mr. Rykert and myself after the report of the surveyor had been made. That is not the case.

*By Mr. Weldon (Albert):*

Q. Will you explain this diagram a little more fully?

Mr. McCarthy then explained, by the aid of the diagram, the situation of the limit granted to Adams, claiming that a material change had been made from the agreement arrived at, owing to the western course being diverted "south" instead of "north" from the given point.

*By the Chairman:*

Q. That is what you call the fraud?—A. Yes; I became satisfied that in some way or other, something had been done in the Department to bring about this change from the agreement.

*By Sir John Thompson:*

Q. How is Mr. Russell's report misleading?—A. You will notice that it gives the impression that an interview took place between Mr. Rykert and myself after the surveyor's report had come in. That was the notion I got from it, and I think Mr. Blake and Mr. Davies read it in the same way. Sir John Macdonald, if I am not mistaken, told me that he formed the same impression. That is why I say the report was misleading.

*By Mr. Mills (Bothwell):*

Q. The description and measurement will show whether the survey was actually made in accordance with that prior description or not. Will it not?—A. Yes. I am informed that the earlier application really covered the Cypress Hills limit.

*By Mr. Blake:*

Q. And you have heard nothing to change your opinion that had the description which you settled upon in the Department been carried out in the license your constituents would have got this timber?—A. No, I have heard nothing to change my opinion in that respect. That was what Messrs Shortreed & Laidlaw complained of—that if faith had been kept with them the Cypress Hills limit would have been theirs instead of being Adams'.

Q. Have you the date of the letter from the Surveyor-General to yourself?—A. The date is the 25th of January. I don't think I have the original letter, but here is my letter of 30th January informing Shortreed Laidlaw of the receipt of Mr. Russell's letter:

TORONTO, 30th January, 1882.

MESSRS. SHORTREED & LAIDLAW,  
Barrie.

MY DEAR SIRs,—I am just in receipt of a communication from the Surveyor-General in answer to the application made on your behalf for a timber limit in the Cypress Hills district. The Surveyor-General says that he is directed by the Minister to state that he does not deem it expedient to grant any timber berths at present in that locality, and that in any case, under the regulations, licenses for the limits in question would have to be put up to competition. If you think it worth while renewing the application, I shall be most happy to do anything I can for you.

Yours truly,

Exhibit No. 38.

(Signed) DALTON McCARTHY.

Q. Also you have referred throughout your statement from time to time to numerous papers most of which no doubt would be rather with the Department than with yourself, but it would be satisfactory to have them put in. But there are certain papers, for instance, which you examined and which satisfied you there was a wrong of some kind?—A. Well, that was partly from my own knowledge of what was intended from the report, and partly from some letters that came to me from surveyors which I don't know that I can find—parties who had been instructed to ascertain where the limit had been located.

Q. Then having made these representations by letter and telegram, you rested in the faith that nothing would be done without your being given an opportunity to present your views?—A. Yes.

Q. You visited Ottawa in October, and found the transaction closed and the license issued?—A. Yes, much to my astonishment.

Q. Was no explanation given to you?—A. Mr. Lindsay Russell gave this explanation, that the matter had been arranged according to the earlier interview between Mr. Rykert and me on behalf of Adams and Shortreed & Laidlaw, and that he was simply carrying out to a legitimate result the agreement which had then been arrived at. No other explanation was offered me.

Q. In No. 17 of the Further Letters and Papers (*Appendix A*), under date of 26th January, 1883, you may have seen the paragraph which indicates that the dispute between Messrs Adams and Shortreed & Laidlaw was a grave obstacle. Had you sent a statement of the case to the Department?—A. I sent a statement, so far as my memory serves me made by Shortreed & Laidlaw or on their behalf. I know I did send a statement prepared by William Laidlaw giving an account of the matter in full, and that was late in the fall, perhaps towards January.

Q. That letter which you produced from the Deputy Minister seems to suggest, first, that the limits would not be dealt with at all at this time, and secondly, that if they were dealt with, competition must take place. Have you any recollection of any discussion on this matter with any of the parties concerned or with any official as to the conditions of securing this limit? It does not seem to be based upon a question of conflict?—A. There was no conflict at that time. I never discussed the matter with Sir John A. Macdonald or with Sir David Macpherson, the heads of the

Department. I won't be sure I didn't go from time to time to see Mr. Lindsay Russell, because I was pressed a good deal about it. At the same time I have no positive recollection of having ever seen Mr. Russell in regard to the matter. I only know that Mr. Rykert told me on the 11th of April, that the Department would now grant the license for the Cypress Hills limits, provided some arrangement could be made between the two contending parties.

Q. Then we have an official statement to you that the limit would not be disposed of at all in the first case, and secondly, that if it were disposed of it would only be by competition. Thus disregarding any question of existing conflict?—A. There was no conflict then.

Q. I see it was a question of general policy. Now I want to know whether you can bring to your recollection any conversation with any person showing that there was a tendency towards a change of that policy that would explain the change that was made in the limit granted?—A. In so far as I can say, I know nothing of it except Mr. Rykert's information to me, all of which I have already stated.

Here is Shortreed & Laidlaw's application and my letter to the Minister enclosing it; also the memorandum on which the Order in Council was based. I will read them :

TORONTO, 8th January, 1892.

Right Hon. Sir JOHN A. MACDONALD,  
Minister of the Interior.

DEAR SIR,—I beg to make application for Messrs. Shortreed & Laidlaw, of the town of Barrie, for a lease to cut timber on the location in the Cypres Hills country, described in the enclosed application and plan.

You will oblige me very much by giving this your attention at the earliest possible moment.

Your obedient servant,

Exhibit No. 39.

(Signed) DALTON McCARTHY.

To the Honorable

The Minister of the Interior, Ottawa.

The application of Thomas Shortreed and Robert Laidlaw, of the town of Barrie, in the County of Simcoe, lumber merchants, carrying on business under the name of Shortreed & Laidlaw, showeth : That they have been practical operating lumbermen for about fifteen years, and they are possessed of the means, skill and experience to work a timber limit successfully. The timber limits owned by them are almost exhausted, and having procured reports upon and inspected a large quantity of other timber limits for the purpose of a location for future operations, they have selected a timber location in the Cypres Hills country, in the North-West Territories which contains a limited quantity of pine timber of common quality and small size growing in clusters scattered over a large area. They have procured a survey to be made of the said location and of the outside boundary lines thereof, run in such manner as to embrace the said clusters of pine trees, and the said location is in unsurveyed territory a long distance from any Government surveys and may be described as follows :—Commencing at the point of intersection of the 110th meridian line of west longitude with the International boundary line; thence north along said meridian 3,200 chains to a mound; thence westerly, parallel with the International boundary, 1,360 chains more or less to a mound; thence northerly parallel with the said meridian line 560 chains more or less to a mound; thence easterly, parallel with the International boundary line, 1,597 chains, more or less, to a mound; thence southerly, parallel to the said meridian line, 560 chains, more or less, to a mound; thence westerly, parallel with the said International boundary line, 240 chains, more or less, to the said meridian line, where the said mound is placed, 3,200 chains from the said International boundary line.

The applicants will build and operate a saw-mill upon the said limit, of sufficient power and capacity to supply the wants of that territory, and will abide by and

perform the terms embodied in leases granting the right to cut timber upon unsurveyed territory.

The applicants, therefore, apply for a lease of the said location for a term of twenty-one years, granting to them the right of cutting timber upon such terms as may seem meet to the Governor in Council upon the recommendation of the Honorable the Minister of the Interior.

(Signed)

SHORTREED & LAIDLAW.

Exhibit No. 40.

OTTAWA, 22nd April, 1882.

The Honorable the Privy Council.

(Memorandum)

The undersigned has the honor to recommend to Council that Messrs. Shortreed & Laidlaw, of the town of Barrie, Province of Ontario, be granted a yearly license to cut timber on a berth of fifty square miles, to be surveyed within 6 months at their expense, and within the following described locality, namely:—Commencing at a post which is planted in the 4th principal meridian between sections 25 and 36 in township 7 in the North-West Territories; thence due east three miles; thence due south, seven miles; thence due west twenty miles; thence due north, seven miles; thence due east to place of beginning. The license to be on the terms and under the conditions as to survey of the berth, erection of mills, and payment of dues, that are provided by the regulations established by the Order in Council 11th November, 1881.

Respectfully submitted.

MINISTER OF THE INTERIOR.

Exhibit No. 41.

*By Mr. Blake :*

Q. It turns south instead of north then ? A. Yes.

Q. Would you say now that the paper you saw in the Department was in accordance with the application of Messrs. Shortreed & Laidlaw, and not in accordance with this ?—A. Yes.

*By Mr. Edgar :*

Q. Do you recollect whether this settlement was effected verbally or on paper ? —A. It was on paper, but only a rough draft. I am sure it was in writing though. It was a description and statement that Shortreed & Laidlaw were to have right of selection over the whole application of 140 miles in accordance with their earlier application. Mr. Rykert's letter, which Mr. Laidlaw has here, will show the same thing.

*By Mr. Blake :*

Q. Are you quite satisfied in your mind that the paper you saw and agreed to was in accordance with the Shortreed & Laidlaw application, and not to this ?—A. Yes; I have not the slightest doubt of that.

*By Mr. Mills (Bothwell) :*

Q. I understand the starting point was ascertained by measurement from the International boundary ?—A. Yes. Here is the description. I had better read it. (See Exhibit No. 40.)

On the 24th April there is a copy of the report of a Committee of the Privy Council drawn in the same terms as the above memorandum (Exhibit No. 41.) That in effect is the Order in Council. On the 3rd of May, there is a letter to the Surveyor-General from Crown Timber Agent, Winnipeg, acknowledging receipt of this Order in Council. Then comes the following letter containing instructions to the surveyor :—



DEPARTMENT OF THE INTERIOR, OTTAWA, 10th May, 1882.

To any duly qualified  
 Dominion Land Surveyor. }

SIR,—I have the honor by direction of the Minister of the Interior to give you the following instructions for the survey of a timber limit granted to Messrs Shortreed & Laidlaw, of Barrie, a berth of fifty square miles to be selected and surveyed within the following described locality, namely, commencing at a post which is planted on the Fourth Principal Meridian, between sections twenty-five and thirty-six in township seven in the North-West Territories; thence due east, 3 miles; thence due south, 7 miles; thence due west, 20 miles; thence due north, 7 miles; thence due east to place of beginning.

The boundaries to be astronomically north, south, east and west lines, and to be so run in the field. If the limit is situated on one side only of the river, then the river may form one of the boundaries. The river to be properly traversed. The length of the berth must not exceed three times its breadth.

The boundaries being surveyed, you will connect them with a post on the Fourth Principal Meridian.

Boundary lines are to be well blazed, and the angles of the limit marked with proper squared posts and bearing trees after the manner prescribed in the Manual of Surveys; the posts being marked on the side facing the limit with F. L. 70.

On completion of the survey, you will send in a plan made on tracing linen plotted on a scale of 40 chains to an inch. On the same sheet you will show (drawn on a smaller scale if necessary), the general position of the limit. Also, the line connecting it with the post to which it has been tied.

The lengths and bearings of all regular traversed boundaries are to be shown on the plan, and the area in square miles and hundredths.

The plan to be signed and dated.

Field notes to give the bearing and lengths of all regular and traversed boundaries, topographical notes, position of posts and bearing trees, kind and how marked, notes of the line, report on character and resources of the limit, and method of survey adopted, a proper description by metes and bounds for insertion in lease, and an affidavit of the correctness of the notes in accordance with the usual form. The notes are to be made on foolscap paper, and to be sent in unbound.

The survey must be completed and returns filed before the 1st of November 1882.

It is to be distinctly understood that the Government will in no wise be responsible for the payment of accounts for your services or for any other expenses incurred in connection with this survey or returns thereof, it being, under the Regulations, the duty of the Lessee to make the survey, and file with this Department the returns thereof at his own cost.

A tracing showing the position of limit is herewith enclosed for your guidance.

I have the honor to be, sir,

Your obedient servant,

A. RUSSELL,

*For the Surveyor General.*

Exhibit No. 42.

Then the following letter from Mr. Thorne to Mr. Russell, and Mr. Kinloch's Report thereon :

TORONTO, 13th June, 1882.

LINDSAY RUSSELL, Esq.  
 Ottawa.

DEAR SIR.—Some time ago Mr. Shortreed and Mr. Laidlaw applied to the Government for a timber limit in the North-West Territories near Cypress Hills. My brother-in-law, Mr. W. Osler who was at one time in the North-West in the Mounted Police, has an interest in the application, for information that he has given. Shortreed and Laidlaw offer to buy his interest out. What I would like to know from you is

whether the application for the timber license has been granted and if not whether it is likely to be granted. Also kindly let me know whether anything has been done about Frank Osler's Battleford claim? What about townships? I have been expecting to hear from you in reference to same.

Yours,

(Signed) HORACE THORNE.

P.S.—Would like an answer by return mail.

Exhibit No. 43.

(Signed) H. T.

#### MR. KINLOCH'S REPORT.

Answered Mr. Thorne that an application was filed by the gentlemen named in your letter and favorably entertained, for a berth at the Cypress Hills, but there is nothing on record to show that Mr. Osler participates in any wise in the grant made to these applicants.

*Re* Mr. Osler's claim preferred to land at Battleford, no action has been taken, the Government having reserved all the land about the forks of Battle River and Saskatchewan for town-plot and intending to make a survey accordingly. In the matter of the colonization townships, the parties concerned have next to be heard from. If they do not accept any of the alternatives that I was permitted by the Minister to offer, nothing further will be done,  
Exhibit No. 44.

(Signed) W. K.

Then this letter from C. W. Allen to the Deputy Minister :—

DEPARTMENT OF THE INTERIOR,

OTTAWA, 5th August, 1882.

The Deputy Minister of the Interior,  
Ottawa.

SIR,—Having received from Mr. Wm. Laidlaw, of Hamilton, barrister, a letter requesting me to send him a copy of the description contained in the application of Messrs. Shortreed & Laidlaw for a certain timber limit in the North-West Territories, which application was prepared and put in by Mr. Wm. Laidlaw, acting as the legal representative of the parties interested, I beg most respectfully to ask your authority for me to comply with such request.

Exhibit No. 45.

I have the honor to be, Sir,

Your obedient servant,

(Signed) CHAS. WM. ALLEN.

Next follows a draft of Mr. Russell's report to Sir John Macdonald. (See page 13, Exhibit No. 9.)

Then comes the following letter dated 24th May, from Wm. Laidlaw to John Adams, which is already before the Committee :

“DEAR ADAMS,—How are you? Do you remember me? I saw you at Ottawa, and chaffed you about that timber limit you were after. I was after one too and had priority over you, and I did not expect that either of us would have got a limit. Well, we have both got Orders in Council, thanks to the untiring attention of Messrs. McCarthy and Rykert, &c., &c.”

Next there is a letter from Mr. Rykert to Mr. Russell :—

ST. CATHARINES, 2nd September, 1882.

MY DEAR RUSSELL,—I herewith enclose you letter written by Laidlaw in which he states he feels indebted to me for getting his Order in Council.

In fact, he offered me an interest or a large fee if I would get the Order through. This I declined, as I felt in honor bound to assist McCarthy, who also had abandoned all idea of getting an Order at all. After mutually agreeing to the limit, as settled

by you, I think it particularly mean in him charging you, or the Department with bungling. He knows he agreed to all that was done, and was very much pleased.

I also sent Sir John a letter written by Laidlaw, in which he congratulates Adams and offers to purchase his right. Adams is here waiting for his license and feels keenly the unexpected delay. I have too much faith in Sir John to believe he will hesitate a minute in adhering to the Order in Council. In fact, I do not see how he can ignore what has been done.

Faithfully,  
Exhibit No. 46. (Signed) J. C. RYKERT.

Then there is a letter of the 25th of January, 1883, from Mr. Laidlaw to Mr. Lindsay Russell:—

HAMILTON, 25th January, 1883.

LINDSAY RUSSELL, Esq.,  
Ottawa.

*In re Cypress Hill limit, application of Shortreed & Laidlaw.*

DEAR SIR,—I addressed a letter to Mr. Dalton McCarthy a few days ago in reference to this matter and informed him that some of the parties originally interested in this application, and to whom I had communicated the contents of his letter, advising that the Order in Council had been passed granting the application for a 50 square mile limit within the territory applied for, had demanded from me copies of all the correspondence and plans. I stated the facts of the application made by Mr. McCarthy for an amended license in conformity with the terms of his letter, and that I believe the application was under the consideration of the Minister of the Interior and induced them to wait a little longer.

I beg most respectfully to call your attention to this matter and to request that the application made by Mr. McCarthy may be disposed of. The parties would never have given up the limit without competition for it, and they think they have a grievance which demands consideration and redress.

Yours very truly,  
Exhibit No. 47. (Signed) WM. LAIDLAW.

*By Mr. Blake :*

Q. It speaks there of some application?—A. I have no recollection of that letter.

Q. I would like to call your attention to these few letters; first as to Mr. Rykert's letter of the 28th of August, 1882, enclosed in Mr. Russell's letter, appearing on Page 14 of the Evidence. What is your recollection of the facts contained in this letter, beginning, "My dear Sir John, Mr. Adams has made his survey in accordance with the Order in Council at an expense of \$5,000 in cash, and I hope there will be no delay in having the license issued. Mr. Laidlaw has done nothing, has not made any survey and now through Mr. McCarthy, objects to Mr. Adams getting the license." That objection is the earlier telegram you sent, I suppose?—A: No doubt it is.

Mr. Blake (continuing to read) "Before the Orders in Council were issued——" then there were two Orders in Council?—A. Yes; they were issued simultaneously.

Q. Each was for certain defined limits?—A. Yes.

Q. And they were issued contemporaneously?—A. So I understand.

Q. And the whole of this has reference to the period antecedent to these Orders in Council?—A. So I suppose.

Q. Now was there more than one interview?—A. There was only one.

Q. Can you give the date?—A. I do not think I can give it exactly, but speaking approximately I should say it was about the 22nd of April.

Q. Who were present?—A. Mr. Russell, Mr. Rykert and myself. I have no recollection of anybody else being present, but perhaps Mr. Ryley of the Department was there.

Q. Where was the meeting held?—A. In Mr. Russell's office.

Q. And there was no one else there?—A. No.

Q. The letter says: "Mr. McCarthy and I met Mr. Russell and we agreed on the respective boundaries." Will you tell us about that?—A. I will not pretend to say what took place except so far as my impression goes. Before we went to Mr. Russell I had shown Mr. Rykert my letter from Mr. Laidlaw or communicated to him the substance of it, namely, that Shortreed & Laidlaw were to have choice over both areas, but after Mr. Rykert had undeceived me and informed me that that was not the agreement. Before we went to Mr. Russell we understood that all he had to do with the Order in Council was to see that Shortreed & Laidlaw got their limit within the 140 miles of their application.

Q. That was the understanding at your interview with Mr. Russell?—A. Yes.

Q. In fact, that Shortreed & Laidlaw were to have full right of selection in that area?—A. Yes.

Q. Well, then, it is quite clear that you were to adjoin Adams' selection?—A. Yes.

Q. Adams' ran immediately north of yours?—A. Yes; but it was much larger, though I don't think it extended so far east.

Q. Having agreed to this plan, it was then that you went before Mr. Russell, you and Mr. Rykert, simply to have your agreement sanctioned by him?—A. Yes; and also because Mr. Laidlaw was very anxious that I should myself see the minutes of the report to Council.

Q. So it was at that interview that the minute, or memorandum that you referred to was settled?—A. Yes.

Q. Was Mr. Rykert a party thereto?—A. Yes.

Q. And it was left there in that way?—A. Yes.

Q. Well, that seems to me all that is material on the Rykert letters. Now, on Page 13 of the Evidence is Mr. Lindsay Russell's letter to Sir John Macdonald giving a statement of the case, he says: "Messrs. Shortreed & Laidlaw, who were represented by Mr. Dalton McCarthy had a like order for similar location in an adjoining tract—" that is adjoining the limit which Mr. Rykert had applied for on behalf of Mr. Adams—"the latter complain (the letter continues) that the choice made by Mr. Adams is within the bounds of the original application by them to meet which the Order in Council in their favor was passed and affirm an official blunder in our having included, in the tract within which Adams could locate, ground which formed part of their prior application. The matter truly stands thus: both parties filed applications of unreasonable extent, so much beyond anything that could in rule be granted that I assumed that their conflict on one side on which they overlapped each other was of secondary importance, and also assumed as acting for you, the right to deal with them by a curtailment and readjustment in such wise as to do away with the overlapping." Now, had Mr. Russell anything to do with that adjustment at all, except agreeing?—A. He seems, as it turns out, to have had a good deal more than that to do with it; but, as a matter of fact, he was not supposed to. There was nothing left for him to adjust.

Q. Mr. Russell continues: "This action I clearly explained to Messrs. Rykert and Dalton McCarthy at an interview which I had with them together, pointing out to them that the alternative would be, under the regulations, to make them compete for that part of the ground on which they both had applications. They seemed fully to understand the adjustment I proposed." You don't agree with that?—A. No, it gives the inference that he had seen Mr. Rykert and myself with reference to the report of the surveyor, which was not true.

Mr. Blake (continuing to quote): "So far from there being any difficulty they propose to act in harmony by employing jointly, with a view to economy, a surveyor to lay out their berths." Is that the case?—A. I think that was true, that one surveyor was employed by both of us. It was realised that there was but one lot of timber, and that it would depend upon the result of the surveyor's survey in whose limits it would be.

Q. Then it was stated to be a matter of doubt within whose limits the timber would be?—A. That was my impression, but Shortreed and Laidlaw had great con-

vidence that they were right, as I understood, whether then or since, I cannot be certain.

Q. The letter continues: "I submit to you that inasmuch as under the regulations they would, if each maintained his application in conflict with the other, be obliged to compete, and that in their interest, not that of the Department, an adjustment doing away with such competition was made, of which both parties were cognizant, and that the adjustment was made in good faith without any knowledge as to the location of any valuable timber (for of this I was as ignorant as I believe were the parties themselves), and was, therefore, impartial, they can now have no ground for complaint, even though the hazard in the arrangement has, it would appear, turned out to be much more in favor of one than the other." You understood that was the result?—A. Oh! yes.

Q. But you are not complaining of the arrangement?—A. No; only that the arrangement was not carried out. We supposed there must be some mistake of the Department and that as soon as it was pointed out it would be looked into and put right.

Q. The last paragraph of the letter reads as follows:—"It may be mentioned as additional ground for maintaining the course taken that Mr. Adams has made a most costly survey, of which the returns had been filed while the other party, the one that complains, has, so far as the Department is aware, done nothing in this direction." Is it a fact that so far as you know there was no actual survey at that time?—A. I do not think so, but I would prefer not to say. Mr. Laidlaw could better speak as to that. One of his letters touches on that matter.

Q. Well, you cannot give us any more information at all as to how this impropriety or error occurred?—A. No.

Q. And you never received any further explanation of it than you have given to the committee?—A. Never.

*By Mr. Casgrain:*

Q. Will you tell me whether at your interview with Mr. Russell you had a statement in writing prepared?—A. I don't think we prepared a document. My recollection of it is that we simply went there and told him that we had agreed to such and such a scheme, and that he prepared the document.

*By Mr. Mulock:*

Q. Do you remember whether you received any official reply to your letter of the 4th September?—A. No, I did not.

Q. In one of these letters it is stated that you appeared twice before Mr. Russell; in No. 4 of Further Letters and Papers (Appendix A to the Evidence). You say only once?—A. Well, I would not contradict anybody at this stage, who said there were two interviews. My impression is there was but one.

Q. The letter referred to is from Mr. Rykert to Mr. Russell in which he says: "He (Mr. McCarthy) then went with me twice to your office?"—A. No doubt that may be correct.

*By Mr. Langelier (Quebec):*

Q. Am I to understand that the agreement was, that if the two applications should overlap, Adams was to recede or withdraw because your constituents were the first applicants?—A. Yes.

Q. So that any overlapping would be to the detriment of Adams?—A. Yes.

*By Mr. Rykert:*

Q. You state that Mr. Adams' limit overlapped that of Shortreed Laidlaw?—A. So I supposed.

Q. Will you say that the description of Mr. Adams' limit as settled by Mr. Russell overlapped and ran into that of Messrs. Shortreed and Laidlaw?—A. I don't know; I was satisfied at the time that they overlapped, that is the applications, but that the settlement was made by Adams withdrawing to the extent of the overlap.

Q. Will you say this, that if Messrs. Shortreed and Laidlaw had got their 140 miles it would have interfered with what was finally got for Adams?—A. I cannot say positively.

Q. Are you aware that Adams' limit was altogether  $37\frac{1}{2}$  square miles towards the northern corner?—A. I don't know that.

Q. Do you remember that when we went before Mr. Lindsay Russell I asked you which one of the limits you would take?—A. No; I do not remember anything of the kind.

Q. Are you aware that we did not either of us know anything at all about the country?—A. I did not know anything of it; I cannot speak as to your knowledge.

Q. You said that at that interview the minutes of the report to Council were agreed upon?—A. Yes.

Q. You gave the date as the 22nd of April?—A. They were arranged then or about then.

Q. If you will turn to page 186 of the Votes and Proceedings of the House (see Journals of 18th February), you will see that the minutes were prepared on the 10th of April?—A. I merely speak as it was represented to me.

Q. Here are the two Orders in Council. So you were mistaken when you said they were settled on the same day?—A. Not in the least. You said on the 11th of April that the matter was yet to be arranged.

Q. Now, you produced a letter of the 24th of May from Mr. Laidlaw. Will you read that?—A. Here is the letter:—

HAMILTON, ONT., 24th May, 1882.

Messrs. JOHN ADAMS & SON,  
Merchant Tailors, Winnipeg.

DEAR ADAMS,—How are you? Do you remember me? I saw you at Ottawa and chaffed you about that timber limit you were after. I was after one, too, and had priority over you and I did not expect that either of us would have got a limit. Well, we have both got Orders in Council, thanks to the untiring attention of Messrs. McCarthy and Rykert.

The next thing is what are we going to do with them? The elections are coming on and the Grits are howling like demons. If they should win we might say good-bye timber limits. They would cancel them and give them to Grits. That is their way. I do not think that there is any chance of their winning this election, but it would be well for you and me to act with promptitude on the Orders in Council and get our surveys made at once and licenses actually signed, and in our possession, before the Government would resign, if the elections should (which God forbid) be against them. I propose that we shall engage a surveyor to go at once by Northern Pacific to Bismark, up the Missouri River, to Fort Benton, from there to Fort Walsh and make our surveys. I have a first-class lumberman, of fifteen years' experience associated with my brother and some other parties in our limit, and he is ready to go and make the selection and location and superintend the surveys. What do you propose to do? And is there any other person interested with you? It might be profitable for us to join together on a proper basis to be discussed and settled between us. In any event, it would be advisable for us to contribute equally for the cost of exploration and survey and I am ready to co-operate with you for that purpose. We should not delay and a personal interview in a matter of such great importance would be the most satisfactory. I would, if you will, meet you at Chicago and agree upon terms and get all the necessary documents from Ottawa to make sure work of our survey. You may wire me night message if you think advisable, or write, and if you are making arrangements on your own account and would rather not join with me in location and survey, please send me a short message to that effect, and I will push on my own arrangements to completion.

Yours very truly,

(Signed)

WM. LAIDLAW.

Exhibit No. 48.

*By Mr. Mulock:*

Q. Was any other officer present, a shorthand writer or anybody else at the Department when that interview took place?—A. There was no one, other than I have mentioned.

MR. WILLIAM LAIDLAW, being sworn deposed as follows:—

I made the request to Mr. McCarthy that you, Mr. Chairman, and the members of this Committee should give me the right of explanation of a telegram appearing in the *Globe* newspaper, a few days ago, accusing me of blackmail. I would not have interfered at all but for the telegram and for the fact that my attention had been called to it. I will endeavor to state the ground of allegation. The original description prepared by a provincial land surveyor proposed a limit in unsurveyed territory. We, therefore, had to take the 110th meridian of west longitude, and running from that point cover an area of 140 miles out of which the Government would grant 50. After that application I was applied to by Mr. Rykert who represented Mr. Adams, and who told me that Mr. Adams has made an application for a limit in the same territory, and that his limit overlapped that applied for by Shortreed & Laidlaw, but only for a short distance. I had a meeting with Mr. Rykert, at Hamilton, and on behalf of Shortreed & Laidlaw, I was willing at that time and agreed that the two applications should be combined for the purposes of survey and for the limitation of expense. I had ascertained that the Department would only grant the limit of rectangular lines, and in certain proportions of lengths in proportion to breadth. Therefore, on several grounds it would be to the advantage of both of us to have this combination. At that time I stipulated on behalf of Shortreed & Laidlaw, and I did the same throughout the whole transaction, that Shortreed & Laidlaw must have prior choice; that they would not give up this right, and if necessary they would bid for the limit at public auction, because they had a report of the land from a man who had actually walked over the territory and had thoroughly inspected it. When we had that meeting I stipulated this, and when we separated I supposed that the arrangement was to be carried out on that basis, so that we might have priority of choice over the whole limit.

*By Mr. Edgar:*

Q. Did your original application cover all the timber?—A. No.

*By Mr. Chapleau:*

Q. Will you tell the Committee what was your own proportion of the area demanded by both of you respectively?—A. The application of Adams contains 500 square miles; that of Shortreed & Laidlaw, 140 square miles, and the portion that overlapped is along the northern boundary, over about 10 miles running east and west, and about a mile or perhaps a little more, north and south. I wrote to Mr. McCarthy the letter he has referred to in which I asked him to be particular about the settlement of these boundary lines. I then got the letter he has read to you telling me that Shortreed & Laidlaw were to have prior choice out of their own territory, and that the Governor in Council had given them this choice, and that Adams was to have the same right out of his territory, but that where the one overlapped the other, Adams was to fall back. On the very same day I received the following letter from Mr. Rykert:—

OTTAWA, 25th April, 1882.

MY DEAR LAIDLAW,—The Order in Council for Adams was passed the day before I reached Ottawa. They cut off a large portion so as to enable you to have the full sweep of 140 miles. I advised this before I left Ottawa and they carried it out. Your limit can be selected any place within the 140 miles. They would do nothing more than this. In fact this is a privilege they never give. You will have a large range. I am hurrying yours through and hope to be able to report all right to-morrow.

I am afraid Adams will complain with my yielding the south part of his limit. I have written him to wait till he hears from you.

Faithfully,

(Signed)

J. C. RYKERT.

This is the letter I got from Mr. McCarthy, dated 22nd April, 1882.

Letter read: (*See Exhibit No 36, page 42*).

Now, upon the strength of these two letters I advised Shortreed & Laidlaw that they were entitled to the selection of 50 square miles within the territory contained in their application, and they immediately engaged a surveyor and arranged that he should call at the place of a friend at Bismark and await telegrams. In the meantime I saw a little notice in a paper from Winnipeg, to the effect that this limit in the Cypress Hills had been offered for sale, and some of the remarks concerning it made me think something was wrong. I met with a friend going to Winnipeg and asked him to enquire. Soon after I got a telegram back from him that Adams had completed his survey and that he was right in the very centre of the land which Shortreed & Laidlaw were entitled to make their selection from. I got the paper which had been sent to Shortreed & Laidlaw and examined it. It had been done in this way. There was no survey here when the application was made or at the time this license was granted, therefore the reference in that license to sections 25 and 36 is purely imaginary. (Mr. Laidlaw then, by the aid of diagram, showed the change that had been made, the effect of which was, he claimed, that the Shortreed & Laidlaw grant had been run south instead of north and so they were deprived of the territory that should have been included in their limit.) Continuing he said: I deemed it better for them and told them they should go to Mr. McCarthy and lay these facts before him. I think I was then consulted or had something to do with the telegram alleging fraud and claiming a caveat. After that I had nothing whatever to do with it. The whole matter was left in the hands of Shortreed & Laidlaw. I made application to the Department a long time afterwards. I wanted to get the description in the paper of Mr. Adams' limit, but was refused unless I could get Mr. Adams' consent, and as I could not get that, I could not get the description. I never got it until to-day, when, by the kindness of a gentleman here, I was able to do so. If any of you have a description of the Sands' license you will see that it commences at the very same point between sections 25 and 36. I don't know anything more about the matter. I have endeavored to lay all the facts before you.

*By Mr. Blake:*

Q. Do I understand it to be your statement that the whole territory which you sought for when you made your final application for license for a selected portion was within the 140 miles described in the original application?—A. Yes; I referred to the arrangement I made with the surveyor who stopped at Bismark to call there for telegrams, but in the meantime I had ascertained this change and the surveyor never in fact went to the territory because I stopped him. I sent for the gentleman from whom I had received the original information and he said it was no good for a surveyor to go there under the circumstances.

Q. Did your clients apply for 140 miles within which to select 50?—A. Yes.

Q. You have shown us that on the diagram?—A. Yes.

Q. And the point of departure is very much the same as in your letter?—A. Yes.

Q. So that substantially you start at the right point?—A. Yes.

Q. Then you run from that point north and find a rectangle of 140 miles within which to select?—A. Yes.

Q. The 37½ or 50 miles you expected are within that 140 miles?—A. Yes.

Q. What portion of it is overlapped?—A. I could not tell definitely.

Q. Was it south or north?—A. I cannot tell.

Q. Your understanding is that it is brought within the 140 miles?—A. Yes.

Q. Then as a matter of fact you got none of the territory within which you were entitled to select?—A. We got a strip of a mile and a half owing to its being 41½ instead of 40 miles.

Q. But otherwise you got no part of that territory?—A. No.

Q. Your understanding is that the Adams' license commences where yours does?—A. Yes; between sections 25 and 36.



Q. And it is conterminous on its southern boundary with your northern boundary?—A. No; there is a distance of 40 chains between.

Q. “Commenting at a post planted by J. W. Vaughan, D. L. Surveyor, which is distant forty-two chains, due north from a point, which is distant five hundred and ninety-two chains, due west from the post between sections twenty-five and thirty-six, in township seven on the fourth principal meridian in the North-West Territories; thence due west six hundred and forty-nine chains to a post planted by S. W. Vaughan, D. L. S.; thence due north three hundred and seventy chains to a post planted by the said surveyor; thence due east six hundred and forty-nine chains to a post planted by the said surveyor; thence south three hundred and seventy chains more or less to the place of beginning, containing thirty-seven and a half square miles.” This is the description in the license of the Adams limit, and we are to understand that your northern boundary is to no extent conterminous with the southern boundary of the other limit?—A. No; the southern boundary is forty chains to the north of our northern boundary as granted.

Q. And is therefore within the territory you applied for?—A. Yes.

Q. Take the northern boundary of the Adams’ license. That is still within your territory as applied for?—A. Yes.

Q. So that according to your statement, whether you have correctly appreciated the lay of the land or not it is entirely within the territory from which you expected to select your limit?—A. I can work it out if I had time, and show that it is so entirely, but there is no doubt of its being substantially the case.

Q. So that substantially it is altogether within what you were to have and no part of it within what he was to have?—A. Yes.

*By Mr. Mulock :*

Q. Did you get any answer to the telegram which you sent as a caveat on the 6th of September, 1882?—A. No, I got no answer. I have no recollection of anything.

Q. You don’t know whether Shortreed & Laidlaw received any reply?—A. No.

Q. You are known in the Department in connection with this matter?—A. I was here just once.

Q. I see your name in the correspondence?—A. I have acted for Shortreed & Laidlaw in timber transactions for fifteen or twenty years.

Q. You are not aware of any replies to the letter and telegram asking them to stay proceedings?—A. No; but it was reported that they were not to do anything without notice to Mr. McCarthy.

Q. Mr. Rykert in one of his letters says he wishes the Department not to recognise Laidlaw’s application and claims that it was simply an endeavor to levy blackmail. What do you think of that?—A. I say it is cruel, treacherous, unjust, and lying. The whole of this matter has been thoroughly placed before you, even to that unfortunate letter which was read just now, and which I may say I would not write now. That is one of those things a man regrets having done, as he grows older and wiser. I was under a tremendous burden at the time and had mortgaged my life for the future, and I was very anxious, as my brother Robert had become my security, to see this transaction brought to a successful issue. I had a twelfth interest in the license.

*By Mr. Edgar :*

Q. You said you were down here about this matter?—A. Not about this matter; but I was here and went to the Department, but could not get any information. I was simply shown politely into various rooms where I waited a while without getting any satisfaction.

Q. That was after you had written this letter which you refer to?—A. Yes.

Q. Would you have written this letter if you had received this treatment first?—A. I do not know what I should have done.

Q. What date was this?—A. Late in the year 1882.

*By Mr. Blake :*

Q. It was after you had received the information that you had been so badly treated?—A. Yes.

Q. And you got no redress?—A. No; I was politely received as I said, but I wanted to get copies of the papers and to make reports, but I could get nothing. I applied to the gentlemen of the Department, and was shown from one room to another, and they were all very civil but could give no information.

Q. And you have never been able to get any explanation of any kind whatever?—A. No.

Q. Have you ever stated your case to anybody?—A. Yes.

Q. To whom?—A. Well, I was so much grieved about it that I prepared a petition to Parliament and was assured by some members of Parliament that the license would not be granted to any person.

Q. I don't want to enquire whether you had mentioned it in this way or not, but whether you mentioned it to some departmental person—some one from whom you had the right to ask an explanation and whom you would expect to have the opportunity of affording?—A. I cannot say that I did so, except to Mr. Dalton McCarthy. I wrote to him some rather severe letters. I looked upon him as the man who could get the information that was wanted.

*By Mr. Kirpatrick :*

Q. Did the portion granted to you cover any portion of the territory you applied for?—A. About a mile and a half. It started about a mile and a half north of the starting point in the application. This may have arisen from the difficulty of making an exact boundary line from the starting point in the middle of a section.

*By Mr. Davies :*

Q. If it had gone north instead of south after going west would it have taken in what was granted to Adams?—A. It would have taken it all in.

*By Mr. Edgar :*

Q. You had an interview with Mr. Rykert on this subject?—A. Yes.

Q. And you had an interview with Adams?—A. Yes; I met him for the purpose of trying to combine the expenses of the survey. I believed at that time, of course, that the license gave the right of selection within the 140 miles.

Q. Had you any other correspondence with Mr. Rykert?—A. Yes; there were two letters between us. They are as follows :

(*Private.*)

OTTAWA, 7th April, 1882.

“MY DEAR LAIDLAW,—I see that you are an applicant for a limit on the Cypress Hills, where the Government has decided that it is not politic to grant them. Your limit also interferes a little with that of Adams' for whom I applied. There is plenty of timber for both and there is no reason why the Government should not grant them. I am certain I can get them to yield and comply with my request. Are you anxious for yours, and if so, have you decided what part you would like to have? Your application covers nearly three times what will be granted, the rule being to grant only 50 miles. Let me hear from you by return of mail if you are anxious to go in for this, and if you wish to have my co-operation in getting the same. I will go through Hamilton on Thursday next on my way home. I will leave here Wednesday.

Faithfully,

Exhibit No. 50.

(Signed) J. C. RYKERT.”

HAMILTON, 10th April, 1882.

“J. C. RYKERT, Esq., M.P.,  
Ottawa.

MY DEAR RYKERT,—I am throughly in earnest about that timber limit, and if you and Mr. McCarthy who recommended the application of Shortreed and Laidlaw, can get a license for a limit, I would discuss with you the shares, and agree to combine the applications.—One limit of 50 square miles will gather in the greater portion if not all of the good pine timber. I had better meet you when you come up, and in the meantime find what the Governor in Council will do.

Yours truly,

Exhibit No. 51.

(Signed) WM. LAIDLAW.”

*By Mr. Mulock :*

Q. What do you mean by “I will discuss a few shares?”—A. Just what was agreed afterwards, that we would agree to have one surveyor go out and survey the timber limits together.

*By Mr. Edgar :*

Q. Was that interview with Mr. Rykert at all reduced to writing?—A. No.

*By Mr. Langelier (Quebec) :*

Q. I understand from one of your letters that you stated that there were only 50 miles of valuable timber in the whole territory?—A. Yes; so I believe.

Q. Over the whole territory covered by both licenses or only over that of Shortreed & Laidlaw?—A. Well, from the information on which our original description was drawn, I was informed that it would take in all the good pine timber over the whole territory. I was informed also that there was a quantity of timber north of that, but the bonanza was within the 140 miles.

*By Mr. Rykert :*

Q. You had a letter from Mr. McCarthy telling you you would not have the selection over both limits?—A. Yes.

Q. Did you answer it?—A. I could not say positively, but I think I answered it.

Q. Did you ever make any complaint to me in regard to the result of the arrangement between Mr. McCarthy and me?—A. I cannot remember whether I made any direct complaint to you or not.

Q. Did you ever find fault in any way to Mr. Adams or myself that you had not been properly dealt with?—A. Not until after I had made this discovery. I thought everything was right until I learned about this change in the description.

Q. Did Mr. Adams tell you he had never been out in the Territories?—A. Oh, yes.

Q. Therefore he could not tell what the boundaries covered?—A. No; I don't think his information was as good as mine. Mine came from a gentleman who had walked over the territory.

Q. As regards boundaries—you have not been there?—A. No.

Q. How do you know about this overlapping, or that Mr. Adams' limit goes over your territories?—A. Well, from what transpired when the limits were settled. You and Mr. McCarthy both wrote to me about overlapping.

Q. But how do you know it is in your territory that his license is granted?—A. I said I could not get any description of Adams' territory until I got here to-day.

Q. You have not been in the Department to get this information?—A. Yes.

Q. You have not enquired of the surveyor who surveyed for Mr. Adams?—A. No; I was not aware he was in the Department.

*By Mr. Davies :*

Q. What is his name?—A. Mr. Vaughan.

Mr. BURGESS. It was Vaughan did the surveying. He is not in the Department at present.

*By Mr. Rykert :*

Q. Did you write to me when you discovered the difficulty, threatening to break up the whole affair unless a settlement was effected?—A. I don't remember writing to you, but I was determined to break it up if I could.

Q. Don't you recollect writing to me in the latter part of August or the beginning of September charging Adams with fraud and threatening to break up the matter?—A. I have no recollection whatever of doing so.

Q. Do you keep copies of your letters?—A. Of the greater portion.

Q. Did you write to me at all?—A. I cannot tell. I don't remember having done so.

Q. You were not feeling very friendly to Mr. Adams or myself about the matter?—A. No; I had no particular feeling of friendship to either of you after this discovery.

Q. Consequently in writing you would not write in a very agreeable way to us?—A. Probably not.

Q. Then you don't recollect threatening to break up the whole affair?—A. I never made any threat of the kind so far as I know, but I was determined to get it revoked if I could do so.

Q. You did not threaten to take action in the Department to break it up?—A. I have no recollection of having done so.

Mr. CURRAN—If there is any letter to that effect it should be produced now.

Mr. RYKERT—If I had the letters here I would produce them now. I did not know Mr. Laidlaw would be here until late last night. I had no more idea he would be here than the man in the moon. So of course I have not got the letters. I don't say I can find the letters, but I might.

*By Mr. Rykert :*

Q. Do you recollect meeting me at the Hamilton station and complaining of this matter, and telling me that action would be taken at Ottawa to break it up?—A. I have no recollection of anything of the kind.

Q. Have you no recollection of meeting me in the fall of the year?—A. I think I met you at the station on the day we had the meeting, and you came up to me then. That was not in the fall, and I have no recollection of any meeting in the fall.

## HOUSE OF COMMONS, TUESDAY 22ND APRIL, 1890.

The Committee on Privileges and Elections met at 10.30 a. m., Mr. Girouard in the Chair.

Enquiry relating to the connection of J. C. Rykert, Esq., M. P., with the grant of certain Timber Limits in the North West Territories, resumed.

MR. A. M. BURGESS, DEPUTY MINISTER OF THE INTERIOR, RE-CALLED :

*By Sir John Thompson :*

Q. You are Deputy Minister of the Interior?—A. Yes, sir.

Q. In 1882 and 1883, what position did you hold?—A. I was Secretary of the Department.

Q. In those two years?—A. In 1882 I was, and I was acting Deputy Minister of the Interior from February until July, 1883. Afterwards I became Deputy Minister.

Q. Had you any knowledge at that time of these applications and what was being done with them?—A. In a general way.

Q. You have heard the evidence given the other day. Can you give us any explanation, as derived from your own recollection or examination of the documents since, as to the questions that have been raised?—A. As I understood, the chief thing I was required to show was the relative positions of the two applications to begin with, and how they were finally adjusted.

Q. Will you follow around the line and describe your plan (Tracing marked A)?—A. This black mark was the Shortreed and Laidlaw tract, commencing at this shaded band.

Q. That was the application for an area from which the 50 miles were to be selected?—A. Yes.

Q. Will you show the Adam's application?—A. Shortreed and Laidlaw's application does not show 50 square miles. They merely applied for a territory described in this way within which to select the timber limit of that area.

Q. Theirs, of course, was first?—A. Yes.

Q. Have you shown the committee Mr. Adams' application on the diagram?—A. Yes.

Q. Does your plan show the areas subsequently arranged?—A. Yes. (Witness here points out the tracts applied for by the respective parties and the point at which conflict occurred.)

Q. What are the green lines?—A. Adams' timber limit, finally surveyed and licensed.

Q. Is the whole of that within Shortreed and Laidlaw's application?—A. Yes.

Q. Will you point out the area which was subsequently licensed to Messrs. Shortreed & Laidlaw?—A. No survey was ever furnished and no berth was ever granted to Messrs. Shortreed & Laidlaw.

*By Mr. McCarthy :*

Q. The Orders in Council show that Shortreed and Laidlaw were granted a limit?—A. The southern boundary of the Adams application was moved up to this point, and the territory shaded in blue was awarded to Adams. The northern boundary of the Shortreed & Laidlaw application was brought down, and a territory awarded to them out of which to make a selection.

*By Sir John Thompson :*

Q. Do I understand you that the part colored green was the part given by license to Adams?—A. Yes.

Q. That is the part in which the two interfere?—A. Yes. It is less than the area within which the applications conflicted; but it is within that area.

Q. It is part of the conflicting area?—A. Yes.

Q. Had you any knowledge of the communications between Mr. Rykert and Mr. McCarthy and your Department as to the settlement of the claim?—A. Except as the Deputy Minister informed me from day to day. I have no personal knowledge of it. I was informed from day to day by Mr. Russell, who was then deputy, as to what was being done.

*By Mr. Mulock:*

Q. Will you again show me, first the land mentioned in the application of Shortreed & Laidlaw, and subsequently the land described in the Order in Council giving them the privilege?—A. The application of Shortreed & Laidlaw is bounded by these black lines. The territory within which they were given the right to select is this territory bounded by red.

*By Sir John Thompson:*

Q. Have you any knowledge of how that description came to be different from the application?—A. Yes; I know how that was. The regulations of the Department would not have permitted of the granting of either application, because of the conflict, without competition, and Mr. Lindsay Russell at the time so informed them. What he endeavored to do was to so arrange the applications that the conflict would be done away with. That is by moving the southern boundary of one upward and the northern boundary of the other downward.

*By Mr. Ives:*

Q. You understood from him that that was a matter of consent?—A. Yes.

Q. He had the consent of both parties to the moving of one up and the other down?—A. He told me so, undoubtedly.

Q. Is there anything in writing in the record to indicate that consent?—A. No.

*By Mr. Casgrain:*

Q. Were you present at any conversation with them?—A. No.

Q. You know nothing personally?—A. No. I have already stated that I do not.

*By Sir John Thompson:*

Q. Mr. Russell says in his letter of the 31st August, 1882, "the matter truly stands thus: both parties filed applications of unreasonable extent, so much beyond anything that could in rule be granted that I assumed that their conflict, on one side, on which they overlapped each other was of a secondary importance and also assumed, as acting for you, the right to deal with them, by a curtailment and readjustment, in such way as to do away with the overlapping. This action I clearly explained to Messrs. Rykert and Dalton McCarthy, at an interview which I had with them together, pointing out to them that the alternative would be, under the regulations, to make them compete for that part of the ground on which they both had application. They seemed fully to understand the adjustment I proposed. So far from there being any difficulty they proposed to act in harmony, by employing jointly, with a view to economy, a surveyor to lay out their berths"—Have you any knowledge of that or was that indicated to you at the time?—A. No, it was not.

Q. Were you at the time informed of the nature of the adjustment that was made to prevent interference?—A. Yes.

Q. How soon after the interview did you know?—A. I could not say. I was aware of the interview, and I was aware that there was at the time a memorandum prepared for Council.

Q. You mean the report that was made for the Order in Council?—A. Yes.

Q. You were informed of the nature of the adjustment that was made?—A. I was—yes.

Q. Do you know anything of the correctness of the dates stated here, the date for instance on which that negotiation could have taken place as compared with the Order in Council granting Mr. Adams' application?—A. I do not know anything personally as to dates, but I know that communication was made to me by Mr. Russell, before the Adams memorandum went to Council. He informed me before that memorandum went to Council that an adjustment had been made.

Q. This adjustment?—A. Yes.

Q. He informed you of that before the Adams' application went to Council?—A. Yes.

*By Mr. Blake :*

Q. When did the Adams memorandum go to Council?—A. On the 10th April, 1882.

Q. In whose handwriting is that pray?—A. It is in Mr. Ryley's handwriting.

Q. Would that be at the dictation of Mr. Russell or how?—A. It would not necessarily be at his dictation. It would be prepared by Mr. Ryley, under instructions from Mr. Russell.

Q. Some instructions would be given to Mr. Ryley, verbal or written?—A. Yes, verbal or written.

Q. Upon which it would be Mr. Ryley's Departmental duty to prepare that document?—A. Yes.

Q. And that document was not merely written but prepared by him?—A. Yes, written and prepared by him.

Q. Who prepared that paper up yonder?—A. Mr. Wheeler, a surveyor in the Department.

Q. That is not your work?—A. No.

Q. From what data is it prepared?—A. From the applications and descriptions which went to Council.

Q. Without any other material?—A. Without any other material. Of course part of it, that is so far as the 110th meridian is concerned, is prepared from the plans.

Q. It is prepared from what?—A. From the plans of record in the Department, plans of survey.

Q. Anything else? Did they prepare it from anything except these papers?—A. No.

Q. Show me the paper which gives the Adams' application, the paper from which the Adams' application is drawn?—A. The description reads "commencing on a line at a distance of about 5 miles west of the 110th meridian line, at a point 5 miles south of the trail between Fort Walsh and Fort McLeod, thence north parallel to the meridian line 25 miles, thence west 20 miles, thence south 25 miles, thence east to place of beginning." (Exhibit No. 51, page 57).

Q. Then that plan could not have been taken from that alone? You must have had something else because the point determined is something on the ground?—A. It is the trail.

Q. You must have got that from some plan on record?—A. Yes, it is on the meridian line.

Q. The meridian line you got from the plan recorded? The trail also, was marked on the plan on record? That also was obtained from the plan on record?—A. Yes.

Q. Have you verified the accuracy of it yourself? A. No.

Q. Mr. Wheeler is responsible for that point?—A. Yes, he is here.

Q. That explanation of the 110th meridian and the crossing of the trail was not determined from Adams' application?—A. The description of the berth to Adams, is from Adams' own survey.

Q. From the papers produced?—A. Yes.

Q. But those two points depend upon the plan in the Department?—A. And the survey on the ground as well.

Q. You have not got the original plan here?—A. No, not here.

Q. Have you any cognizance of telegrams and letters which passed in August and September from Mr. McCarthy and Messrs. Shortreed & Laidlaw and Mr. Rykert, which had been filed in this matter?—A. Yes.

Q. Did you know of them at that time?—A. Yes, I knew of them at that time.

Q. Had you any cognizance of the answers that were made at that time?—A. As to some of them, yes.

Q. There was, as I understand from the papers an answer to Mr. McCarthy's telegram or letter from Mr. Russell? A telegraphic answer?—A. Which was that Mr. Blake?

Q. A telegraphic answer that was received, do you remember that?—A. I think I was absent from the Department at that time. Is that the September telegram?

Mr. DAVIES—It was that of the 2nd August, "Survey report not received—no action in meantime in issuing license."

Q. Do you know of any other answer directed by the Department. The letters appear to represent an urgent state of affairs and I just wish to know if there was, to your knowledge any other answer?—A. Not to my knowledge. No other answer that is disclosed by the file.

Q. Had you any action taken upon the representations of Messrs. McCarthy & Laidlaw that fraud had been committed and that Mr. McCarthy was ready to come to Ottawa on call, and that nothing should be done without giving him an opportunity of going into the matter?—A. I know of no other action than shown in these papers.

Q. Did you not on other occasions direct an answer?—A. No.

Q. You had no directions from Mr. Russell to say anything?—A. No.

Q. You do not know anything further being done, said or written, by way of communication to the parties?—A. No.

Q. Or any communication with the Minister?—A. No.

Q. Or by staying the hand of the Department?—A. No.

Q. Can you explain how it was that the hand of the Department was not stayed and that no communication was made to Mr. McCarthy on these matters before the final action of passing the license was accomplished?—A. No, I cannot.

Q. You cannot give any explanation?—A. No.

Q. It is said by Mr. Rykert, and also by Mr. McCarthy—and it is also confirmed by the letters which passed at the time—that the adjustment between these persons was, that wherever there was a conflict, that where there was an overlapping, the conflict should be decided in favor of Messrs. Shortreed & Laidlaw. You understood that?—A. Yes.

Q. As a matter of fact that has not been accomplished?—A. I do not think it could have been accomplished.

Q. I merely say as a matter of fact it has not been done. What was said in the letter and agreed to, according to the testimony of Mr. Rykert and Mr. Laidlaw and Mr. McCarthy, has not been done. As a matter of fact Mr. Adams has got Messrs. Shortreed & Laidlaw's area?—A. He has got a portion of it.

Q. The only portion that was valuable?—A. We did not know in the Department whether it was valuable or not.

Q. But it has turned out to be valuable?—A. I cannot even say that.

Q. It is the portion which is the subject of contention?—A. Yes.

Q. As you understand, it was an arrangement that Messrs. Shortreed & Laidlaw were to have the right to select in all the conflicting territory?—A. I understood Mr. McCarthy to say that was his view of the arrangement.

Q. But you never heard of it?—A. I did afterwards, from Mr. McCarthy—a year afterwards.

Q. But as a matter of fact, if that was the arrangement, it is quite clear now that it has not been carried out?—A. No.

Q. Mr. Adams has got what Messrs. Shortreed & Laidlaw wanted?—A. Yes.

Q. How soon afterwards did you hear of that?—A. Sometime in the summer of 1883.

Q. From Mr. McCarthy?—A. Yes.

Q. In January, 1883, you recollect a memorandum respecting the proposed renewal of the license, in which Mr. Russell decides about some difficulty and says that a graver objection is the dispute between Messrs. Shortreed & Laidlaw and Adams?—A. Yes.

Q. Can you give any explanation of that? It is obvious from that, that he understood a dispute of a grave character existed. Is there no record of that dispute?—A. No.

Q. No paper? A. No.



Q. Because it is said some paper was sent in at the same time. I do not know—I have not looked at them—but it is said that all that is material has been put before us. Nothing of that kind has been put before us?—A. Everything on record in the Department is before you.

Q. I want to know if you know of anything at all having been written which would indicate what that dispute was, to which Mr. Russell referred, in 1883, when he spoke of the renewal?—A. No; I know of nothing.

Q. You say it would have been impossible, according to the regulations of the Department, to comply with the plan of allowing Shortreed & Laidlaw to have the overlapping part. Will you explain why?—A. The regulations provided that where there was more than one application the territory should be put up for competition.

Q. And that is what you meant. We have understood up to this time that that was effected by entrenching—by taking it from one and giving it to the other?—A. Mr. Russell's view of how it could be accomplished is shown by the plan.

Q. I do not know whether it was or not; but that was the statement, that Mr. Adams' part was to be surrendered—that part which was in conflict—and there was to be a readjustment of the limit. As a matter of fact, by this plan, you see that Shortreed & Laidlaw got a part of what was in Adams' part?—A. A part of it—yes.

Q. The prairie part—and Adams gets a part of what was in Shortreed & Laidlaw's application?—A. Yes. I know from Mr. Russell's remarks to me that he understood that was the way it was arranged.

Q. The understanding was that Shortreed & Laidlaw got a part of Adams' application, and Adams got a part of Shortreed & Laidlaw's; but you think it would not have been possible to arrange it by giving Shortreed & Laidlaw a part of Adams'?—A. No; I say it would not have been possible unless the application of Messrs. Shortreed & Laidlaw had been withdrawn as to that part.

Q. Unless by readjustment of the applications.—A. Yes.

*By Mr. McCarthy:*

Q. You observe here that the Order in Council is dated the 10th April, with reference to Adams' license. Is that the report or the Order?—A. The report.

Q. When did it pass through Council—when did it become an Order in Council?—A. There is a certified copy of the Order here, dated 17th April.

Q. This report is dated the 10th. That went to Council, and seems to have become an Order in Council on the 17th?—A. Yes.

Q. I understood you to say a moment ago, that it was on or before the 10th that you understood from Mr. Lindsay Russell that this adjustment had been made?—A. On or before the date when the memorandum had gone to Council.

Q. Which do you mean?—A. Before this memorandum went to Council.

Q. When did it go to Council?—A. On the day it was prepared.

Q. Think for one moment. Are you sure about that date?—A. I am not sure about the date. I am sure about the facts.

Q. The reason I ask you is, because I have stated that the letters show that I never heard anything about it until the 11th April?—A. I am sure it must have been before the 11th. I am perfectly sure that it was before this memorandum was prepared that Mr. Russell informed me there had been an adjustment.

*By Mr. Blake:*

Q. Nobody but Mr. Ryley had anything to do with the laying out of the plans or the putting on paper of what was necessary to complete this arrangement?—A. Mr. Russell himself would have revised the description afterwards.

Q. Nothing except the revision of Mr. Russell?—A. No.

Q. There would be no one else in the Department who could throw light on this, except Mr. Ryley?—A. No.

*By Mr. Davies:*

Q. How is it that these limits go west of the meridian line, while the application was east?—A. Shortreed & Laidlaw's went both east and west of the meridian. I do not quite understand your question.

MR. DAVIES—I did not know that Messrs. Shortreed & Laidlaw's application went west of the meridian.

*By Mr. Mills (Bothwell):*

Q. I notice that Mr. McCarthy, in writing to Mr. Laidlaw states as follows:—"Your friends are to be allowed to select from the limits defined in their application, fifty square miles, and Adams the same except where his description overlaps yours. You are entitled to the prior choice. This is, I think a reasonable settlement. I hope the Order in Council will go through at once." Supposing that arrangement had been carried out, would it not have removed the difficulty of the overlapping applications quite as well as what was done?—A. Oh, yes.

*By Mr. Mulock :*

Q. Did you say why the Government or the Department did not delay the issuing of the license on the 21st September, 1882, until Shortreed & Laidlaw could be heard?—A. No, I was absent on my holidays.

Q. We find produced a letter dated 4th September, 1882, from Mr. McCarthy to Mr. Russell, asking for time and opportunity to be heard. There is no answer to that produced. Can you say why there was no answer since?—A. No.

Q. There is a telegram produced from Mr. McCarthy dated the 5th September, 1882, as follows:

"TORONTO, 5th September, 1882.

"TO LINDSAY RUSSELL,

"Deputy Minister of the Interior, Ottawa.

"Can I see you on Saturday or when; as the facts recently disclosed seem to show that a gross fraud has been committed *re* Cypress Hill limit.

"DALTON McCARTHY."

Q. On that telegram, at the foot of it, there appears what purports to be a reply, saying that Mr. Lindsay Russell was away. Perhaps you can tell us who sent that reply?—A. This answer is in the handwriting of Mr. Andrew Russell:

"6th September, 1882.

"Deputy absent, will telegraph on his return.

(Signed) "A. RUSSELL."

Mr. Andrew Russell is now dead.

Q. Do you know when Mr. Russell returned?—A. I cannot give the exact date. It must have been immediately after that, because I did not leave myself until after he returned.

Q. Would there be any record, or a copy, of any answer sent?—A. There ought to be.

Q. It ought to be on that file?—A. Yes.

Q. Not being there you would assume there had been none sent I suppose, and that the telegram remained unanswered?—A. That would be the inference—yes.

Q. That is a telegram from Mr. McCarthy asking when he could see Mr. Russell on the subject. Then we have a letter from Mr. Rykert dated 5th September, 1882. The same day the Department received a telegram from Mr. McCarthy?—A. It would appear to have been received on the 6th. That is the Departmental stamp.

Q. I find a telegram from Mr. Rykert on the same day, the 5th September, to Lindsay Russell, which reads as follows:

"When will Sir John be at Ottawa. Would like a copy of Laidlaw's objections. I think he is only trying to bluff.

"J. C. RYKERT."

Q. Can you tell me when that was received by the Department?—A. There is nothing here to show when that was received by the Department.

Q. Is it not customary to stamp documents to show when they were received?—A. Yes.

Q. You find a stamp on McCarthy's telegram?—A. Yes.

Q. Not on Mr. Rykert's?—A. No.

Q. What answer was sent to Mr. Rykert?—A. There is no record here of any answer to that telegram.

Q. Of Mr. Rykert?—A. There may have been one, but these papers have been displaced and it is difficult to say.

Q. On the 6th September, 1882, there is produced there a telegram in the following words:

“HAMILTON, 6th September, 1882.

“To LINDSAY RUSSELL,

“Deputy Minister of the Interior, Ottawa.

“Please record caveat against Adams' license for Cypress Hills on ground of fraud, and stay all proceedings until notice given to Dalton McCarthy, Q.C.

“SHORTREED & LAIDLAW.”

Q. When was that received by the Department?—A. The 6th September.

Q. You find the official stamp indicates that?—A. Yes.

Q. What answer was made to that?—A. I find no record of any answer.

Q. Can you tell me what clerk received that?—A. There is nothing here to show.

Q. It is simply produced from the Department?—A. It must have passed through the hands of the Registrar of the Department. The stamp there shows that.

Q. Was the caveat entered as requested?—A. I really do not know.

Q. What would be the process in entering a caveat?—A. I never heard of it before in Departmental practice.

Q. Was anything done in consequence of the receipt of that telegram?—A. Nothing to my knowledge.

Q. Was any notice taken of it?—A. I do not see any record of any notice being taken of it.

Q. Did the Department take any action or stay any action in consequence of the receipt of that telegram or these other warnings?—A. I think not.

Q. Then the warning in these documents I have read were ignored by the Department?—A. I could not say that they were ignored.

Q. You find no action taken based upon the information contained in those telegrams or letters?—A. No, no action.

Q. You find no answer made to the persons who sent those telegrams?—A. No, I do not find any action.

Q. On the 8th September Mr. Rykert telegraphs from St. Catharines:

“LINDSAY RUSSELL,

“Deputy Minister of the Interior, Ottawa.

“Order in Council authorized Department to grant license; this Sir John has apparently overlooked. Hope no more attention will be paid to Laidlaw's nonsense; he wants to levy blackmail.

“J. C. RYKERT.”

Do you know why Mr. Rykert came to call attention to the fact that the Order in Council authorized the Department to grant the license?—A. No, I do not.

Q. Are you aware whether or not there had been any communication from the Department to him to bring this telegram in reply?—A. There is no record of any communication from the Department to Mr. Rykert.

Q. Do you happen to know whether any of these telegrams I have mentioned were communicated to Mr. Rykert?—A. I do not know.

Q. There is no record to show it?—A. No.

Q. Have you no other source of information?—A. No other than the file of papers.

Q. The next official act of the Department was a communication from Mr. Lindsay Russell to Sir John Macdonald reporting in favor of the granting of the

Adams' license. What was the next official act?—A. A memorandum to Council dated 16th September.

Q. Well, in whose handwriting is that?—A. That is the handwriting of Charles William Allen.

Q. Is that a draft?—A. Yes.

Q. Is he in the Department now?—A. No.

Q. When did he leave?—A. I do not remember the date.

MR. DAVIES—What is the nature of that memorandum?

Mr. MULOCK—It reads as follows:—

“ OTTAWA, 16th September, 1882.

“ MEMORANDUM.

“ Having reference to the Order in Council dated the 17th April, 1882, approving the recommendation of the undersigned that Mr. John Adams be granted a license to cut timber on a certain berth of 50 square miles, the said berth to be surveyed at Mr. Adams' personal expense within a period of six months. The undersigned to report that the required survey has now been made, and the returns thereof examined and approved by the Dominion Lands Office within the prescribed period, and he recommends to Council that a yearly license be granted to the said Mr. John Adams, under the terms and conditions of the regulations established by Order in Council of the 11th November, 1881, for the timber berth containing thirty-seven and a half square miles more or less, shown on a certain plan dated the 15th August, 1882, herewith attached made by Dominion Land Surveyor J. W. Vaughn, and duly filed in the Dominion Lands Office wherein the same was duly examined and approved August, 1882.”—(Exhibit No. 53.)

Q. There is an interlineation there in lead pencil “herewith attached” and “Dominion Land Surveyor.”—A. That interlineation is in the handwriting of Mr. Lindsay Russell.

Q. He must have returned from his holidays by the 16th September, 1887?—A. He had, and I had left on mine.

Q. Then these telegrams had been received before the 16th September, and the Department apparently refusing to give an opportunity to those parties to be heard had issued this memorandum for the issue of the license?—A. That memorandum was prepared for Sir John A. Macdonald's signature by Mr. Russell.

Q. What is the next official act?—A. On the 21st September.

Q. No. That led to the issue of the license?—A. Yes.

Q. The memorandum had to go before the Council?—A. Yes.

Q. The next step would be the preparation of the license?—A. Yes.

Q. When was it issued—21st September?—A. Yes; it was sent to Mr. Rykert by mail on the 21st September.

Q. My recollection from reading this document, and I think you will find on reading these documents, that there was a memorandum from Mr. Lindsay Russell to the head of his Department, and then on a memorandum from the head of the Department to the Governor in Council, an Order in Council was passed?—A. Yes; there is an Order in Council, dated 19th September.

Q. Then there is a report for Council. Where is that?—A. (Referring to the documents.) That is the report to Council, and that is the Order in Council.

Q. The Order is dated the 19th September?—A. Yes; and mentioned the memo. dated the 16th September.

Q. The license was prepared and sent off two days afterwards?—A. Yes.

Q. Does that fairly represent the average speed of the Department at that time?—A. Yes; I suppose so.

*By Mr. Blake:*

Q. You mentioned in the course of Mr. Mulock's questions that there was a Registrar of the Department?—A. Yes.

Q. Were the duties of the registrar to receive all correspondence?—A. To open all correspondence, number it, and stamp it.

Q. To open all mail and telegraphic correspondence, to stamp it, number it and record it in a book?—A. Yes.

Q. So you have a book of record which shows everything that is received, or ought to show it?—A. I think it will not show all telegrams. They are most frequently opened by the Minister or Deputy Minister, to whom they are addressed and they may not always observe the rule.

Q. As a matter of fact there are telegrams which are opened by the persons to whom they are addressed, which occasionally do not get into the hands of the registrar?—A. Yes.

Q. But the rule is, that they should go there. Now, with reference to things despatched, has the Registrar any function?—A. No. There is another clerk in charge of the outgoing mail.

Q. What was his name then?—A. I am not quite sure; but I think Mr. Christopher Rogers had charge of the outgoing mail at that time.

Q. So the Registrar takes charge of what comes in and another clerk of what goes out?—A. Yes.

Q. By rights you ought to be able to show the nature of everything received and its effect?—A. Yes.

Q. There should be a memorandum of the contents as well?—A. Yes; it should be on the back of the file.

Q. But is there not another record?—A. Yes.

Q. I want to know what else there is. There is a record in the book which should contain everything?—A. Yes.

Q. Have you searched both those books?—A. I have not done so personally; but I have caused them to be searched.

Q. Another thing with reference to the practice of the Department: I suppose it was the duty of somebody who may have opened departmental communications to lay them before the Deputy Minister?—A. Yes.

Q. Whose duty?—A. The Registrar's.

Q. Everything?—A. Everything that would appear to call for his action.

Q. Everything except formal things?—A. Yes; everything that was of consequence.

Q. Unquestionably such things as we have been discussing now would be laid before him?—A. Yes; decidedly.

Q. It was the duty of whoever received them to show them to the Deputy Minister?—A. Yes.

Q. And if the deputy were—as was the case during a portion of this time—absent, whose duty would it be to carry them and lay them before him on his return?—A. Mr. Andrew Russell then; because he was chief clerk of that branch.

Q. The duty would be on him to lay them before the Deputy Minister?—A. Yes.

Q. If the Deputy Minister were there, however, they would reach him at once?—A. Yes.

Q. And in his absence they would be placed in the hands of a responsible officer, so that they might reach him on his return?—A. Yes.

Q. So we may presume that these things reached Mr. Lindsay Russell?—A. Yes; they would reach Mr. Andrew Russell's hands first, who was an old and experienced officer.

Q. Was Mr. Andrew Russell acting deputy then?—A. No.

Q. Who was?—A. I was, myself.

Q. Would not a telegram such as Mr. McCarthy's of the 5th, Mr. Rykert's of the 5th, Shortreed & Laidlaw's of the 6th, and Mr. Rykert's of the 8th, all being addressed to Mr. Lindsay Russell, under ordinary departmental practice be handed to you as acting Deputy Minister?—A. With the experience I had of the Department then, I should say no. Mr. Andrew Russell would have dealt with them himself, or held them over until Mr. Lindsay Russell's return.

Q. How long was he absent?—A. I think not more than a fortnight or three weeks.

Q. As a matter of fact, you are quite certain that none of them did come to your knowledge at that time?—A. Quite certain.

*By Mr. Mulock :*

Q. If you had had anything to do with this matter you would have endeavored to give the parties an opportunity to be heard before issuing the license?—A. I think so.

*By Mr. Ives :*

Q. Did you see Mr. Rykert personally, during this time?—A. No.

Q. Have you any recollection of his being in Ottawa?—A. No; not of seeing him, or of knowing he was in Ottawa.

Q. Or Mr. Laidlaw?—A. No; nor Mr. McCarthy.

*By Mr. Rykert :*

Q. What officer was in the Department at the time, who had charge of this matter and into whose hands did they go?—A. The officers through whose hands matters of this kind would pass, would be the Deputy Minister, Mr. Lindsay Russell, Mr. Andrew Russell, who was chief clerk of the Land Branch of the Department, and Mr. Ryley, who was surveyor particularly in charge of timber and mines.

Q. These were the only persons who would know anything about the matter?—A. Yes; in the usual course.

Q. No persons would communicate with you in the matter then?—A. No.

Q. In whose handwriting is the description?—A. Mr. Ryley's.

Q. From whom would he get it?—A. Mr. Russell—Mr. Lindsay Russell.

Q. Did Mr. Lindsay Russell inform you that he had cut off any portion of the Adams' application?—A. Yes.

Q. Did he tell you how much?—A. I think he did.

Q. Did you see a plan in the Department at that time?—A. That is my recollection that I saw a plan in Mr. Russell's possession.

Q. Showing that the Shortreed & Laidlaw application only encroached on the Adams' application three or four miles? Do you recollect seeing that?—A. I could not say what the extent of the encroachment was—I could not say how many miles.

Q. As a matter of fact, according to the plan now, the Adams' license went way below that of Shortreed & Laidlaw's?—A. Yes.

Q. Do you recollect seeing a plan showing that one overlapped the other only a few miles—only a short distance?—A. I think I did see it.

*By Mr. Casgrain :*

Q. Where will that plan be?—A. It is not in the Department and I do not know where it would be.

Q. Is it a private plan do you think?—A. No, I think it was a Departmental map, if I remember rightly.

*By Mr. Rykert :*

Q. Your recollection is clear upon the appointment, and Mr. McCarthy making the settlement with me before the 10th April?—A. My recollection is clear that Mr. Russell told me so.

Q. Did you see Mr. McCarthy and me in the office at any time?—A. Oh, yes.

Q. You saw us how often?—A. I could not say.

Q. More than once?—A. Yes.

Q. You saw Mr. McCarthy and me more than once?—A. Yes; I think I have a recollection of seeing you twice. That is my recollection at this moment.

Q. A letter of mine to Mr. Russell speaks of the fact. I was there twice with Mr. McCarthy. You recollect the fact that I was there twice with him?—A. That

is my recollection. Of course it is a long time ago. It may have been more than twice.

Q. The description which you have there, does that correspond with it?—A. Yes.

Q. That is the original description I had there then? Would you conclude by that that the application started from the same point as Laidlaw's, and also so many miles south of the trail?—A. I would, of course, have to see the map where the trail intersected.

Q. You would have to find where the trail was?—A. The intersection of the trail was shown on the meridian line.

Mr. CASGRAIN—What paper is that?

Mr. RYKERT—That is a copy of the original application I put in. It is all there except the last words, "at the head of the mountain."

*By Mr. Davies :*

Q. Would you look over that sketch in the file of papers, are there any dates on it?—A. No; there are no dates.

Q. That sketch must have been in the Department at the time?—A. My recollection is that this sketch was made for the purpose of this memorandum—Mr. Lindsay Russell's memorandum of the 31st August.

Q. I find in these papers somewhere that quite a number of applications had been made besides those of Shortreed Laidlaw for these timber limits. In a letter from Sir David Macpherson, on the 2nd March, 1882, addressed to Mr. Rykert, from Ottawa, Sir David said: "There are half a dozen ahead of your friend, Mr. Adams;" are these other applications on the file?—A. Not on these files.

Q. Where would they be?—A. I do not think there were half a dozen other applications. I am not aware of any other. Of course the territory was a very large one; a large area had been applied for by Mr. Adams, and from the description, it was difficult to say whether or not other applications might not conflict.

*By Mr. Blake :*

Q. I gather it was afterwards ascertained there were no conflicting applications except these two?—A. That is correct, as far as my knowledge enables me to speak.

*By Mr. Mills (Bothwell) :*

Q. Who was Secretary at this time?—A. I was.

Q. What were the functions of the Secretary?—A. To communicate to the persons interested the decisions of the Minister and Deputy Minister after they had been arrived at.

Q. In the absence of the Deputy Minister what are his functions?—A. In the Interior Department he is the chief clerk in the Department and would be acting Deputy in the absence of the Deputy Minister.

Q. Well then these papers, according to the regular practice of the Department would be in your possession during Mr. Lindsay Russell's absence?—A. Not at that time. Mr. Andrew Russell was really the senior chief clerk at that time.

Q. Who was the Surveyor General at that time?—A. Mr. Lindsay Russell was both Surveyor General and the Deputy Minister.

Q. What duties did Mr. Andrew Russell perform in connection with the administration of the Department in the absence of the Deputy?—A. He was the chief clerk of the land branch, and being the senior chief clerk of the Department, I may say, that it was my custom, when acting in the absence of Mr. Russell, to leave the conduct of the business of Mr. Andrew Russell entirely to himself. He was a very old gentleman and a man of great experience, while I was comparatively young.

Q. Is that still the practice of the Department?—A. No, Mr. Russell left the Department, and he died some years ago. In the absence of the Deputy now, the Secretary is invariably charged with the duty.

*By Mr. Dickey :*

Q. How long after this was it, that Mr. Lindsay Russell continued to act as head of the Department?—A. I think until the 7th February, 1883.

Q. What caused his departure?—A. He broke his leg and his health became seriously impaired about the same time.

Q. That is the following February?—A. Yes.

*By Mr. Blake :*

Q. He left in February?—A. No ; he did not leave.

Q. Do you mean to say his health was not impaired at this time?—A. I think so.

Q. I understood Mr. Russell to say that that impairment of his mental powers which resulted in a total loss of memory had begun?—A. I think it probably had. I do not think he was aware of it at that period. But that was my impression.

Q. Your impression was, that he no longer had his mental faculties unimpaired?—A. Yes.

*By Mr. Mulock :*

Q. Now I would like to ask Mr. Burgess if this file of papers produced in reference to Laidlaw's application is a complete and full return of all documents received by the Department or sent out in connection with it?—A. All I have ever seen.

Q. It commenced with the application received by the Department on the 11th January, 1882. Would there not be a reply acknowledging a receipt of that application?—A. I think the back of the file will show that there was a reply. It was the custom of the Department then, simply to write an acknowledgment on the back of the file, and the reply in this instance was simply an acknowledgment.

Q. I find you have filed here a letter of the 20th January, 1882. The first acknowledgment is dated what date?—A. The 17th January, 1882.

Q. It was the custom on the 17th January 1882 to copy all these communications?—A. Not to keep copies of acknowledgements.

Q.—On the 25th January, 1882, there is a copy of a letter which says:—

“In further reply to the application of Messrs. Shortreed & Laidlaw for a timber limit in the Cypress Hills, I am directed to say that the Minister does not deem it expedient to grant any timber berths at present in this locality. In any case under regulations, license for the limits in question would have to be put up to competition.”

When did the Department change its policy? It says here, it was not expedient to grant limits, except by competition?—A. In that locality.

Q. That was in January, 1882?—A. Yes.

Q. The Department then thought it would not be expedient to grant limits without competition; when was the policy changed?—A. When the Orders in Council were passed in favor of Adams, and of Shortreed & Laidlaw respectively.

Q. What had occurred between January and April, 1882, to cause the Department to grant a license without competition?—A. I do not know.

Q. So far as the Department is concerned then, or the public interest is concerned, all you know is that it was not in the public interest or expedient, or whatever term may be used, to grant limits without competition in January; but it was determined to grant them without competition in April?—A. Yes.

Q. I see in these communications a letter from Mr. Laidlaw, dated 25th January 1883, complaining of what had taken place. What answer was sent to that communication in January, 1883?—A. There does not appear to have been any.

Q. Do you think that letter remained unanswered?—A. It seems so.

Q. That letter is as follows: (*See page 49, Exhibit No. 47.*) Can you tell me what officer received that letter?—A. It was received in the usual way by the Registrar.

Q. Would it go before the Deputy Minister?—Yes.

Q. Who was the Deputy Minister then?—A. Mr. Lindsay Russell.

Q. But you find no answer to that communication?—A. No.

Q. No acknowledgment?—A. None; no trace of any.



Q. Are there no other applications for these limits except these two?—A. Not to the best of my recollection.

Q. No person else applied for these limits?—A. I am sure of that.

Q. Do you know Mr. M. Boyd, of Bobcaygeon?—A. No.

Q. I am told that he appeared at the Department and made an application. I do not know what you would consider an application, at all events, he made his desire known to apply for some of these limits in the Cypress Hill territory?—A. I never heard of that before.

Q. He was informed by the Department that it was useless to do so, that the Department did not intend to grant any licenses?—A. I never heard of that before.

Q. I am told that his appearance at the Department took place a short time before the granting of this license to Mr. Adams?—A. This is the first time I have ever heard of it.

Q. I am told that he appeared there, asking what course he should pursue in order to proceed to make the necessary survey and secure one of these limits?—A. I never heard of it.

Q. Never heard of his being an applicant at all?—A. Never heard his name mentioned as an applicant, or in relation to timber limits in any way.

*By Mr. Blake :*

Q. Something has been said with reference to the area within which the selection of limits was allowed. There seems to have been a practice to grant an Order to allow persons within a defined area to select a timber limit?—A. Yes.

Q. The defined area, of course, being larger than the intended limit?—A. Yes.

Q. Was there any rule as to the maximum area?—A. No.

Q. Was there any practice as to the maximum area?—A. I could hardly say there was.

Q. There was no practice. Was there any custom elastic, perhaps, but still a custom. An ordinary thing?—A. Yes, it was not usual to allow selections to extend over a very large area.

Q. Over how many square miles?—A. Not more usually than 100 square miles. It greatly depended on the territory in which the application was made.

Q. But that was a usual thing. So that it was usual for applicants who applied for a large area to be limited with respect to the area over which they could make selections?—A. Yes, I think it was.

Q. And the figures usually were 100 square miles?—A. Yes, that was the most usual. There were cases in which the territory to be selected from was larger, where the timber was supposed to be comparatively scarce.

Q. But the usual thing was that. In this particular case the area applied for by Adams was 500 square miles?—A. Yes.

Q. And it was granted to the extent of 400?—A. Yes.

Q. So that it was above the usual application?—A. As to the application, it was certainly in excess of the usual.

Q. And the grant of 400, was that usual?—A. I think it was rather larger than usual; but in a prairie country, where the timber was known to be scarce, it was usually given over a large territory.

Q. This was in the Cypress Hills and not on the prairie?—A. The Cypress Hills cover a limited area.

Q. Do you know of any other case where selection was allowed over so large a territory?—A. I have no recollection of any.

Q. Certainly, then it must have been unusual. You do not recollect any other case of the kind?—A. Not quite so large.

Q. What is the largest you recollect? And whose next to this? I am speaking of the practice at the time, 1882?—A. I cannot mention any names.

Q. Or any extent?—A. No; my recollection is only general.

Q. Contrast that with Shortreed & Laidlaw's application. That was 140 square miles. Was that unusual?—A. No.

Q. That was the usual size?—A. Yes; for that character of country.

Q. It was rather a small size then?—A. Yes.

Q. The grant there was for 140. Was that usual for that character of country?—  
A. Yes.

Q. That being so, I want to read to you this letter of Mr. Russell's, of the 31st August, 1882, in so far as it relates to that question. He says:—

“The matter truly stands thus: both parties filed applications of unreasonable extent, so much beyond anything that could in rule be granted that I assumed that their conflict, on one side on which they overlapped each other was of secondary importance, and also assumed as acting for you, the right to deal with them by a curtailment and readjustment, in such wise as to do away with the overlapping.”

As to the unreasonable extent, you would say that with reference to Adams' but not Shortreed & Laidlaw's?—A. Yes; I would say so with reference to both applications. They were for timber limits of that size, not merely for the right to select within the area covered by the applications.

Q. Both parties asked for timber limits of that size?—A. Yes.

Q. Then “so much beyond anything that could in rule be granted, that I assume that their conflict, on one side on which they overlapped each other was of secondary importance”—would you say that that was an accurate representation of the condition of both the applications. It seems to apply to one but not to the other?—A. If the application of Shortreed & Laidlaw had been for the right to select over these 140 miles, it would not have been unusual, but as it was, as I understood it at the time, an application for a timber berth of 140 square miles, it was unusual.

Q. If it read as an application for the whole 140 square miles, that would be unusual?—A. Yes.

Q. The Adams application you think was unusual?—A. Yes.

Q. Well, then, as to the size of the timber berth what was invariably the maximum?—A. 50 square miles.

Q. There was no doubt about that?—A. No.

Q. A very large area for the selection of a maximum area of 50 square miles? There was no laxity about that?—A. No; the maximum area of a timber berth was provided for by regulation.

Q. The question before the Department was simply the area within which they should select their 50 miles?—A. Yes.

Q. One application was treated as unusual and the other as usual?—A. Yes.

Q. One grant unusual and the other as usual? The Adams grant of 400 miles was unusual?—A. The right of selection, over 400 miles, was unusual.

*By Mr. Kirkpatrick:*

Q. Do you know when the Adams application was granted?—A. Yes.

Q. Have you any letter of the 20th March—it is not on file here—granting it?—  
A. I do not think so.

Q. Mr. Rykert states in his evidence that he was notified on the 20th March that his application had been granted?—A. Oh, yes, a letter of the 20th March informed him of the decision of the Minister, as to the Adams application.

Q. On page 18 of the Evidence he said “on the 20th March notice was sent to me that the application was granted.” I want to see the letter that was sent from the Department notifying him that the application had been granted?

Mr. DAVIES.—Mr. Rykert does not say he had a letter, he says the application had been granted.

*By Mr. Kirkpatrick:*

Q. On page 18 of the Evidence, he says: “On the 20th March notice was sent to me that the application had been granted?”—A. There is no record here of any letter of that kind, or in the books of the Department.

*By Mr. Blake:*

Q. I think there must be in the books?—A. Of course, I do not say this of my own personal knowledge, but I have had them all searched.

Mr. KIRKPATRICK.—Here is Mr. Rykert's letter of the 20th March to Adams in which he says: "Your application has been granted."

WITNESS.—I will have the letter book of the Department searched to see whether there was any letter of that date.

*By Mr. Blake:*

Q. Look also at the Registrar's entries?—A. Yes.

Mr. KIRKPATRICK.—There is a further statement in Mr. Rykert's evidence lower down on page 18 which reads thus:—

"The application of Adams was granted some time before it was discovered by a clerk in the Department that it conflicted with the application of Shortreed & Laidlaw. The letter of the 20th March clearly shows this fact." Can you explain that? "As a matter of fact, after the order had been given, after the application had been granted, there was still an effort made to have those boundaries altered, but Mr. Lindsay Russell settled the matter satisfactorily to all parties" (addressing Mr. Rykert) Have you got that letter?

Mr. RYKERT.—No. Sir David Macpherson wrote me a letter the same as on March 2nd, stating that the application was granted.

Mr. BLAKE.—You said in your evidence, that you sent it on to Adams, I suppose you would not have it?

Mr. RYKERT.—No; I have not got it. There is no record, but the letter of March 2nd is there.

Mr. G. U. RYLEY SWORN.

*By Sir John Thompson:*

Q. What is your position in the Department?—A. Clerk in charge of the Timber and Mines Office

Q. What were you in 1882?—A. I held the same position in March, I think the beginning of March, 1882.

Q. When Mr. Lindsay Russell was Deputy Minister of the Department what knowledge had you of transactions, outside of the Timber and Mines branch?—A. None whatever.

Q. Your duties were confined to that?—A. Yes.

Q. What was the first knowledge you had or the first dealing you had with those applications of Shortreed & Laidlaw, and Adams?—A. So far as I can remember, the applications I think were plotted by me. The positions of the two berths applied for were plotted by me.

Q. Would that be done before anything was done with them in the Department?—A. Yes.

Q. For what purpose would the plotting be?—A. To ascertain how each application stood with reference to the other.

Q. Then did you plot the application of Shortreed & Laidlaw before Adams' application came in, or did you plot them afterwards when both were in?—A. After they were both in

Q. Practically, your duty was to see how they stood in relation to each other?—A. Yes.

Q. Can you state from recollection what the result of your plotting was?—A. That a portion of the berth or tract applied for by Shortreed & Laidlaw came within the tract applied for by Mr. Adams.

Q. Will you look at this paper dated 13th March, 1882 and tell me when you made that discovery?—A. That is a memorandum of the 13th March, 1882, to Mr. Russell, in which I said:—"re J. C. Rykert, on behalf of John Adams for timber limit. This application does not conflict with any former one." When I made that memorandum there was no plan in the Department showing definitely the position of the application. The reference numbers were there; but I understood at the time that there was no application. Subsequently I found out about Shortreed & Laidlaw's application being in the Department.

Q. Then at the time you prepared this you were not aware of Shortreed & Laidlaw's application?—A. No.

Q. Can you account for that?—A. Only by the fact that the reference number was not on the plan.

Q. When did you first become aware of the conflict?—A. I cannot remember that.

Q. Can you remember the time at which you were aware of the conflict; or how did you become aware of it?—A. I know there was a conflict and that Mr. Rykert and Mr. McCarthy came to see Mr. Russell about it.

Q. That would be a good many months after that. What was the first communication you had with Mr. Russell on the subject?—A. I cannot remember that. I expect I must have reported to him that the applications conflicted. I must have told him that.

Q. Soon after the date of that memorandum?—A. Between that date and the date that Mr. McCarthy and Mr. Rykert came to see him about it.

Q. About what time would that be?—A. It must have been before the 10th April, 1882.

Q. By that time had you plotted anything showing the interference? Had you plotted the two applications showing how they interfered?—A. Yes.

Q. Was that plotting before Mr. Russell?—A. When I went into the room where Mr. McCarthy and Mr. Rykert and Mr. Russell were together, Mr. Russell had a sketch in his hand showing the interference.

Q. Mr. Rykert and Mr. McCarthy were there then?—A. Yes.

Q. Can you fix that date?—A. I cannot. It was before the 10th April, 1882.

Q. Long before?—A. I cannot remember that. I know it must have been before that date.

Q. What assists you in arriving at that conviction?—A. The date of the memorandum to Council.

Q. It was drawn up after that?—A. After the interview which Mr. McCarthy and Mr. Rykert had with Mr. Lindsay Russell.

Q. You say it was drawn up at that interview?—A. No, after.

Q. Were you present at the interview?—A. I remember distinctly being there, and after Mr. McCarthy and Mr. Rykert left, Mr. Lindsay Russell explained to me the adjustment that had been agreed upon.

Q. Tell us what took place while you were present?—A. They were sitting together and I was standing up at the time. They were talking to each other, and when they went out Mr. Russell showed me exactly how the adjustment would be made.

Q. Do I understand from that, that you did not pay attention to the conversation and did not follow it?—A. I think I must have been there during the last part of the conversation only. I do not remember what was said.

Q. You took no notice of it?—A. I might have at the time, but I know that after they went away Mr. Russell explained to me the adjustment that had been made.

Q. What took place on that?—A. Upon that he told me to prepare the description to be inserted in the memorandum to Council.

Q. Did you do so?—A. I did so.

Q. And the report went to Council?—A. I consulted Mr. Russell about the description at the time as I had to take it from the plan of record in the Department. I had to get the plan of record in the Department in order to ascertain about what section posts one of the boundary lines would come at, in order that anybody who made a survey of the berth would have no difficulty in doing so.

Q. As a matter of fact, who prepared the description?—A. I prepared the description and then explained to Mr. Russell what I had done.

Q. Then Mr. Russell instructed you what settlement had been arrived at?—A. Yes.

Q. You prepared a description and showed it to Mr. Russell?—A. Yes.

Q. Did you draw up the memorandum to Council?—A. Yes.

Q. The next step in the transaction was the receiving of the Order in Council?—A. Yes. I consulted Mr. Russell about every step I made in the matter.

Q. What do you know about the controversy afterwards about an alleged error in the description?—A. I remember there was some telegram received from Mr. Dalton McCarthy contending that there was something wrong in the description and that Mr. Russell had all these papers before him and that he then looked fully into the matter himself and was fully satisfied that there was nothing wrong and made a report to that effect to Sir John Macdonald.

Q. In point of fact, did you receive the telegram?—A. I might have seen it, but I do not think I received it.

Q. You do not know whether it was answered or not?—A. No, I do not.

*By Mr. Chapleau :*

Q. The memorandum which you have read; upon what occasion did you make that memorandum? Was it immediately after the receipt of the application, or under what circumstances did you write it?—A. It must have been. Yes; it was immediately after the application was received.

Q. From Mr. Rykert?—A. The application was received on February 28th and the date of the memorandum is March 13th.

Q. Are there not some letters nearer than that to the 28th February?—A. There is an acknowledgement of the 8th March to Mr. Rykert—simply acknowledging the receipt.

Q. By the rule of the Department, after that was sent, were you the officer to map out and see what was covered by the application?—A. Yes.

Q. What is your duty then when you have such a demand for mapping out a limit?—A. When an application is received and entered in the books it is plotted, and then a report made to the Deputy Minister of the Interior as to how it stands in our records.

Q. When the application is made, the area covered by the application is marked out by you?—A. Yes, that is the present practice.

Q. Of course, if it was the only application there would have been no difficulty? I cannot understand your memorandum, because your memorandum says it does not conflict with any other application. How did you ascertain that?—A. When I went to the Department I found a general map of the North-West Territories on which was marked reference numbers of applications within a little red circle. That was all the information I had before me and I had only been in the Department a week or ten days when this application arrived.

Q. You were new in the Department?—A. Yes. This application did not conflict with any of the little red circles.

Q. You did not inform yourself in the Department, whether there were any other applications?—A. No; none of those circles interfered with the ground covered by this application.

Q. Your impression was, that no other application had been made, else one of those little circles would have been mapped out on the plan?—A. Yes.

Q. You did not find any?—A. No, I did not know anything about the Shortreed & Laidlaw application because my predecessor had acknowledged the Shortreed & Laidlaw application. I was not there when it was acknowledged.

Q. Was it or was it not your duty to inform yourself whether there was such an application before?—A. Certainly.

Q. You did not?—A. No.

Q. Did you inform anybody of what you had found, when it was conflicting with anyone else?—A. Yes, Mr. Russell.

Q. Did Mr. Russell inform you that there was another application?—A. I do not remember.

Q. How long was it afterwards, do you remember, in conversation with Mr. Russell that that report of yours came up?—A. I do not remember exactly what I said in conversation. I consulted him in every particular about this application.

Q. Had you occasion to see Mr. Rykert in the Department after that?—A. Mr. Rykert was there several times.

Q. Between the 13th March and the 11th April?—A. Well I do not know whether I saw Mr. Rykert before he had an interview with Mr. Russell or subsequently. I do not remember.

Q. You do not remember having seen him before?—A. I may have. But at that time there were a great many people coming to the Departmental offices, and they were all new to me.

Q. Before the 10th you heard there was a conflict about that memorandum?—A. Yes, certainly.

Q. How long was it after the report to council of the 10th April that you heard your memorandum was not right. Was it a couple of weeks?—A. I do not think I heard anything of it until Mr. McCarthy telegraphed.

Q. What day did he telegraph—before the interview between Mr. McCarthy and Mr. Rykert—between that date and the date of your memorandum. I was asking if you heard it, that there was any conflict between Shortreed & Laidlaw and Mr. Adams?—A. Yes, I was at the interview. I knew there was a conflict then.

Q. I have asked you whether before the interview you heard there was such a conflict?—A. Certainly.

Q. You were interested in knowing what was the difference between them?—A. Yes. I knew these applications conflicted.

Q. When you saw Mr. Rykert and Mr. McCarthy together with Mr. Lindsay Russell, had they a map before them?—A. Yes, they had a sketch.

Q. Were they talking about that sketch with the Deputy Minister?—A. Yes, they were sitting on a sofa at the time and Mr. Russell was sitting between the two, and he had the sketch in his hands and I came in either by accident or he rang my bell, and Mr Russell said they were arranging this matter and making an adjustment.

Q. There was a sketch in his hands and you say you did not hear any special conversation. You state also it was at the end of the interview. Did you understand by what you saw, by the little you heard that it had been agreed to accept the sketch as finally arranged between Mr. Russell and them?—A. Mr. Russell told me that there was to be no conflict between the applications, that Adams was to give up the southern portion of his berth and Shortreed & Laidlaw's application was to be moved down so that they would not conflict one with the other.

Q. You did not hear anything to that effect when the three were together?—A. I do not remember them saying anything about that. They were talking together when I went in.

Q. Were they talking as people who differed, or as people who agreed?—A. They agreed, certainly.

Q. You understood by what passed in your presence, they then and there agreed, and immediately afterwards Mr. Russell said this is arranged?—A. Yes.

Q. Are you positive about that fact?—A. I am positive; yes.

Q. You are positive the three had agreed and immediately after that Mr. Russell said: this is adjusted?—A. Yes.

Q. And the report was prepared and sent to Council?—A. Yes.

*By Sir John Thompson:*

Q. Can you account for the fact that Shortreed & Laidlaw's application was not numbered on the plan?—A. No, I cannot.

*By Mr. Blake:*

Q. It is stated by Mr. Rykert, in his evidence, that the fact of the conflict was discovered after the 20th March, by a clerk in the Department. Were you that clerk?—A. I suppose I must have been.

Q. Do you remember discovering it then?—A. I cannot say that I do. I must have been the clerk who discovered it.

Q. It could be nobody else?—A. It could be nobody else. I must have discovered it and reported it to Mr. Russell.

Q. This is simply from your position in the Department, and not an act of recollection?—A. Yes.

*By Sir John Thompson :*

Q. The plan is still in existence without any number on it?—A. No, sir, it is not. It was one of the general plans of the North-West Territories, and these plans had been renewed from time to time as they had been worn out, and as applications had been disposed of, or lapsed.

*By Mr. Mills (Bothwell) :*

Q. Did you not act in this matter for Mr. Rykert?—A. Not at all, sir.

Q. There is this statement: "On the 26th January a second telegram was received—Have not been able to see Minister; and Ryley cannot do anything in your matter"?—A. I am the Ryley referred to there.

Q. What were you doing in this matter?—A. What is the date of that?

Q. It is dated the 26th January, 1883?—A. I suppose Mr. Rykert came to me and asked me to do something, and I said I have no authority in this matter. You will have to see the Minister or Deputy Minister.

*By Mr. Casgrain :*

Q. Was that sketch you saw in the hands of those gentlemen given to you at the time?—A. I cannot be positive about that, whether Mr. Russell retained that sketch or gave it to me. But he explained to me fully what was the adjustment, and I prepared a description accordingly and consulted with him about it afterwards.

*By Mr. Blake :*

Q. Do you know anything of this? Did you prepare that? This is the plotting referred to by Mr. Burgess and comes next on the files to the telegram of July 18th, 1882. You prepared that?—A. Yes.

Q. Was it prepared all at one time, as you see it now, or has it been from time to time with additions put upon it?—A. That is just the way it was prepared.

Q. As we see it now?—A. Yes.

Q. When was it prepared?—A. It comes next to the telegram from Mr. McCarthy of August 2nd, 1882.

Q. I know it comes next to it in the file, but when was it prepared?—A. It must have been prepared at that time, before Mr. Lindsay Russell made a report to Sir John as to the conflict.

Q. As to the conflict?—A. Yes.

Q. Before the letter of 16th August, your impression is this was prepared before that, and in order to the writing of this letter?—A. In order that Mr. Lindsay Russell might see how the matter stood.

Q. Did he order this?—A. I prepared it, and it must have been for that purpose.

Q. It was certainly after the proposed area for license had been given, because I see the area for license is upon it?—A. Yes.

*By Mr. McCarthy :*

Q. You say now that it is your recollection that the adjustment you speak of took place before the 10th April?—A. Yes.

Q. That is your recollection. How long do you say before the 10th April?—A. It must have been a very few days before that, because I remember we took action upon the arrangement immediately.

Q. Did you then understand that both limits were arranged?—A. Yes, I understood from Mr. Lindsay Russell, that——

Q. Tell us what it was. I want to know, did you then understand that the limit which Mr. Adams was to have and which Messrs. Shortreed & Laidlaw were to have had been arranged before the 10th April?—A. Yes.

Q. Will you tell me then, how that Memorandum to Council for Adams is dated on the 10th, and for Shortreed & Laidlaw on the 22nd? What was the cause for the delay? The memorandum for one is the 10th, and the memorandum for the other is the 22nd?—A. I cannot explain that.

Q. You cannot explain that? Well, would you adhere to that statement in the face of the correspondence I will read to you. At page 147 in the Votes and Proceedings of the House, (See *Journals* of 14th February) you will see the following:

8th April, 1882.

“MY DEAR ADAMS,—I was engaged nearly all yesterday running back and forward to the department in connection with the limit. The clerks were driven to death with some colonization matter, and could not complete the matter. I have an appointment for Monday at 11 o'clock when I hope to get a copy of the notes and full instructions for the surveyor. I see that the application of Laidlaw was put in on January 12th, 1882 before yours, you will see. I got hold of the paper and examined for myself, so that there is no humbugging. They sent a surveyor named Lynch out there to examine the whole country.”

It is quite evident that on the 8th of April that had been settled.

“I hope you will be able to select a good lot from the large country you have to choose from. We have 20 miles by 20, which is equal to 400 square miles.” Twenty by twenty is 400 square miles, and that was the Order in Council?—A. I do not know how he got that information.

The letter goes on :

“You had better not let a moment slip, but have all ready, as I expect to give whole instructions by Tuesday at the latest. If I could only see McCarthy we would have no difficulty at all.”

Q. In the face of that will you adhere to the statement that that adjustment took place before the 10th?—A. I know that this memorandum was not drawn up until after your interview.

Q. I know you have said that. I will give you another letter in a moment. That is on the 8th April, in which Mr. Rykert expresses the desire “if I could only see McCarthy, we would have no difficulty at all.” I will read you a letter dated the 11th April, 1882, which is the date I say I saw him:—

“I to-day saw McCarthy, and he was terribly surprised to hear that I had got the limit as he was refused point blank.” Do you still adhere to that statement?—A. I adhere to the statement that this memorandum was not drawn up until—

Q. But you see, I read you the letter of 8th April in which Mr. Rykert writes Adams, and I read you the letter on the 11th April, in which Mr. Rykert says he had seen me and I was terribly surprised. My letters of that date show that was the day, and Mr. Laidlaw's letter also shows that was the date. Do you still adhere to that statement, or are you not thinking of the interview that took place prior to the 22nd?—A. I know positively that this memorandum was not drawn up until after this interview.

Q. Which memorandum?—A. Both memoranda.

Q. Notwithstanding what I say, you think this memorandum was subsequent to the interview in the Department when I was present?—A. Unless there was a mistake made in dating the memorandum and I do not think there could possibly be.

Q. No, I do not think there was a mistake. It was shown that it was passed by Council on the 17th?—A. I cannot explain that.

Q. Then you cannot explain, if there was an adjustment prior to the 10th, why the Orders in Council or Reports were not simultaneous? You cannot explain that?—A. No.

Q. Did you represent at any time to any person that that was the way they overlapped (See diagram in Exhibit No. 61, p. 96)?—A. I do not remember ever making a memorandum showing that was the position.



Q. I had an impression that was about the way they overlapped. Did you represent that?—A. I do not remember representing them in that position.

Q. Have you got a map in which that trail is shown? Mr. Adams says the description is dependent on the trail. Have you a map of that kind?—A. Yes.

*By Mr. Ives :*

Q. Are you positive and clear that the understanding as given to you by Mr. Russell was, that Mr. Adams was to relinquish a portion of his claim by moving the south line of his application further north and that Mr. Laidlaw was to move his further south, so as to end the conflict?—A. Yes.

Q. You are positive that Messrs. Shortreed & Laidlaw were not to have their full claim without abatement?—A. Mr. Russell told me that distinctly, and the adjustment was made.

Q. Both compromised in a measure?—A. I remember he told me, when saying they had applied for such a large territory, that neither of them knew where the timber was.

*By Mr. Blake :*

Q. Mr. Rykert's evidence at page 18, says :

“This limit that Mr. Adams applied for was over an area of 500 square miles, and at once the Department, as Mr. Russell states in his report, found it was utterly impossible to allow so large a range of country in order to pick out a limit of 50 square miles, and it was amicably arranged between Mr. McCarthy, myself and Mr. Laidlaw, that the boundary should be settled by Mr. Russell, by cutting off all that claimed by Mr. Adams, which overlapped Mr. McCarthy's application, and he prepared the Minute for Council, based upon that.”

So the statement of Mr. Rykert was that all should be taken out of Adams' that overlapped Shortreed & Laidlaw's; that Shortreed & Laidlaw should have theirs and Adams have the rest?—A. I think Mr. Lindsay Russell's report to Sir John Macdonald, and that sketch before you, shows that he never understood the arrangement that way.

*By Mr. Ives :*

Q.—That is the point I wish to ask you about; that is, whether you clearly understood from Mr. Russell that Shortreed & Laidlaw were to evade a portion of their application?—A. It was give and take. Adams was to give a portion of his, and Shortreed & Laidlaw the same, so there would not be any conflict between them.

Q. Will you say then, positively that this line was the line that was to be the divisional line under that new arrangement as stated between you?—A. Yes.

Q. The arrangement was that Adams was to give a portion and Laidlaw to take it over?—A. Yes.

*By Mr. Mills (Bothwell) :*

Q. Laidlaw's was the prior application? They did not evidently deal with the fight amongst the applicants?

Hon. MR. BLAKE —It was practically causing the prior applicant to cede to the subsequent, applicant?—A. It was; but otherwise it must have been put up to competition.

*By Mr. Mulock :*

Q. When you understood from Mr. Lindsay Russell that each party was to abate, can you tell us to what extent each party was to abate?—A. Adams was to give up the southern portion of his limit and Shortreed & Laidlaw were to come down.

Q. Each to shift their line the same distance?—A. Oh, no. The southern boundary of the tract accorded to Shortreed & Laidlaw was to be the southern boundary applied for by Adams.

*By Mr. Kirkpatrick :*

Q. Will you show the southern boundary of the Adams' application?—A. Five miles south of the Laidlaw application.

Q. You are sure?—A. Yes.

Q. Where is the trail? Can you show us where the trail is? A. (Pointing at map) It is there.

*By Mr. Mulock :*

Q. Were they each to surrender an equal area?—A. No, I did not hear anything of that.

Q. You say they were each to abate a portion? What did you hear as to the portion each was to abate?—A. That is the southern boundary of the Shortreed & Laidlaw tract was to come down to the southern boundary of the Adams tract and then go north through the Adams tract the distance given in the application of Shortreed and Laidlaw.

Q. Do you remember exactly and distinctly?—A. Yes. When Mr. Lindsay Russell made that report to Sir John he had the sketch before him. He looked thoroughly into the matter and he was satisfied that that was the understanding.

Q. There is quite a difference in the area that Adams surrendered to Shortreed & Laidlaw and that Shortreed and Laidlaw surrendered to Adams?—A. Adams surrendered a little more than the other.

*By Mr. Kirkpatrick :*

Q. Will you tell me where the trail goes again?—A. Here.

Q. What is that point?—A. That is section 13, township 7, range 1.

Q. That is where the trail passes?—A. Yes.

Q. Have you a map over at the Department showing that trail?—A. Yes.

Q. Will you produce it?—A. Mr. Wheeler is here. He has checked over this plan and he is prepared to show where the trail crosses.

*By Mr. Mulock :*

Q. Nobody was misled by the error of your memorandum of the 13th March 1882?—A. No.

Q. That was discovered before action was taken on your memorandum?—A. Certainly.

*By Mr. Ives :*

Q. Had this territory been surveyed? Had you any field notes of survey of this country at the time?—A. Yes.

Q. What was it, a township survey?—A. Of the 4th Meridian.

Q. Had you any information in the Department with regard to the character of the country and the timber in the country and all that kind of thing?—A. Only along the meridian line.

*By Mr. Blake :*

Q. It was only the meridian line that was surveyed then?—A. Yes.

*By Mr. Ives :*

Q. Was there any definite report by surveyors that would indicate or give information as to where the valuable part of the timber was at that time, that is was there any such report in the Department?—A. If there was, I never read the report.

*By Mr. Kirkpatrick :*

Q. Was there any survey before April, 1882?—A. Yes.

Q. With field notes?—A. Yes.

Q. Before April, 1882?—A. Yes; April, 1882.

Q. These field notes can be produced?—A. Yes.

*By Mr. Watson :*

Q. How did you locate section 13 ?—A. Section 13 was on the meridian line.

Q. Was the township surveyed ?—A. Yes, certainly. The whole meridian line was run and staked out.

Q. All the townships surveyed ?—A. The townships the meridian line ran through.

Q. What did the township survey consist of ?—A. This meridian line was run from the boundary line up, and all the sections staked out and the notes were put in the surveyor's field book.

Q. There were posts placed on the township corners of the meridian line ?—A. Yes.

Q. Posts were not planted for the townships west ?—A. They were planted all the way along the meridian.

Q. The townships were not surveyed ? A. Only on the line.

*By Mr. Kirkpatrick :*

Q. What trail passes township 7 ?—A. The trail between Fort Walsh and Fort McLeod.

*By Mr. Ives :*

Q. You say the only report of the timber of the country and the country itself was that made by the surveyor who made the survey of the meridian line ?—A. Yes.

Q. How wide an extent of country did that purport to cover west of the meridian ?—A. Just as far as the surveyor could see when he was running his line.

Q. Can you produce before the committee all that there was in the Department at that time, with reference to the character of the country ?—A. Yes. It was published in the regular reports of the Department of the Interior, showing the character and resources of the different townships. You can get the original from the surveyor.

*By Mr. McCarthy :*

Q. Was it at your suggestion or Mr. Russell's, that the original data of the application was departed from ? Shortreed & Laidlaw had applied at a point 3,200 chains from the boundary line, and the Order in Council gives them from a point that was, according to your statement not exactly defined. He says between lots 25 and 36. Where would lots 25 and 36 be ?—A. (Witness points to the spot on the diagram.)

Q. Was it you who made that departure from the original application, or do you know how that was ?—A. I know exactly. I got a plan of the meridian line and consulted Mr. Russell about it, and he considered that instead of giving this description, so many chains from the boundary line, it would be better to give it from this section post. He contended and I agreed with him, that it would be impossible for two surveyors to run all this distance from the boundary line and make exactly the same chainage, while it would be convenient to the surveyor who went up there to have the survey start from that post.

Q. But did it ? What is the point now of their line ? It is a mile south of the original boundary ?—A. Yes ; but this boundary was to come down here (referring to diagram) that would have brought it down about 20 chains—20 chains south of the post. We thought both tracts were so large it would be better to start from that post.

Q. What is the nearest point on the meridian line to the southern limit of Shortreed & Laidlaw's application ?—A. The southern boundary is about 20 chains south of the division line, between sections 24 and 25 in township 7.

Q. Then you understood as you now swear, that Mr. Lindsay Russell directed you to prepare the memorandum so that Shortreed & Laidlaw were not to have the territory for which they originally applied ?—A. Yes.

Q. How much did they, in point of fact, get of the territory for which they originally applied ?—A. About a mile and a quarter.

*By Mr. Rykert :*

Q. When you prepare Minutes for Council, does not some time elapse, as a general thing, before the Order is passed?—A. That depends on circumstances. During session it takes longer than at other times. It depends on the amount of business the Council has on hand.

Q. Would this be during Session?—A. I suppose it must have been.

*By Sir John Thompson :*

Q. When you say a mile and a quarter, do you mean a mile and a quarter in width?—A. I mean it was a mile and a quarter north and south. That is, an area of 25 square miles.

ARTHUR OLIVER WHEELER SWORN.

*By Sir John Thompson :*

Q. Did you prepare that sketch showing the interference?—A. I did.

Q. You are lately come to the Department?—A. I have been in the Department since 1885; but I have not been in the Timber and Mines Office all that time. I have been there for the last two years.

Q. You were not there in 1882?—A. No.

Q. What did you prepare it from?—A. From the application on Mr. Rykert's file; that is the original application submitted by Adams; from the sketch accompanying the application of Shortreed & Laidlaw; the descriptions in the two Orders in Council respectively, and the plan of survey of the timber berth. Also the field notes of the 4th meridian.

Q. Does it correctly show the position of the two applications and license?—  
A. Yes.

Q. As described by Mr. Burgess?—A. Yes.

*By Mr. Blake :*

Q. Where did you find the trail?—A. In the original field notes.

Q. Not from any map?—A. The map is made from the original field notes.

*By Mr. Mills (Bothwell) :*

Q. The map and field notes exactly correspond?—A. They should.

Q. But do they?—A. They are supposed to correspond when the map is approved by the Surveyor General.

The Committee then adjourned.

HOUSE OF COMMONS, Wednesday, 23rd April, 1890.

The Committee on Privileges and Elections met at 10:30 a.m., Mr. GIROUARD in the Chair.

Enquiry relating to the connection of J. C. Rykert, Esq., M.P., with the grant of certain timber limits in the North-West Territories, resumed.

MR. G. U. RYLEY re-called.

SIR JOHN THOMPSON—MR. Chairman, Mr. Ryley has brought the plan (marked B) showing the trail, for the purpose of testing the accuracy of this tracing, but I understand from Mr. Laidlaw that the correctness of the tracing is not contested.

*By Mr. McCarthy :*

Q. When was that plan made? Was that plan made in 1882?—A. Yes.

Q. What is the date of that plan?—A. The survey was made in 1881. Before commencing my evidence I would like to make a correction. Yesterday Mr. McCarthy produced a sketch showing the position of the two tracts in a different position to which they are shown on the tracing here, and I told him at the time, I did not think a sketch of that nature could possibly have been made with the descriptions we have in the Department; but after I went back to the office and considered the matter, I

hunted up the plan that was in use in the Department in the early part of 1882. It was a plan made in 1878, and it was the only lithographed plan in use in the Department when the applications in question were put in, and upon plotting the descriptions—I got Mr. Wheeler to do this yesterday afternoon—I found the two tracts did conflict on that plan nearly in the way Mr. McCarthy showed on the sketch yesterday. The cause of the difference is this: the trail to Fort McLeod on the old plan is 8 miles north of the trail as defined by survey, and this made the difference in the position of the tracts applied for by Mr. Adams.

*By Sir John Thompson :*

Q. Between that old plan and the plan of 1882 the survey had been made?—A. Yes; and if any sketches were made they must have been made off this old plan, because the plotted position of the two tracts on this plan, shows them in about the same position as on the lithographed plan which Mr. McCarthy had yesterday. This is the plan I refer to. (Plan produced and marked C.) It overlaps a little more than on the plan shown by Mr. McCarthy (See Exhibit No. 61, page 96), but it is approximately the same.

*By Mr. McCarthy :*

Q. When was this plotting done?—A. Yesterday afternoon, by Mr. Wheeler, from the description.

Q. Was this lithographed plan in use in March, 1882?—A. That was the plan in use in the Department in the early part of 1882, and any sketches made must have been made from this plan, because we had no other.

*By Mr. Blake :*

Q. What you say is, Mr. Ryley, that this plotting that we find here, that blue line and that red line, represents the result on the plan in use in the Department at that time?—A. Yes; at that time.

Q. The plan then in use?—A. Yes.

*By Mr. McCarthy :*

Q. What date was the other plan used which would be the foundation for the sketch that has been produced here?—A. That plan (marked C.) was used when we were drawing up the descriptions. I ascertained in some way that a survey had been made of the 4th meridian line. I cannot remember whom I learned it from, whether from Mr. Russell or somebody else in the Department, but in drawing up the descriptions I went to Mr. Clayton's room and I got this plan (marked B) there and plotted the descriptions from the trail as I found it on the plan of survey.

Q. Did you then notice there was a difference of 8 miles in the position of the trail?—A. No; I never noticed that. Mr. Russell himself never seems to have noticed it.

Q. Until when?—A. I never noticed it until Mr. McCarthy spoke of it yesterday.

Q. What difference would the trail make?—A. It would bring the Adams location 8 miles south.

*By Mr. Blake :*

Q. Shortreed & Laidlaw's location could not be altered at all as their application was a definite description?—A. No; the berths were plotted from the information we had in the Department at that time, showing the trail in that position. On actual survey it showed to be 8 miles farther south. That brought the Adams' berth south and Shortreed & Laidlaw's more in the centre of the Adams' berth, as shown in the sketch.

*By Mr. McCarthy :*

Q. Then up to the time you saw me with Mr. Rykert in Mr. Russell's office; up to that time this is the plan that was being dealt with?—A. Yes; or about up to that time. I do not exactly remember when I knew about the survey of the 4th meridian, but any sketches made before I knew of this survey, showing the position

of the two berths, must have been made from information on this old plan. I had no plan of the berths plotted at the time, only the number of the application appeared on the plan.

Q. Was there any plan in general use but this?—A. No.

Q. So that when the application was made by Adams it was with reference to that plan?—A. It was plotted from information on this plan. I do not know whether the description in the application was based on this plan.

*By Mr. Blake :*

Q. Now, Mr. Ryley you came to the Department, when?—A. Well, I was there in February, but I did not take charge of the office until some time in March, I think the middle of March.

Q. You had then first to do with this license?—A. Yes.

Q. When were you instructed to find these descriptions that you made out for Mr. Adams and for Shortreed & Laidlaw?—A. After Mr. Russell had the interview.

Q. After that interview?—A. Yes.

Q. Was it in pursuance of those instructions that you got the field notes on which you worked?—A. Yes. Mr. Russell told me to make out the descriptions and I did so. He either told me about the survey of the 4th meridian line being made or I knew it. I got the position of the trail from the map of the survey of that meridian.

Q. It was in pursuance of those instructions you got your information?—A. Yes.

Q. You did not know before that time whether the trail was rightly or wrongly plotted on this old plan?—A. No, I did not.

Q. Therefore the common apprehension of all was that this was the plan at that time?—A. Yes ; that was the only plan in use at that time.

Q. And the only information which appeared to be used by the parties up to this time?—A. Yes.

Q. Then the common idea of all the parties must have been that that represented the arrangement?—A. Mr. Russell did not understand that.

Q. You say there was nothing but this to come and go upon?—A. Yes ; unless Mr. Russell had other information about it. All I know is that he gave me instructions to get this information, and I showed him the position of the limits.

Q. That is afterwards? I am not speaking of afterwards. I am speaking of before, at the time negotiations were going on, at the time that the settlement was made, at the time you got instructions, all that was before the parties was the information which this plan would give?—A. As far as I know that was all the information.

Q. And, therefore, this plotting of blue and red would represent the understanding of the parties at that time?—A. I cannot say that.

Q. Was there anything else, any other information which they had to your knowledge?—A. Not to my knowledge.

Q. There was no other information they had to your knowledge than that which the plan contained?—A. I cannot say.

*By Sir John Thompson :*

Q. At the interview between Mr. McCarthy, Mr. Rykert and Mr. Russell when they made the adjustment, and after which you prepared the notes, was that plan there?—A. No, sir. I remember Mr. Russell had a sketch in his hand, but I do not remember whether he ever showed it to me. All he said was as to the adjustment being made.

Q. But that plan was not there?—A. Oh, no. I took this from one of the old reports of 1878, yesterday.

Q. Was any plan like it before them, any Departmental plan showing that plotting before them?—A. No, sir, none.

Q. Yet you spoke of their having some sketch or departmental plan or sketch prepared by one of the parties?—A. I cannot say whether there was any sketch prepared by the Department or not. If there were any then it must have been taken from the information on this old plan.

Q. It was not the plotting of any of the employés of the Department?—A. No.

*By Mr. Mills (Bothwell) :*

Q. Then at the time that Mr. Russell met with Mr. McCarthy and Mr. Rykert, there was no other plan prepared and in use in the Department except this one?—  
A. Not to my knowledge.

*By Mr. Blake :*

Q. And it was one of these with the little red circles that you have specified?—  
A. Yes.

*By Mr. Davies :*

Q. Any sketch he would have would be taken from that plan?—A. From the information on this plan I do not say it would be a tracing of it.

Q. That would be the basis of it?—A. Yes.

*By Mr. Langelier (Quebec) :*

Q. What is the date of the plan of that survey, filed in the Department? What date was that plan filed? A. It is dated 3rd March, 1882.

Q. As filed at that time in the Department?—A. Yes; it is dated in March by Ogilvie.

*By Mr. Blake :*

Q. You do not know when it was put in the Department?—A. There is no number on the plan.

*By Mr. Langelier (Quebec) :*

Q. Have you any means of ascertaining the exact date when it was filed in the Department?—A. Yes; I can find out exactly what date it was filed.

*By Mr. Mills (Bothwell) :*

Q. What is the date of the next plan prepared by the Department after this one, after the one on the Table that was published in 1878, what is the date of the next one?—A. I think it was in December.

Q. That is December, 1880?—A. December, 1882. This plan is dated 1878, and the next plan published showed the 4th meridian survey.

Q. And that was you think in December, 1882?—A. It must have been made after the returns were received in the Department.

*By Sir John Thompson :*

Q. You are speaking of the plan lithographed?—A. Yes. I do not say the sketch was prepared from that plan because I do not remember seeing the sketch.

Q. Do you know whether the sketch was prepared in the Department or made by one of the parties on the spot?—A. I don't know anything about the sketch.

MR. RYKERT then made the following statement after acknowledging that he had been previously sworn:—

MR. CHAIRMAN: I propose just briefly referring to this difficulty about the license, and my statement is under the oath I have taken. The application was granted, as I stated in my letter of March 20th, 1882. On the 3rd of April, Mr. Adams left the city thinking he was right so far as the granting of his application was concerned. A day or two after that I received some information from somebody in the Department that there was a conflict with the Adams' application, that an application put in by Mr. McCarthy for Messrs. Shortreed & Laidlaw conflicted with the Adams' application. I then saw Mr. Russell, and he informed me that unless that conflict was settled in some satisfactory way that no license would be granted; but he thought that if we could arrange the matter between us the matter would be settled. About the 6th or 7th of April I saw Mr. McCarthy, and I spoke to him in reference to the matter. He says in his evidence, on page 40, regarding that conversation: "He told me the Department had determined to grant the limit, provided that an arrangement could be made between Messrs. Shortreed & Laidlaw on the one hand, and Mr. Adams, for whom he was applying, on the other." That conversation which Mr. McCarthy refers to took place about the 6th or 7th day

of April. Then, on or about the 7th day of April, Mr. McCarthy and I went to see Mr. Russell, who explained about the overlapping, and he then said: "You will have to settle the matter between you." Mr. McCarthy and I then agreed that Mr. Russell should settle the matter. According to the evidence before us at that time it appeared that there was an overlapping of a very considerable amount. Mr. Russell told us we could not possibly have over 400 square miles, and then cut off from the Adams' application some five miles according to the plan and sketch before us at that time, and taking that five miles off the Adams limit still left a space between the two. Mr. McCarthy and I then agreed that Mr. Russell should settle the matter between us. We had made no agreement up to that time except to talk the matter over about the overlapping, and we left it entirely in Mr. Russell's hands to settle. Mr. Ryley's statements here yesterday are strictly and accurately correct. The conversation which took place at that time was, most of it, in the presence of Mr. Ryley, who was called in by Mr. Russell, and heard nearly all that took place. At any rate, he knew the settlement between us. It was simply a statement of both of us to Mr. Russell. We said he would make some adjustment of the boundaries. Mr. McCarthy was still apprehensive on that date that the license would not be granted, and although we had spoken about pooling the survey and joining the survey, still he thought the license would not be granted. He asked me to write Mr. Laidlaw in the matter, and explain to him about joining in the survey, and on that same day Mr. McCarthy left for Toronto. On the morning of the 8th of April—

*By Mr. McCarthy:*

Q. Which day do you say I left for Toronto? A. On the evening of the 7th I think; I did not see you again, I looked for you on the 8th and could not find you. On the 8th April, I saw Sir David Macpherson, the acting Minister, and told him of the arrangement I had made with Mr. McCarthy, and then after consideration in the afternoon he told me that the license would be granted. Mr. Russell agreed to prepare the Order in Council. At the time the arrangement was made between Mr. McCarthy and myself in the presence of Mr. Russell, Mr. McCarthy was not altogether satisfied with the description, but left it to be settled by Mr. Russell. I recollect that distinctly, and that is corroborated by the evidence of Mr. Ryley who did not seem to know at that time where the timber really was. On the 8th April, I wrote to Mr. Adams that "if I could see McCarthy there would be no difficulty in getting the matter settled." That had entire reference to the survey and the pooling of the expenses which we discussed and to which Mr. Lindsay Russell refers in his report.

*By Mr. Davies:*

Q. What page is that letter on?—A. It is on page 147 of the Votes and Proceedings of the House. Now, on 11th April I saw Mr. McCarthy as stated in that letter which also appears on page 147. I saw Mr. McCarthy and told him what the acting Minister had stated in reference to the matter, that the license would be granted. Then, I wrote to Mr. Adams on the subject of our conversation as to the joining in the survey. I was then going to Hamilton to see Laidlaw in reference to joining us in the survey. I had not seen Laidlaw in reference to the matter up to that time, at all. On the same day Mr. McCarthy and I went over again to see Mr. Russell in reference to his Order in Council. Mr. Russell then informed me and informed both of us that he had drawn up the Minute in Council for the Adams license and that it would go before the Council. In that same letter I said "the Order in Council went before the Government to-day and it is likely to pass at once." Then Mr. McCarthy, on page 40, writes to Mr. Laidlaw that Rykert wanted to see about defining the boundary. That is correct as far as it refers to Mr. Laidlaw's limit, but not the limit of Adams, because that had been settled at that time. That must have been after the time I had spoken to him. He said: "He wants to see about defining the boundaries of the limit applied for by Messrs. Shortreed & Laidlaw, so that some arrangements may be made if possible. I think that the limits applied for do not clash to any very great extent, but Mr. Rykert will explain." I went to Hamilton after that and saw Mr. Laidlaw and explained all that had taken place. Mr. McCarthy



in his evidence seems to have come to the conclusion that the settlement was made about the 22nd April. Well now that could not possibly be, because on the 17th day of April the Order in Council had been passed and therefore it would be absurd to say we would make a settlement after that. He said there was only one interview. Now in my letter to Mr. Lindsay Russell of the 31st day of August, which is published amongst those letters furnished some time ago, I stated distinctly I had been there with Mr. McCarthy twice. That is among the Further Letters and is dated the 31st of August. It reads thus: "You will recollect that after it was determined to give Adams his limit it was discovered that one prior, that of Laidlaw, had been applied for and refused for part of the same ground. You then asked me to see McCarthy who told me that there was no use in applying any further, that it would not be granted. I told him I was certain it could be done, he then went with me twice to your office and agreed upon the boundary, and told you he was perfectly satisfied." Now, Mr. Burgess also recollects the fact that we were there twice. I am positive of it, and my letter of the 31st of August, 1882, corroborates that view. Now on the 22nd of April in the letter written by Mr. McCarthy to Mr. Laidlaw, on page 42 of the Evidence he states "the minutes of the Order in Council have gone in *re* Adams application, and Mr. Lindsay Russell has promised that yours or Shortreed & Laidlaw's shall go through at once." This shows that the interview must have taken place long before that. Mr. McCarthy has also stated in his evidence that there was an agreement. On page 41 he says:—"I agreed that an Order in Council should be drawn up in that way and a report or draft report was drawn accordingly. I saw it prepared—or at least I saw the draft of it. I went to the Department with Mr. Rykert, and between the Deputy Minister and Mr. Rykert and myself the Order in Council was drawn." Now I say Mr. McCarthy is mistaken on that point. There was no Order in Council drawn in our presence. Instructions were given to Mr. Russell to prepare the document himself and we never saw it drawn. On page 51, Mr. McCarthy in answer to Mr. Casgrain says: "I do not think we prepared a document. My recollection of it is that we simply went there and told him that we had agreed to such and such a scheme, and he prepared the document." His evidence rather conflicts upon that one point. However, I say there was no document drawn but a verbal agreement was discussed with Mr. Russell and no papers drawn at that time. Mr. McCarthy says on page 43 of the Evidence: "I may say that Mr. Lindsay Russell's statements are not correct in the letter that was read this morning. In the first place the settlement was made at Hamilton, but was varied by me on my own responsibility at Ottawa." I never went to Hamilton until after the 11th day of April, and the Minutes of Council were prepared on the 10th day of April; so it is utterly impossible that I could have gone there after that time and made the arrangement Mr. McCarthy speaks of. He says the terms were varied on his own responsibility at Ottawa. He varied the terms of an agreement referring to an agreement which he says was made in Hamilton. I say no agreement was made in Hamilton whatever. On the contrary the agreement was made in the presence of Mr. Russell before the 10th day of April, some days before I saw Mr. Laidlaw. Mr. Russell's statement from beginning to end is strictly correct. Mr. McCarthy admits also on page 41 that I denied that there was any agreement whatever between Laidlaw and myself. When I saw Laidlaw the Minutes in Council had been prepared and I had no right to vary that minute at all. The limit belonged to Adams and he was away out of the country, and I could not make an arrangement which was not satisfactory to him. Then Mr. McCarthy says on page 49, that the Orders issued simultaneously. It is quite evident he is mistaken on that point also. On page 50 he says: "Before we went to Mr. Russell I had shown Mr. Rykert my letter from Mr. Laidlaw or communicated to him the substance of it." Now that is also incorrect. We did not discuss the matter about Mr. Laidlaw until after the interview with Mr. Russell, and he then asked me to write to Laidlaw in reference to the matter and explain the settlement to him. That is all I have to say regarding Mr. McCarthy at present. Now Mr. Laidlaw has complained and makes the ground of his presence here

that I had accused him of having tried to levy blackmail. That seems to be his only ground for coming here. He did not know until he arrived here that the Adams description embraced any portion of the Shortreed & Laidlaw application. He says: "Until this morning I did not discover it, and I may say as far as I was concerned I knew nothing whatever about the boundaries, I never traced the boundaries and I never saw the traces of boundaries of the Shortreed & Laidlaw's application until I saw it here in the evidence." I saw Mr. Laidlaw some time after the 11th April, and at that time he wanted me to agree to have both Orders in Council so drawn that his friends could have the selection over the two of them, and I told him at that time that it would be utterly impossible, that the Order in Council had been passed and that the arrangement had been made and Adams had been informed of it and we could not make any alteration whatever. At that time I say the Minutes of Council had been prepared. At that interview he wanted me to push through his Order in Council. Laidlaw at that time knew nothing whatever about the location of the timber on this limit. On page 54 he says: "He did not know anything at all about it." Now he says on page 57 of the Evidence, that he never could get a description until that day. In the letter of the 5th of April to Mr. McCarthy which you will find on page 40, Mr. Laidlaw says he was not aware as to where the timber was. He says:—"I have decided to incur the expense of an actual survey and plan, so that we may be sure we have the timber. The present description embraces too much land for a fifty square mile limit. I wired you to-day for information, whether the limit should be rectangular, or whether lines may be run forming oblique or acute angles. A survey will cost about \$500, and of course, it is desirable to leave out all space upon which there is little or no timber." That was upon the 15th April, and it shows that at that time he did not know where the timber was. On the 21st April, Mr. Laidlaw again writes as will be seen on page 41 of the Evidence: "I do not know whether the application of Shortreed & Laidlaw will describe the better quantity of the timber—no lines were actually run around it." He knew nothing whatever about the location of the timber on the 21st April. Then again on the 21st April he writes to Mr. McCarthy as will be seen on page 41. He says: "I wish that you would have special regard to the description, and make it broad enough to cover the first right of selection of fifty square miles, within the territory described in applications of Shortreed & Laidlaw and Adams. Mr. Rykert agrees to this." I said there was no agreement. At that time the Order in Council had been issued. It had been issued on the 21st, and it would be absurd to say that I had agreed to do something I could not possibly do. On page 41 of the Evidence, Mr. McCarthy says: "I was then informed by Mr. Rykert that that was not the understanding, but that where the limits overlapped Messrs. Shortreed & Laidlaw were to have the right of selection, but that they were not to go over both. Considering that to be a fair arrangement, I agreed that an Order in Council should be drawn in that way." Now in reference to this matter of Mr. Laidlaw; on 26th April, 1882, I received a letter from Mr. Laidlaw in which he says: "I have received your letter of yesterday. I fear embarrassment and disappointment if the Order in Councils are of cast iron. The Shortreed & Laidlaw application will, I believe, embrace the best quantity, but there is no good reason why Adams should not have a right over it after location of fifty square miles. It is clear to me that my suggestion was the more practicable, viz.: for selection of two fifty square miles from territory embraced in both application—Shortreed & Laidlaw (1); Adams (2). Mr. Shortreed, a most competent man and especially trustworthy, will go and inspect and locate. I am willing to meet Mr. Adams (at Chicago, if desirable) and agree upon a basis for location and survey. And I wish to discuss with you and settle the other subject of our conversation. I had not great faith in success and this prospect must not be given away. I have special reasons to know that we must exercise promptitude and discretion, and I wish you to impress in the most positive manner upon Adams the great importance of keeping his own counsel. There are watchers who will be determined to force their way to an interest, or try to delay the issue of the licenses

"and we must all keep our own counsel. Try and get the orders and instructions in the form I suggested, and I will arrange for the inspection and survey at once, and will discuss the other affair with you before the inspector and surveyor goes away. Prompt and decisive work will be the order of the day as soon as you have the instructions in proper form. The surveyor should act upon instruction of Shortreed & Laidlaw and Adams for location within the territory in both applications and in all other respects on the instructions of the Department.

"If necessary wire Adams and give him caution.

"Yours very truly,  
(Signed.) WM. LAIDLAW."

"P.S.—Be careful to have basis of orders right so that there may be no grounds for refusal, even although we should not literally comply with all red tape doctrine. Exhibit No. 55. W. L."

Here is a letter I wrote to Adams on 18th April.

*By Mr. Davis:*

Q. It is from you to Adams?—A. Yes; and it reads thus:

"18th APRIL, 1882.

"MY DEAR ADAMS,—I was told that your order was passed yesterday and that the chief cause of the delay was the multiplicity of business. Russell told me it was a foolish thing on Laidlaw's part to object in the first place to your application, as his covered more ground than he could claim and that it overlapped yours only a few miles, which matter he settled between you and the claimant. He says further that Laidlaw claimed that the timber he wanted was at or near Fort Walsh far south of yours.

"From what I could gather in the Department, those who pretend to know anything think you are extremely foolish to risk money in an expensive survey at this time of the year.

"They think you could make the survey in the summer, as you have six months, and at a very little cost. I told them what you said the expedition would likely cost you and they thought that ridiculous. I told them you were determined to push it on and that Mercer would go with the party. Will send order as soon as I can get it.

"Yours truly,  
(Signed) J. C. RYKERT."

Exhibit No. 56.

Now in August after the survey had been made and before the license was issued, Mr. Laidlaw wrote a letter to Mr. Adams in reference to the matter. That letter is dated 4th August, 1882, and reads as follows:

"HAMILTON, ONTARIO, 4th August, 1882.

"Mr. JOHN ADAMS, Merchant Tailor,  
"Winnipeg.

"DEAR ADAMS,—I received a Winnipeg paper, and I suppose I have to thank you for it, giving an account of your timber limit at Cypress Hills, and on the same day I sent you a telegram but have not received any answer. I was very well pleased to know of your success, although I confess I was very much disappointed at the statement that your limit took in all the timber in that region of country. Our man is away in the west now and there is a strange difference in his report and your newspaper report. Can it be possible that there is a mistake about the territory? I would like to know where your location is made, and would be very much obliged for the description of it and all the information you can give me about it. Of course, if you are the fortunate one and have got all the timber away from us, we will be pleased at your success and sorry for our failure and hope for better fortune next time. I claim, however, that if such is the case and you intend to give anyone a

share in the timber, we have the right to be favorably considered. Please answer fully, and if you are coming down this way, let me know where I might see you.

"Yours very truly,

Exhibit No. 57.

(Signed)

WM. LAIDLAW."

A short time after that, I heard that Mr. Laidlaw had entered a protest in Ottawa against the issue of this license. I wired the Department and also wrote them for particulars of Mr. Laidlaw's charges. On 2nd September, I got from Mr. Laidlaw the following letter: (The Committee will recollect I had heard he had charged me with fraud in the Department on the issue of the Order in Council.) The letter reads thus:

"HAMILTON CLUB, 2nd September, 1882.

"J. C. RYKERT, Esq., M.P.,

"St. Catharines,

"MY DEAR RYKERT,—In *re* Cypress Timber Limit. At the time of the application for this limit, I relied upon the letters from you and Mr. McCarthy and I did not examine the form of description in the papers received by Shortreed & Laidlaw. I recently received information which induced me to suspect that a fraud had been committed against Shortreed & Laidlaw in the interest of Mr. Adams and made a careful examination of the papers. A gross mistake or a gross fraud had been committed and I am willing to submit the papers and information to you to form your own opinion which you will call it. I have preserved all the correspondence. The matter has been laid before the Government and all proceedings in the Adams application stayed. I went to St. Catharines to see you last week in your absence, and if you wish I will go down again, or I might probably meet you here or in Toronto in the course of next week. I only ask fair play and good faith and I rely upon my agreement with you and upon your sense of honor and justice in the matter of trust.

"Yours truly,

Exhibit No. 58.

(Signed)

"WM. LAIDLAW."

This letter I considered at that time reflected upon my having committed a fraud in the interest of Adams. I telegraphed at once to Laidlaw to meet me and see what he meant by it. I met Laidlaw shortly after in Hamilton and we had considerable discussion about the matter and it was not a very pleasant interview at all. Mr. Laidlaw, at that time insinuated that I had been guilty of fraud in obtaining the original license and we had some pretty sharp words. I then wrote to Adams on 5th September, as follows:

"ST. CATHARINES, 5th September, 1882.

"DEAR ADAMS,—Laidlaw called at my office in my absence in reference to the limits. I yesterday received a letter from him in which he suggests fraud on your part, or in your interest in getting the limit. I immediately went to Hamilton and met him at the station by appointment. My object was to know what he really meant. He did not dare to charge me directly with fraud, but insinuated that somebody was guilty. He wanted me to see you and get him an interest in the limit and intimated that if you did not do so he would take proceedings at Ottawa to prevent the issuing of the license. I told him to crack ahead and do all he could. Will see you to-morrow.

"Faithfully,

Exhibit No. 59.

(Signed)

"J. C. RYKERT."

Mr. Laidlaw having insinuated that I was guilty of fraud, I was considerably annoyed with him and as a result I telegraphed to Ottawa that I considered Mr. Laidlaw was trying to levy blackmail. It may have been a strong telegram to send, still, at the same time, after he had made a charge of fraud against me in the Department, I thought I was justified in seeing the original arrangement carried out satisfactorily. In the same letter he told me he had stopped proceedings in Ottawa, and I thought it was an attempt to force Adams to some terms, and I, therefore, tele-

graphed the Department that I thought he was attempting to levy blackmail. On 7th September I wrote Adams again, as follows:

“ ST. CATHARINES, 7th September, 1882.

“ DEAR ADAMS,—I wrote to Russell on the 5th informing him of your arrival here and that you had entered into certain contracts on the strength of the Order in Council. I also stated to him that Laidlaw was only trying a game of bluff in entering a protest against the license. It is very singular that he should offer to purchase the limit or an interest in it and afterwards apply to defeat you. In my opinion he is only trying to force you into terms. He never, until lately, insinuated that there was any fraud, and he knows full well that everything was done in a straightforward manner.

“ Very truly,

Exhibit No. 60.

(Signed)

“ J. C. RYKERT.”

That is all the correspondence that I have in reference to this matter. I state that my impression was, after the strong letter and the statement about fraud, that Laidlaw was trying to force Adams to terms and this was the cause of my sending that telegram to the Department. That is all I have to say.

*By Mr. Blake:*

Q. You will remember a statement made by yourself upon which I think it is right to ask you a question or two. Your statement was, I think, at page 18 of the Evidence: “After a very considerable amount of trouble and delay in looking over the different applications and after mapping them out upon a map of the territory which was in the Department.” What map would that be?—A. Some map such as has been produced here.

Q. Would it be a map such as produced this morning, such as those lithographed maps?—A. My impression is that it had lines of townships, the tracings of the townships. It may have been one of those maps.

Q. It might have been such a map as produced by Mr. Ryley this morning?—A. Yes.

Q. “After mapping them out on a map of the territory which was in the Department I discovered that there was only one that was at all conflicting—that of Messrs. Shortreed & Laidlaw.”—Did you yourself map them out or get some one else to map them out?—A. Some one in the Department.

Q. Some official?—A. Yes.

Q. Do you know whom?—A. No. I cannot tell, it may have been Mr. Ryley, I do not remember. My impression is that it was some person they called Captain in the Department. He is in the room upstairs.

Q. Was the general result of that mapping out such as you find there?—A. No.

Q. It was not such as you find there—was it such as you find on this plan?—A. No, it was not like that.

Q. It is not like anything that has been before us?—A. Like the one Mr. McCarthy filed yesterday (see Page 96, Plan in Exhibit No. 61) something like that.

Q. The general result of the mapping out that you accomplished was like that?—A. Only, I think it went further.

Q. You think the Shortreed & Laidlaw territory went up to where it crosses?—A. I could not tell definitely how far.

Q. You think the general result was like this, except the overlapping extended further to the west?—A. Yes, it was 7 miles across, and this overlapped some very short distance.

Q. The overlapping extended further to the west, you think? And north and south, was it as much as this?—A. My recollection is, it only extended one and a half or two miles.

Q. Your recollection is now one and a half miles deep or in width, a little more than half the width of the Adams application?—A. Yes.

Q. That was the general idea you entertained from the final work on the ground?—A. Yes.

Q. Was that idea of the actual position of the two applications ever changed in your mind during the whole of these disputes?—A. No, not until the last meeting on Friday.

Q. It was not until a late meeting of this committee that you learned the facts yourself?—A. I never knew anything about it till then. My impression always was the limit was further north.

Q. Just as to the limit—I am speaking of the areas of selection. I was going to come to the limit later on. As to the areas of selection, all through, up to the other day, you had an idea that this little plan approximately represented what the condition of the original application was?—A. Yes.

Q. Having that idea all through, it was your idea all through, first, that it was agreed, and, second, that it was accomplished. That what should be done would be to take out of the Adams' application the overlapping?—A. To take 5 miles off and that would leave a small space between the Adams' area and that of Shortreed & Laidlaw.

Q. Your idea was that the southerly 5 miles of Adams' 500 miles would be cut clean off?—A. Yes.

Q. That would leave, not merely the Shortreed & Laidlaw piece, but also a gap between them?—A. Yes.

Q. The Adams application being 25 by 25 you thought it was going to be left 20 by 25?—A. 20 by 20.

Q. You thought it was going to be a square?—A. Yes; 20 by 20 instead of 25.

Q. You thought on the north and south measurement that was to be taken off?—A. Yes.

Q. The result would be to cut off more of your application than was necessary to give Shortreed & Laidlaw all of theirs?—A. I was informed on that, because this was the complaint which, in 1884, was sent to the Government by Laidlaw in a petition Sir John Macdonald showed me.

Q. Then your notion was that Shortreed & Laidlaw were to have all that they applied for?—A. That is my impression. The Minister said that he would re-adjust it in some way. I did not understand what he meant by that. I always understood he was to get merely what he applied for. I have a recollection of his saying something about cutting off a portion, but that recollection is that it was to the westward. Mr. Ryley says yes. I recollect that conversation distinctly.

Q. You say that was settled as shown by Mr. Lindsay Russell by the arrangement between Mr. McCarthy and yourself, Mr. McCarthy acting for Laidlaw. It was satisfactory as a final adjustment. Now, as to that arrangement between Mr. McCarthy and yourself do you mean that it was arranged between Mr. McCarthy and you, that Mr. Russell should settle it?—A. Yes.

Q. "This limit that Mr. Adams applied for was over an area of 500 square miles and at once the Department, as Mr. Russell states in his report, found it was utterly impossible to allow so large a range of country, in order to pick out a limit of 50 square miles, and it was amicably arranged between Mr. McCarthy, myself and Mr. Laidlaw, that the boundary should be settled by Mr. Russell, by cutting off all that claimed by Mr. Adams which overlapped Mr. McCarthy's application and he prepared a Minute for Council based upon that." That was your impression until the other day?—A. Yes.

Q. You see now, of course, that it was an erroneous impression?—A. Yes.

Q. Now once again in answer to Mr. Mills, who asked you if all this overlapped territory went to the other party and you said yes, and he then asked you if you received no portion of that? You said no, it was cut off—you supposed up to the other day it had been accomplished?—A. Yes.

Q. We now find that it was not. There is just one other point and that was, I think you said the other day that the limit in point of fact was rather in the northern part of Adams application?—A. I would have sworn it a dozen times, if I had not seen the description the other day. It came down further than I thought it did.

Q. When you gave your evidence you were under the impression that your limit was rather more to the northward than the Adams selection?—A. I never thought about it.

Q. When you gave your evidence, you gave it believing your limit did not infringe upon any part that Shortreed & Laidlaw had applied for, whereas it is now different.

*By Mr. McCarthy :*

Q. I gather that on the 20th March, the limit was granted to you for 400 miles?—A. Oh no, I said nothing about the quantity, but it would not be for 400 square miles.

Q. Does not your letter say 400 square miles?—A. They said it would not be allowed to be for more than 400 square miles.

Q. On the 20th March which showed you that your limit had been granted and you understood in some way that it was to be 400 miles instead of 500 miles?—A. He was asking more. I think he asked for 800. On the 8th April he speaks of 800 square miles.

Q. On the 3rd of April you still remained under that impression that that 400 miles was to be granted—an Order in Council was to go for that 400 square miles?—A. I was told by the Department that they would not give over that.

Q. Accordingly this agreement was made between Mrs. Rykert and Mr. Adams on the 3rd of April which is to be found on page 146 of the Votes and Proceedings of the House?—Yes, that is all right.

Q. “Whereas the above named John Adams has, through the intervention of John Charles Rykert, obtained certain limits in the North-West Territories at or near the Cypress Hills”—that was not your understanding at the time that they had been actually granted to Adams?—A. Yes.

Q. It was not until after the 3rd of April that you ascertained there was any overlapping or conflict?—A. No.

Q. Are you sure about that—quite sure about that?—A. That is my recollection now, because Adams left here and there was no conflict when he left.

Q. There can be no doubt but on the 3rd when Adams left there had been no conflict. When do you put the date of your interview with me?—A. Either on the 6th or 7th.

Q. I ask you, Mr. Rykert, whether you are positive about that? I can assure you, I can establish to your satisfaction that I was not here either on the 6th or 7th. Do you adhere to that statement?—A. I say it was within two or three days before the 8th, that is certain.

Q. Do you say that now? Do you mean to say upon your oath that you had an interview with me in reference to this matter on either the 4th, 5th, 6th or 7th April, 1882?—A. I have no doubt about it.

Q. I tell you I was at the Orangeville Assizes during that week, I was then defending a boy for murder, for the murder of his uncle?—A. That is my recollection.

Q. Will you adhere to that statement?—A. That is my recollection.

Q. Your letter of the 8th April, says “if I could only see McCarthy we would have no difficulty at all?”—A. Yes.

Q. And then you say you saw McCarthy on the 11th? You say “he was terribly surprised to hear I got the limit as he was refused point blank?”—A. Yes.

Q. If you saw me before the 8th, how could I be terribly surprised on the 11th?—A. Because after our interview with Mr. Russell you said you were doubtful whether we would get the license or not. The Minute of Council was settled on that day.

Q. Your letter on the 11th April written on this date that Mr. Russell told you it was a foolish thing for Laidlaw to object in the first place to your application as covering the same ground that he claimed it only overlapped a few miles?—A. Yes.

Q. So Mr. Russell understood it overlapped only a few miles?—A. Yes, and that was your understanding too.

*By Sir John Thompson :*

Q. Could you say how the application was granted on the 20th March, 1882, I think you explained yesterday?—A. I got a letter from Sir David Macpherson that my application had been granted. He wrote me on the 2nd March stating that it could not be granted because there were other applications conflicting with it. Then after going over to the Department and showing that there were none there I saw Sir David Macpherson and then he wrote the note stating the application would be granted.

*By Mr. Ives :*

Q. Would be granted?—A. Yes, would be granted.

*By Mr. Blake :*

Q. Which note I think you said you had forwarded to Adams?—A. Yes.

*By Mr. McCarthy :*

Q. You produced other letters from Laidlaw to Adams, have you not the note you got from Sir David Macpherson?—A. No. There was other correspondence which went between us. I got a telegram from young Adams the day before yesterday and he said he could not find the correspondence. The old man has been dead since 1883.

Q. What do you mean by this statement that you went to the Department and showed that there was no unfairness?—A. I went to the Department and I inquired what applications were conflicting, and these applications were all shown to me and I discovered upon looking at the territory and plotting them out that there were none, and Shortreed's had not been discovered at that time.

Q. None which had been conflicting?—A. No, there was no conflict.

Q. That was your understanding also?—A. Yes.

*By Mr. Mills (Bothwell) :*

Q. Mr. Rykert, in your earlier examination you gave us information as to how the money had been disposed of, the money received from Sands, but the whole of it was not accounted for. Can you inform the Committee how the whole \$200,000 was disposed of? Mrs. Rykert was to receive one-half of the net proceeds?—A. Yes.

Q. That was about \$74,000?—A. The receipt states that it is.

Q. What became of the difference between twice \$74,000 and \$200,000?—A. I cannot say, Adams disposed of that.

Q. You would have an interest in ascertaining that the amount was correctly accounted for?—A. I took what was given. I know Muckle got a portion and Hunter got a portion and young Mr. Adams got a portion, and a number of brokers at Winnipeg got their shares.

*By Mr. Davies :*

Q. Was the amount that Hunter received \$25,000?—A. Either \$20,000 or \$25,000

Q. Muckle is stated to have received \$5,000?—A. Yes. Mr. Adams claims he paid him \$9,000, and Muckle says only \$5,000.

Q. And you received \$3,300 for professional services?—A. Yes.

Q. The surveys were \$5,000?—A. A little over \$5,000.

Q. Do you know of any other items besides those four?—A. No; there were several brokers in Winnipeg.

Q. What did young Adams get?—A. There was no statement given me at all.

Q. If you were to receive one half of the net profits, it would seem to be natural for you to enquire what became of the large sum of money amounting to \$50,000.—A. No, it was entirely in Adams' own hands. He could do what he pleased with it.

Q. By agreement you were to get one-half of the net profit and you made no inquiry at all?—A. No, I did not.

Q. As to what became of the \$50,000?—A. No, I did not.

Q. Having an interest in that \$40,000 or \$50,000 you accepted half of the net profits, less that amount, making no inquiry what became of it?—A. Yes.

*By Sir John Thompson :*

Q. I would like to call your attention to the letter of Sir David Macpherson of the 2nd March, 1882, as stated in your evidence. There appeared to be another con-



flict. On page 17 of the Evidence it is stated "there are half a dozen ahead of your friend, Mr. Adams. Better apply for a limit where you will have less competition. If he does so it shall be granted if possible?"—A. That is the one I referred to a few moments ago.

Q. It was between that and the 20th that you went to the Department?—A. Yes.

*By Mr. Blake :*

Q. As I understand it you got that letter, you then went to the Department got the applications, and got the assistance of the officers there and found no conflict on the maps?—A. Yes.

Q. Did not Mr. Ryley's first memorandum say there was no conflict?—A. Yes.

Q. Shortly afterwards Shortreed & Laidlaw's application was found and then came the conflict?—A. Yes.

*By Mr. Davies :*

Q. I am not satisfied about this money? You were not acting for yourself?—A. No, I was not.

Q. Were you acting as solicitor and trustee or not?—A. I was simply acting as Adams' solicitor.

Q. When you received the money from Adams in what capacity were you acting?—A. Adams handed me the notes payable to Mrs. Rykert's order.

Q. In what capacity did you receive them?—A. In no particular capacity. He handed them to me in Winnipeg payable to her order.

Q. Were you acting on behalf of Mrs. Rykert?—A. I must have been acting in her behalf if I received them. They were payable to her order.

Q. You were acting then for her on that occasion by the agreement which you drew up and witnessed?—A. I did not draw it, I witnessed it.

Q. By the agreement made between Mr. Adams and Mrs. Rykert you knew she was to receive one-half of the net profits?—A. I did not think they would amount to anything at that time though.

Q. Either you acted as her attorney or not. When you found there was some \$50,000 short of the gross profits, do you state you made no enquiry of what became of that \$50,000?—A. Adams said there was a certain portion to go to the broker and Muckle, and he had retained a certain amount in his hands for the other expenses, and he handed over the balance.

Q. What were the other expenses?—A. Solicitors' fees in Winnipeg and an account in Hamilton, and then we had a large amount of travelling expenses, sending Adams' son to the limit and a variety of other things.

Q. Did he give you a memorandum?—A. No.

Q. What solicitor do you refer to in Winnipeg?—A. Aikin & Co.

Q. There was some paid to Macdonald & Tupper, was there not?—A. Not a cent was paid them.

Q. You do not know what amount the solicitors themselves were paid?—A. No.

Q. You kept a memorandum?—A. No, I did not.

Q. Did you not think it was your duty to see to it for Mrs. Rykert?—A. Parliament has no right to ask what my duty was.

Q. Would you, as a solicitor, think it was right not to get a memorandum of the amount?—A. I just acted simply as her agent and I do not think Parliament has anything to do with it.

*By Mr. Langelier (Quebec) :*

Q. When Adams accounted to you for \$200,000, did he show you any vouchers?—A. He did not.

Q. Did you ask for any?—A. I did not.

*By Mr. Blake :*

Q. I think you stated, Mr. Rykert, with reference to professional services you received fees only—\$100 per day for 33 days?—A. Yes.

Q. To work down here?—A. Nothing here; only when in Winnipeg and the West I had to fight the C. P. R., and I lost the whole of 1883 in fighting the C.P.R., and never got a cent for it.

Mr. MILLS (Bothwell)—There is \$18,700 unaccounted for?

*By Mr. Mulock :*

Q. Are you aware that Mr. Laidlaw presented a petition to Sir John Macdonald ?

—A. Yes.

The Petition is as follows :

TO THE HONORABLE THE HOUSE OF COMMONS, OF THE DOMINION OF CANADA, IN PARLIAMENT ASSEMBLED.

*The Petition of Messrs. Shortreed and Laidlaw, of Barrie, in the County of Simcoe, Lumbermen,*

HUMBLY SHEWETH :

1. That in the month of January, 1882, your Petitioners made application to the Honorable the Minister of the Interior for a Timber Limit at Cypress Hills, in unsurveyed North-West Territory.

2. The application was recommended by Dalton McCarthy, Esq., Q.C., M.P., and your Petitioners were, on 1st February, 1882, advised by him that "the Surveyor-General was directed by the Minister to state that he does not deem it expedient to grant any timber berths at present in that locality, and that in any case, under the regulations, licenses for the limits in question would have to be put up to competition."

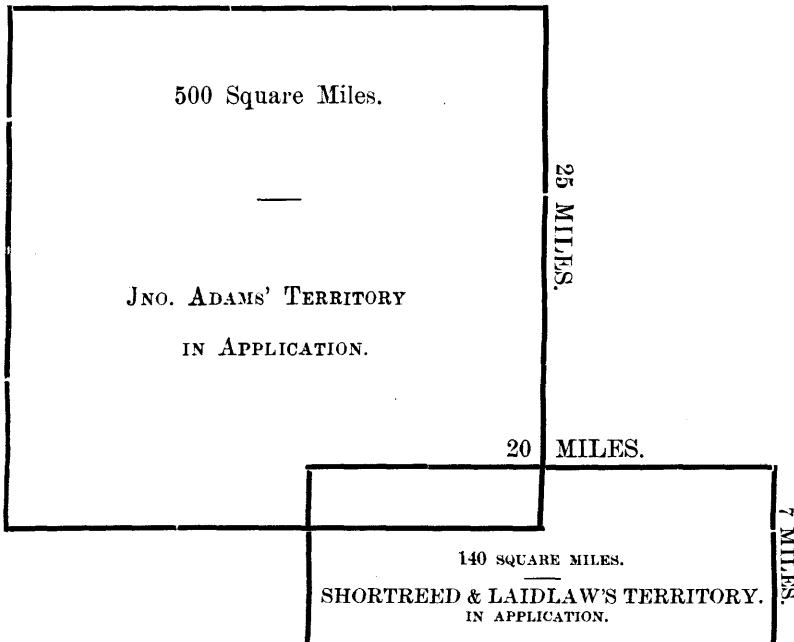
3. Your Petitioners allege—

(1.) That their application was the first application for a Timber Berth at Cypress Hills ; and

(2.) That a subsequent application for a Timber Berth was made by John C. Rykert, M.P., in the name of "John Adams," who was a merchant tailor at Winnipeg, and that the description in the Adams' application partially over-lapped the description in your Petitioners' application on the north side.

4. The following is a diagram of the manner in which the said applications were represented by an "official" of the Department of the Interior and by the said J. C. Rykert to conflict with each other :—

25 MILES.



5. Your Petitioners were and now are ready to tender for a Timber Berth of 50 square miles within the territory described in their application, or to bid for it at public auction.

6. On the 8th day of April, 1882, your Petitioners, through their agent, W. Laidlaw, received a letter from Mr. Rykert in the words following:—

“HOUSE OF COMMONS OF CANADA, 7th, April 1882.

“MY DEAR LAIDLAW,—I see that you are an applicant for a limit in the Cypress Hills where the Government has decided that it is not politic to grant them. Your limit also interferes a little with that of Adams for whom I applied. There is plenty of timber for both, and there is no reason why the Government should not grant them. I am certain I can get them to yield and comply with my request. Are you anxious for yours, and if so, have you decided what part you would like to have? Your application covers nearly three times what will be granted, the rule being to grant only 50 miles. Let me hear from you by return of mail if you are anxious to go in for this, and if you wish to have my co operation in getting the same. I will go through Hamilton on Thursday next on my way home. I will leave here Wednesday.

“Faithfully, J. C. RYKERT.”

7. On the 10th April the said letter was answered as follows:—

“HAMILTON, 10th April, 1882.

“J. C. RYKERT, Esq., M.P., Ottawa:

“MY DEAR RYKERT,—I am thoroughly in earnest about that timber limit, and if you and Mr. McCarthy who recommended the application of Shortreed & Laidlaw, can get a license for a limit I would discuss with you the shares, and agree to combine the applications. One limit of 50 square miles will gather in the greater portion if not all of the good pine timber. I had better meet you when you come up, and in the meantime find what the Governor in Council will do.

“Yours truly, WM. LAIDLAW.”

8. Your Petitioners allege that on the 20th day of April, their agent, Mr. W. Laidlaw, met Mr. Rykert by appointment, and your Petitioners allege that the result of the discussion between them was that if the Government would grant two Timber Berths of 50 square miles without offering the Berths for public competition, Mr. Rykert should recommend that your Petitioners should have the first right of survey in the form prescribed by the Department, of a Timber Berth of 50 square miles over the territory in both applications, and that Mr. Adams should have second right.

9. In pursuance of such conversation your petitioners' said agent, after communication with Mr. Dalton McCarty, sent a message to Mr. Rykert to “be careful” to have form right, giving first survey to Shortreed & Laidlaw out of “limits mentioned in both applications,” and our said agent at the same time wrote to Mr. Dalton McCarty to the same effect.

10. On the 24th day of April the following letter was received from Mr. Dalton McCarthy:

“OTTAWA, 22nd April, 1882.

“WM. LAIDLAW, Esq., Hamilton.

“MY DEAR SIR,—I have yours of the 21st inst. The minutes of the Order in Council have gone in *re* Mr. Adams' application; and Mr. Lindsay Russell has promised that yours or S. & L.'s shall go through at once. You are, however, very much mistaken in supposing that your friends are to have the selection from the limits applied for by both the applicants. Your friends are to be allowed to select from the *limits defined in their application* 50 square miles, and Adams the same, except where his description overlaps yours. You are entitled to the prior choice. This is, I think, a reasonable settlement. I hope the Order in Council will go through at once.

“Yours truly,  
“DALTON MCCARTHY.”

11. On the 26th day of April the following letter was received from Mr. Rykert:—

“ HOUSE OF COMMONS, CANADA, 25th April, 1882.

“ MY DEAR LAIDLAW,—The Order in Council for Adams was passed the day before I reached Ottawa. They cut off a large portion so as to enable you to have the full sweep of 140 miles. I advised this before I left Ottawa, and they carried it out. Your limit can be selected any place within the 140 miles. They would do nothing more than this; in fact this is a privilege they never give. You will have a large range. I am hurrying yours through, and hope to be able to report all right to-morrow. I am afraid Adams will complain with my yielding the south part of his limit. I have written him to wait till he hears from you.”

“ Faithfully,

“ J. C. RYKERT.”

12. Your petitioners were advised of the said letters, and believed that they were entitled to a timber berth of 50 squares miles within the territory described in their application.

13. Your Petitioners after a time received a formal paper from the Department, authorizing them to proceed to a survey of a Timber Berth of 50 square miles within a territory of the same extent as described in their application, and proceeded to engage a surveyor and arrange for the survey.

14. While the Surveyor was on his way to the west, your Petitioners' attention was called to some newspaper reports, and they engaged a Dominion Land Surveyor to examine the description contained in their application and compare it with the description in their License paper received from the Department, and to their surprise they found that by the use of the word “south” for “north,” the description in the License was south of the Territory described in the application, and was in fact “open prairie” without any timber whatever.

15. Your Petitioners immediately communicated with Mr. Dalton McCarthy, and it was then ascertained that by the use of the word “south” for “north” in the description, the Territory in your Petitioners' application upon which the timber stood was transposed and put into the description in the Adams' License paper.

16. Your Petitioners allege that there were grounds to doubt the good faith of Mr. Rykert in the matter of the applications and descriptions, and at the request of your Petitioners an application was made by Mr. McCarthy to stay further proceedings on the Adams' application until your Petitioners' claim was presented for the consideration of the Government; and Mr. Lindsay Russell, the Deputy Minister of the Interior, granted this application and agreed to stay all further proceedings upon both applications until further notice to Mr. McCarthy.

17. Your Petitioners allege that Mr. Rykert then made an application to the Department and procured the Adams' application to be put through without any notice whatever to Mr. McCarthy or to your Petitioners, and the Territory included in your Petitioners' application and awarded to them as aforesaid was wrongfully awarded to Mr. Adams.

18. Your petitioners allege that a sketch which was before the Deputy Minister, Mr. Dalton McCarthy, and Mr. Rykert, at the time of a discussion between them in the matter, at the office of the Department of the Interior is missing, and your Petitioners will submit with this Petition a map showing the territory described in your Petitioners' Application, and in the Adams' Application, and of the territory described in the several license papers.

19. Your Petitioners represent that it will be apparent from the examination of these descriptions, and from the conduct and correspondence of Mr. Rykert and Mr. McCarthy, that your Petitioners are entitled under the Orders in Council to a Berth of 50 square miles within the territory described in their Application. That the facts and circumstances have been fully presented to the Honorable the Minister of the Interior, and he has delayed his decision thereon from time to time.

Your Petitioners therefore pray—

1. That a Committee may be appointed to examine into and report the facts and circumstances connected with the matter of the said applications to Your Honorable House.

2. That upon such report Your Honorable House may be pleased to resolve that the license granted to Mr. Adams shall be revoked and cancelled.

3. And that the said Timber Berth shall be exposed for sale by public Auction after Public Notice in that behalf.

And your Petitioners will ever pray, &c.

Exhibit No. 61.

Q. Would you look at that petition (handing witness copy as above)?—A. I suppose that was it. That shows the plan.

Q. Do you remember Sir John Macdonald showing you the petition?—A. Yes.

Q. When?—A. If I recollect rightly it was in the session of 1884.

Q. Mr. Laidlaw says the petition was put in in 1883?—A. My recollection was 1884.

Q. Did you read the petition?—A. Oh yes. I can show you a copy of it. Sir John passed it over to me and made the remark about the "Devil being to pay," or something of that kind. I made a copy of that petition on my desk in the House at that time, I never looked at it until a few days ago.

Q. Paragraph 14 reads as follows:—

"While the surveyor was on his way to the west, your petitioners' attention was called to some newspaper reports, and they engaged a Dominion land surveyor to examine the description contained in their application and compare it with the description in their license paper received from the Department, and to their surprise, they found that by the use of the word 'south' for 'north,' the description in the license was south of the territory described in the application, and was in fact 'open prairie' without any timber whatever."

Then the 15th paragraph reads thus:—

"Your petitioner immediately communicated with Mr. Dalton McCarthy, then it was ascertained that, by the use of the word 'south' or 'north' in the description, the territory in your petitioners' application upon which the timber stood was transposed and put into the description in the Adams license paper."

You see that the alleged mistake which was apparently only discovered to-day was set forth in this petition. Are these paragraphs I have read just as the paragraphs appear in your copy?—A. I admit they are. I suppose I made a copy of them at the time. The plan there is quite different from the last plan. The plan shows them overlapping about a mile and a half on their own plan.

Q. What is your explanation for the fact that Mr. Russell prepared the memorandum for Adams before that of Shortreed & Laidlaw?—A. Mr. McCarthy was satisfied with Mr. Russell cutting off 5 miles from the Adams' description; but preferred that I should go to Hamilton and see Laidlaw about the boundaries he wanted; but Laidlaw was not satisfied. He wanted to have the boundaries arranged so that he could shift about as he pleased; this was his only objection. It was agreed between the parties that the boundaries of the Adams' application should be determined prior to those of Shortreed & Laidlaw.

Q. It was determined prior to the 10th April between the parties there that the boundaries for the Adams' limit should be settled at once, whilst that of Shortreed & Laidlaw should stand over for further adjustment?—A. They did not want to take the Order in Council until they saw what the boundaries were.

Q. You were satisfied with what they were willing to give you and they were not?—A. They were perfectly satisfied. But wanted in addition to be allowed to shift their boundaries.

Q. You were satisfied with the description?—A. I was satisfied with what they gave Adams, as I knew nothing about the country. I had never been in the country. I never saw it from that day to this.

Mr. G. U. RYLEY recalled and examined.

*By Sir John Thompson :*

Q. At what period in relation to the preparation of the report for Council after the negotiation between Mr. McCarthy and Mr. Rykert, in Mr. Russell's presence, did you make the discovery that there had been a survey of the trail and framed your description accordingly?—A. I explained that this morning. It was either Mr. Russell informed me that the survey had been made of this meridian line, or it came to my knowledge in some other way. But immediately after Mr. Russell said what arrangement had been made, I went up to Mr. Clayton's room and got this plan and then plotted the position of both berths and showed it to Mr. Russell, and I consulted with Mr. Russell in every move that was made from that date.

Q. It was immediately after these negotiations took place?—A. Immediately. I think perhaps it was within the same day.

Q. Before the preparation of the notes for the Order in Council?—A. Yes, they were based upon it.

*By Mr. Blake :*

Q. You could not have drawn these notes in the shape you did without that information?—A. No.

*By Mr. Rykert :*

Q. What date was it you saw Mr. McCarthy? You prepared the Order on the 10th?—A. It must have been before the 10th.

Q. How many days before the 10th?—A. I can not say. I remember it was pushed through as quickly as possible. Mr. Russell gave me instructions immediately to plot the position of the tracts applied for.

Q. You had no memorandum to show what date this memorandum was made?—A. None whatever.

Q. Nothing in the Department to show?—A. No. The memorandum is dated the 10th.

Q. It must have been a few days before that you saw us there?—A. It must have been.

*By Mr. Mills (Bothwell) :*

Q. Was the starting point, in making the survey, the trail, or a certain distance from the boundary?—A. The Adams application was described from the trail and Shortreed & Laidlaw's application from the boundary.

*By Mr. Blake :*

Q. In your memorandum for Council?—A. From the section post.

*By Mr. Mills (Bothwell) :*

Q. Did you mark them both upon the same map?—A. Yes.

Q. Did you not discover what the position at that time was, if you knew the actual position of the trail?—A. The difference between that sketch I made and this shows it here.

Q. And between the location of the two plots—were they marked on the same maps?—A. Yes. The position of the tract described by Adams and the position of the tract described by Shortreed & Laidlaw were shown on the same sketch, and that sketch was prepared from the records taken from the large plan.

Q. If the starting point of one was from the boundary and the other from the trail properly located, would they show exactly the same position?—A. Just the same as they are up there (pointing to tracing on wall).

Q. So the whole change was made through using the word "south" instead of "north"?—A. Not at all.

*By Mr. Rykert :*

Q. You stated that Mr. Russell told you to move one south?—A. After I brought the sketch to Mr. Russell, he adjusted the tracts and we made out the descriptions in that way and he said the arrangement was that the applications should not conflict.

Q. As a matter of fact it was understood then you were to move down the other application?—A. Yes, or the Adams portion described in such way, so as to leave it clear of the other.

Mr. RYKERT—So far as using the word “south” instead of “north,” it was done unintentionally through their own mistake. If it were a case of doing it deliberately, if it had been the other way they would have got the limit they applied for. There would have been no adjustment.

*By Mr. Davies :*

Q. If you ran north they would get the limit applied for by Shortreed & Laidlaw?—A. Yes.

Q. And it ran south and they did not get the limit they applied for?—A. Yes.

*By Mr. Blake :*

Q. You understood at the time the persons who were first were not to have their application granted, but the persons who were second were to have their application granted?—A. Not at all. The adjustment was made so that one would not conflict with the other.

Q. You see they would not conflict by the postponement of the first application for the second application?—A. I did not understand it that way at all.

Q. Is that not the result?—A. The result is that, when we know where the berth is.

Q. You saw at the time, the berth?—A. The position of the berth?

Q. Certainly?—A. The berth was not surveyed at that time. I wish to point out here when Mr. McCarthy complained that a mistake had been made, a sketch was prepared for Mr. Russell, showing the exact position of the berths. He examined the whole matter himself and made his report to Sir John Macdonald.

*By Mr. Davies :*

Q. You must have been perfectly satisfied after you made out your plan and examined it yourself that you were giving Shortreed & Laidlaw lands they never applied for and giving Adams land he had not applied for?—A. Yes, there was an adjustment made, so that both applications would not conflict with each other.

Mr. BLAKE—It is realizing the old motto that “the last shall be first.”

*By Mr. Chapleau :*

Q. The report to Council is dated the 10th, it was made on the 10th?—A. It is dated the 10th.

Q. How many days was it before that that the interview took place between Mr. McCarthy, Mr. Rykert and Mr. Russell when you were present?—A. I cannot say.

Q. Was it three days, four days or two days?—A. It must have been within a few days.

Q. You are sure it was not the day before? It must have been two or three days?—A. I would not say. It might have been a day before or two days before, but I remember action was taken immediately. I might have made a sketch the same day.

Q. I speak of the memo. for Council, not the sketch?—A. The memo. was prepared as soon as I showed the sketch to Mr. Russell.

Q. It might have been the same day that the meeting took place?—A. It might have been.

*By Mr. McDougall :*

Q. Have you any recollection at the time of your plotting these limits, as to the position or locality of the timber which was the valuable object these parties were seeking?—A. No; I knew nothing about the timber at all.

Q. You did not know, therefore, in making this adjustment, you were giving to one party any advantage with respect to the timber over the other?—A. I did not know. I remembered Mr. Russell stating distinctly that neither party knew where the timber was.

Q. The first party did not know?—A. I do not know.

*By Mr. Blake :*

Q. What you knew was you were giving to one party common ground, both were applying for—

*By Mr. McDougall :*

Q. You were giving them the same kind of ground so far as you knew?—A. Yes; as far as I knew.

Q. Whether it was more valuable for these parties to be on one side or the other, you did not know?—A. I did not. It was under the instructions of Mr. Russell, and Mr. Russell was there with the sketch or report. He said it was to be adjusted in that manner.

Q. So far as any advantage in respect to the value of timber was concerned, you knew nothing?—I knew nothing.

Q. It was not upon that ground that the division was made?—A. I did not know anything about the timber whatever.

*By Mr. Mills (Bothwell) :*

Q. You knew that Shortreed & Laidlaw had applied for a limit nearly seven miles in width, and twenty miles in length?—A. Yes.

Q. The probabilities were that they had their lines drawn with a good deal of accuracy when they selected such an irregular limit?—A. I did not know anything about it.

*By Mr. Chapleau :*

Q. You knew that the conflicting parties had met?—A. I knew that Mr. Rykert and Mr. McCarthy had met Mr. Russell.

Q. Did you know they had agreed?—A. I assumed they had agreed. After the interview Mr. Russell said we are going to adjust this matter, and we went out.

Q. Did both parties appear to be satisfied?—A. I think so.

Q. Then on that understanding you drew the plan?—A. Under instructions from Mr. Russell; Mr. Russell told me to do it.

Q. When you drew that you thought you were drawing it according to the instructions of Mr. Russell and according to the understanding between the parties?—A. I drew it under instructions from Mr. Russell. I inferred that they were satisfied. I did not know anything about that.

*By Mr. McCarthy :*

Q. You do not pretend to say, do you?—A. Oh, no.

Mr. McCARTHY—I desire to make a further statement. My recollection was that after the Easter Holidays—at least that is the very strong impression on my mind—on my return after the Easter Holidays Mr. Rykert saw me in the House of Commons in the morning after I received my letters which I was opening at my desk. I have since looked at the Votes and Proceedings and I find my recollection was quite accurate. The 11th was after the Easter Holidays and the House adjourned on the preceding Thursday. Then I say that during the prior week when these three gentlemen state I was in the Department, I was not in Ottawa. I can satisfy the Committee, if they think that it is at all important, from my fee book. I find I was then at the Orangeville Assizes. I remained there during that week, and I did not come here until I returned on the Tuesday morning.

*By Mr. Rykert :*

Q. How do you account for the Minute in Council being prepared on the 10th?—A. That I cannot account for.



Q. Do you keep a record of your fitting about the country? You are like a flea on a gridiron. You have a record to show that you were not here between the 3rd and the 10th? A. I have a record to show that I was at Orangeville on the 4th, and I know I was defending a boy there for murder. I could not very well be here and there too.

Q. You move about pretty rapidly. Your seat is vacant most of the time—

*By Mr. Mulock :*

Q. You were not here after the 4th for a week?—A. I was not here that week at all.

*By Mr. Rykert :*

Q. You must have been there before the 4th?—A. Not at all, I did not go to Mr. Russell's office until the 11th. I never heard of you in the matter at all until the 11th of April.

Q. You swear that Mr. Ryley and those gentlemen are mistaken?—A. I do most distinctly. I think it was shown by the fact that it was not until after the 3rd it was discovered and I was not here during the week of the 3rd.

MR. LAIDLAW—Now I just wish to state that I got from Mr. Ryley of the Department, a map showing the manner in which one application overlapped the other. I have that here and it is exactly what has been put in and what has been verified by Mr. Rykert and Mr. Russell.

*By Mr. Blake :*

Q. When did you get that?—A. I got it in the fall. I have a copy of a letter which shows it.

MR. BLAKE—He says he got this from Mr. Ryley in the fall of the year. That indicates another state of affairs altogether.

*By Mr. Davies :*

Q. What year?—A. 1882. I also state that at the meeting at Hamilton between Mr. Rykert and myself the overlapping was stated in precisely the same way.

*By Mr. Blake :*

Q. I would like to know on what occasion it was and where you got this from Mr. Ryley?—A. I would not be able to fix the exact date, because I had not stated the date in a letter. It was one of the occasions I was at Ottawa during that year. I did not come to Ottawa especially and I am unable to state the exact date.

Q. It was in the fall of the year 1882?—A. Yes.

Q. You went to the Department and saw Mr. Ryley?—A. Yes. He had a map before him which had the circular red marks upon it which were spoken of.

Q. He had a map with these circular red marks, and he plotted roughly this thing for you?—A. Yes, and I exactly copied it into the petition.

Q. So when we have this petition we have a reproduction of what Mr. Ryley gave you in the fall of 1882?—A. Yes. I got it from an officer of the Department.

*By Mr. Langelier (Quebec) :*

Q. Can you state the month?—A. I could not fix the time.

Q. Was it late in the fall or early?—A. The petition was prepared in the fall of 1882—the petition was not presented until 1883.

*By Mr. Blake :*

Q. The letter is dated the 29th November, 1882, therefore it was in the fall of the year prior to that?—A. Yes.

*By Mr. Langelier (Quebec) :*

Q. Was it very long before that you got that sketch?—A. I should say it was a short time before, but I am unable to fix the time accurately.

*By Sir John Thompson :*

Q. What letter are you referring to?—A. The letter I wrote to Mr. Dalton McCarthy. If I would be permitted I wish to call attention to the fact upon that

point: that the report of Mr. Lindsay Russell himself exactly verified what has been stated, because he says:—

“Both parties filed applications of unreasonable extent. So much beyond anything that could in rule be granted that I assumed that their conflict on one side on which they overlapped each other was of secondary importance,” and therefore it was cut off.

*By Mr. Davies:*

Q. Is that not the letter of the 31st August?—A. Yes; it is in Mr. Russell's report. Now in reference to the letter which has been produced here, I believe that all parties were acting in perfect good faith, until I got the letter of the 21st August, 1882. The letters which have been put in by Mr. McCarthy convey the exact meaning and the truth concerning the whole application from first to last, that when he wrote to me that Shortreed & Laidlaw were to have their selection of the 50 square mile limit out of the territory they applied for, I believed it. When Mr. McCarthy wrote me the same thing I believed it, and acted upon that throughout, and the letter I wrote to Mr. Adams of the 4th September, which has been put in, was written before the actual facts came to my knowledge upon the 12th August when I discovered a mistake was made; and it was in consequence of that, that representations were made to the Department.

MR. MULLOCK—It was the 2nd August, that letter.

*By Mr. Rykert:*

Q. You had filed a protest in Ottawa, at that time, had you not? On the 2nd of September he says, “I have preserved all the correspondence?”—A. I am speaking of Adams. It is the 4th day of August. I say the letter I got was a letter from Winnipeg on the 12th August. Up to that time I believed they had been acting in perfectly good faith.

MR. BLAKE—I think Mr. Ryley had better verify these books; yesterday it was arranged that the official field notes should be produced. They have just been handed to me, and I would like Mr. Ryley to appear before the Committee again in order to verify them.

MR. RYLEY was re-called and examined:

*By Mr. Blake:*

Q. It is a question of what you used? What was it you used now in preparing the minute for Council in this case?—A. The plan. I do not know whether I had the field notes, but I had the plan.

Q. You do not know whether you had the field notes?—A. I remember distinctly having the plan.

Q. Did you use the field notes or the plan in preparing this paper—that on the wall?—A. I did not prepare that. Mr. Wheeler prepared that and he used both the plan and the field notes.

Q. Are these the field notes?—Yes.

Q. The surveyor who prepared the field notes, prepared also the plan?—A. I suppose so. I cannot tell.

Q. When were these field notes prepared?—A. They are sworn to on the 31st March, 1882, at Ottawa.

Q. As appears by the last paper?—A. Yes.

Q. Do you know what process is gone through with when they are being sworn to before they are adopted?—A. They have to be examined by the Department and approved of by the Surveyor-General.

Q. Do you know when that took place in this case?—A. In July, I think it was of that year.

Q. No, not July?—A. On the 19th May, 1882.

Q. On the 19th May, 1882, they were approved of by “R. R.” of the Surveyor's Branch, until that time, then, they were not adopted?—A. They were in the Department but not adopted.

Q. I did not say not "in the Department"—not adopted?—A. Not adopted, yes.  
 Q. Refer to the plan—what date does the surveyor certify to the plan?—A. On the 28th March, 1882.

Q. What date is the plan adopted?—A. On the 19th May, 1882.

Q. So that in both instances the adoption of the plan and the adoption of the notes was the same day?—A. On the 19th May, 1882, yes.

*By Sir John Thompson :*

Q. Does Mr. Ryley want to make an explanation about Mr. Laidlaw's last statement, as to the time the diagram was given to him?—A. Mr. Laidlaw says he obtained that diagram from me in the fall of 1882. This is impossible. In August, 1882, I made a sketch for Mr. Russell showing the several tracts in the shape shown upon the plan on the wall there which sketch is on the file.

MR. BLAKE—The sketch used the other day.

*By Sir John Thompson :*

Q. You say you did not give it to him in the fall of 1882?—A. Not in the fall.

*By Mr. Laidlaw :*

Q. You did give a sketch?—A. I dare say I did.

*By Mr. Chapleau :*

Q. If you gave a sketch, what sketch was it you gave?—A. It would be a sketch compiled from information on that plan there.

*By Mr. Blake :*

Q. I did not understand that Mr. Laidlaw was there at that early period. You remember seeing him and giving him a sketch?—A. I remember Mr. Laidlaw being in the office. I do not remember giving him a sketch. I do not say I did not, because at that time every day 10 or 15 people were coming in asking for sketches.

Q. You remember seeing him?—A. Yes ; I remember seeing him about this matter.

Q. Whether you gave him a sketch or not you do not know—were you in the habit of giving sketches?—A. Yes.

Q. But when you say it was impossible for you to give him such a sketch in the fall of the year, you can simply state that because you effected that information in the meantime?—A. Yes.

*By Sir John Thompson :*

Q. Do you say you might have given him that sketch—have you any recollection on that point?—A. This is printed.

Q. One like it?—A. I might have, seeing the position of the limit on that plan is similar to this.

*By Mr. Mulock :*

Q. Did you happen to hear that Mr. Laidlaw objected to it?—A. Yes. Mr. McCarthy telegraphed Mr. Russell about it. There were several telegrams received and Mr. Russell looked after the whole matter himself and he made a report to Sir John Macdonald.

Q. Mr. Lindsay Russell?—A. Yes. If he thought there was any mistake at the time he never said a word to me about it.

Q. Before the license issued, before Mr. Russell's memorandum to Sir John in September, 1882, you say you had learned from the Department that Mr. McCarthy had protested against the issue of the license?—A. Yes.

Q. What did Mr. Russell say about the trouble?—A. He did not refer to me at all about it. He had the papers and I made the sketch for him shown on the plan on the file, showing the limits in the position they are in on the plan on the wall.

Q. How did you come to hear about the telegrams and letters from Messrs. Shortreed & Laidlaw and Mr. McCarthy objecting to the license going to Adams?—A. Mr. Russell might have told me about them?

Q. You learned it in the Department?—A. Yes.

Q. Mr. Russell was away at that time, was he not?—A. I do not remember.

Q. Do you remember his consulting with you regarding this point before making the memorandum to the Government?—A. No I just made a sketch showing the several tracts applied for and granted. I knew nothing more about it until I saw the report to Sir John.

Q. You were preparing a sketch of the memorandum for him in consequence of those difficulties?—A. I did not prepare any memorandum whatever.

Q. Did he take any advice from you before making that memorandum?—A. No.

Q. Did he consult with you before making that memorandum?—A. No. I handed him the sketch and that is the last I heard of it.

Q. At that time you were aware of this protest?—A. Yes.

Q. That there was some conflict at the time of the preparation of that memorandum?—A. Yes.

*By Mr. Mills (Bothwell) :*

Q. Do you say that it would have been impossible that you could have prepared that sketch in the fall for Mr. Laidlaw—what is the latest period at which you could have prepared a sketch of that sort?—A. Before the 10th April, before I knew that this survey was in the Department—the survey of the 4th Meridian. It could not be after that.

Q. You say you are not sure whether you used the field notes or not at that time?—A. I am not certain. I remember distinctly having the plan. I do not know whether I had the field notes. The plan and field notes correspond.

Mr. LAIDLAW re-called and examined.

*By Mr. Blake :*

Q. I would like to ask Mr. Laidlaw whether he was at Ottawa before the 10th April, about this matter?—A. I am unable to fix the date at which I was at Ottawa during that year. I was just down on one occasion. My impressions speaking generally would be, that it would be a short time prior to the writing of that letter which is dated November.

Q. Then coming down to the fine point the question is whether it might have been before the 10th April in the spring of the year—you had your correspondence with Mr. McCarthy at that time—that you got that plan?—A. It would not be before the time of the letters from Mr. McCarthy and Mr. Rykert and myself, because I was not at Ottawa looking after the matter at all. The letters came from them and it was in consequence of the difficulties which arose afterwards that I got the tracing for the purpose of drawing that petition. It was then I asked for the plan so that I might see what was the meaning of what they called “overlapping” in that letter. I knew how Mr. Rykert had explained it to me. I knew how Mr. McCarthy understood it, and I took it from the letters that Shortreed & Laidlaw had a right to survey a limit within their application. Then I wanted to know from the officer of the Department at the time I prepared the petition what they had to say about it and that was what was given to me.

Q. I want to know whether you are certain that it could or could not have been before the 10th April?—A. It would be later than the date of the letters of 1882.

*By Mr. Langelier (Quebec) :*

Q. Would it be later than after you discovered that Adams was actually getting a survey of the limit selected by Shortreed & Laidlaw?—A. I think it would be subsequent to that.

Q. You said in your last evidence that you were informed that Adams was getting a survey of the limit actually applied for by Shortreed & Laidlaw. It was after you made this discovery?—A. Yes.

*By Mr. Curran :*

Q. Did you stop at any hotel at the time you got that map?—A. I think it is very likely I stayed at the Russell. I sometimes stayed at the Bodega.

Q. Did you register at that time?—A. I cannot recollect.

*By Sir John Thompson :*

Q. You were in Ottawa on other business before that, or were you not?—A. I have no recollection of having been here.

Q. You do not recollect being at the Department?—I have no recollection.

Q. You have no recollection either way?—A. No.

Q. The dispute about the overlapping went on a long time after this discovery. You continued to urge your complaint that the interference had not been respected as regards your right?—A. Certainly not. After the letters of April, 1882, until the information was received that Adams had surveyed his limit within the territory included in Shortreed & Laidlaw's application.

Q. That did not end your dispute?—A. No.

Q. Nor your remonstrances to the Department?—A. That was the beginning of the complaint.

Q. It went on after the renewal of the Adams' license?—A. I cannot follow it up in the renewal. I got that up for the purposes of a petition to Parliament, and I was informed that the license would not be renewed.

Q. You remember the letter of Mr. Russell stating that the interference with your application was a more serious bar to the renewal of the license than the claims of the Canadian Pacific Railway?—A. I remember that letter being read here. I have not read it here.

*By Mr. Mulock :*

Q. Who informed you that the license would not be renewed?—A. Some Member of Parliament.

MR. MCCARTHY—The Committee asked for some other letters and we have brought them. They do not appear to be important, because the mistake is admitted now. I will read those which I regard as pertinent, however. The first is dated 11th April, 1882, and reads as follows:—

“ 11th April, 1882.

“ MY DEAR LAIDLAW,—Your letter duly received. I will succeed in getting the limits for you, although they were refused to McCarthy. I will be glad to meet you and talk over the matter. I will be in Hamilton on Thursday at about 2 o'clock. I will go up by the first train after the arrival of the G. T. R. I think we can make a satisfactory arrangement.

“ Faithfully,

Exhibit No. 62.

(Signed) “ J. C. RYKERT.”

To this letter there is the postscript: “ I will telegraph you when I will reach Hamilton and perhaps you can meet me at the station.”

Then on the 5th August there was a telegram from the Department to Laidlaw as follows:—

“ OTTAWA, 5th August, 1882.

“ WM. LAIDLAW.

“ Letter received this morning, will mail to-day copy your application; Department cannot furnish copy of Adams' application without his consent.

Exhibit No. 63.

“ CHAS. WM. ALLAN.”

On the 12th August I wrote to Laidlaw:

“ TORONTO, 12th August, 1882.

“ WM. LAIDLAW, Esq., Hamilton.

“ DEAR LAIDLAW,—Your telegram received. Both the Minister of the Interior (Sir John) and the Deputy (Mr. Lindsay Russell) are at Rivière du Loup just now, and no appointment can therefore be obtained.

“ Yours truly,

Exhibit No. 64.

“ DALTON MCCARTHY.”

On the 4th September I again wrote as follows.—

“TORONTO, 4th September, 1882.

“MY DEAR LAIDLAW,—I did not go to Ottawa as arranged, as I found that Mr. Lindsay Russell was at Rivière du Loup. I therefore had to trust to my letter to him on the subject, which I hope will have kept matters safe.

“Since that I have been off for a week’s run, only returning this morning. To-morrow I will wire Mr. Russell as to when I can see them, and shall go down at the earliest moment possible.

“Yours truly,

Exhibit No. 65.

“DALTON McCARTHY.”

Then there is the letter of the 4th September from Mr. Rykert to Mr. Laidlaw, as follows:—

“ST. CATHARINES, 4th September, 1882.

DEAR LAIDLAW,—I am really surprised at your statement, that there has been any fraud committed on the part of Adams. This I entirely repudiate. You will bear in mind that you applied for something like 400 square miles, which was positively refused. My application for Adams was subsequently granted, but at the very last moment it was discovered that you had applied for a part of the same territory. I then saw McCarthy, who said that no such application would be entertained. I told him I could get it through for him and we then went together to Mr. Russell. The two limits applied for were shortened up by Russell and both of us were satisfied. You yourself stated in a letter to Adams that you were indebted to me for the Order in Council. I knew nothing of the territory; Adams knew nothing except what he was told by others. It is rather late in the day after Adams has, at an enormous expense, made his survey, for either party to complain. Have you made any survey or have you explored the land within your limit? I will be here to-morrow and Wednesday, when you can see me. I am too unwell to leave home.

“Yours,

Exhibit No. 66.

(Signed)

“J. C. RYKERT.”

Then there is my letter of the 9th October, which says:—

“OTTAWA, 9th October, 1882.

“WM. LAIDLAW, Esq.,  
“Hamilton.

“MY DEAR LAIDLAW,—Notwithstanding Mr. Russell’s telegram that nothing should be done as to the Cypress Hill limits without letting me know, and by repeated protests by telegram and letter, Mr. Russell, during the last week of August, reported to Sir John, while the latter was at Rivière du Loup, on Mr. Rykert’s application, and the license was granted to Rykert’s nominee, Adams. Mr. Russell represented that I opposed it, but also misrepresented that he had settled or ‘adjusted’ our rival or conflicting applications; that neither of us knew anything about the location of the timber, and insinuated that it was only because Adams had had the good luck to find timber on his range that we were now protesting. He omitted to bring to Sir John’s notice my allegations of fraud, and his own undertaking that nothing should be done without my being heard from. He pretends to say that he recollects perfectly that Rykert and I agreed to the location of the limits assigned us respectively by the Orders in Council, and that Rykert had nothing to say to it, more than I had in agreeing to it.

“How far this is from the truth my letter to you proves, and the enclosed rough sketch affords intrinsic evidence that no such agreement was ever made, for, according to it, we abandoned all but a narrow strip of our original application.

“We must move at once, and if you come to Toronto Tuesday night, bringing all your papers and especially my letters and Rykert’s, we will prepare a petition or take such action as may be proper.

" I confess I cannot understand Mr. Russell's conduct. It is all between him, Ryley and Rykert, and time will disclose to what extent the two former are accomplices or dupes.

" Yours truly,  
(Signed) " DALTON McCARTHY.

" P. S.—Come to my house at 8 o'clock p. m."  
Exhibit No. 67.

Mr. LAIDLAW re-called.

*By Mr. Curran :*

Q. Perhaps Mr. Laidlaw will explain the statement he has made to some of the gentlemen of the Committee?—A. Mr. Curran spoke to me and I think he has misapprehended what I meant about this plan. What I meant about the plan is, that I was then getting at the position of the parties at the time of the allotment of the license, and what I wanted from Mr. Ryley was the plan that was before Mr. McCarthy, Mr. Rykert and Lindsay Russell, so that I might understand what the overlapping was. It was with reference to what was before them at that time, not with reference to what was actually done afterwards; for that I ascertained from other sources.

*By Mr. Davies :*

Q. You understand that the sketch incorporated in your petition, and handed to you by Mr. Ryley, did represent approximately the sketch which Mr. McCarthy, Mr. Rykert and Mr. Lindsay Russell had before them?—A. Precisely so, and the letters read in connection with that plan made it plain what the overlapping meant, leaving a territory of 140 square miles for Shortreed & Laidlaw to select their limit from.

*By Sir John Thompson :*

Q. Was it not a fact that that plan was given to you to represent the way the application stood before the adjustment?—A. Quite so.

*By Mr. Blake :*

Q. This is a little ambiguous. Do you mean to say the way they were understood to stand before the adjustment or at the time of the adjustment; or the way they really were after the adjustment?—A. I mean at the time the application was laid before Mr. Lindsay Russell, the overlapping was shown in that way, and Mr. Lindsay Russell had the consent of the parties to cut off the overlap and leave the territory clear.

*By Sir John Thompson :*

Q. That was given to you as representing what was understood at that time to be the overlap?—A. Yes.

Q. I did not understand that Mr. Ryley gave it to you as the identical sketch of the overlapping?—A. I instituted searches for that paper and it could not be got.

The Committee then adjourned.

## APPENDIX A.

Further Letters and Papers (selected from the Departmental File of the Adams Application) relating to the connection of John Charles Rykert, Esquire, Member for Lincoln and Niagara, with the grant of certain timber limits in the North-West Territories.

(Telegram.)

TORONTO, 2nd Aug., '82.

LINDSAY RUSSELL,

Deputy Minister of Interior, Ottawa.

1. Please stay issue and further proceeding in respect of Adams' timber license, Cypress Hills. I have good reasons. Consider the request special and wire whether surveyor employed by Adams had made report. Will go to Ottawa in the matter.

DALTON MCCARTHY, M. P.

2. Letter from J. C. Rykert to Sir John Macdonald, dated 28th August, 1882. Printed in Evidence. (See Page 14, Exhibit No. 10.)

3. Letter from Lindsay Russell to Sir John Macdonald, dated 31st August, 1882. Printed in Evidence. (See Page 13, Exhibit No. 9.)

St. CATHARINES, 31st August, 1882.

4. MY DEAR SIR,—Seeing by the papers that you were likely to be away for a time, I thought I might venture to ask you to endeavor to settle the Adams matter, and if possible sign the license before you left. I assume that Sir John will, without any hesitation, confirm what has been done, and order the license to be issued. You will recollect that after it was determined to give Adams his limit it was discovered that one prior, that of Laidlaw, had been applied for and refused for part of the same ground. You then asked me to see McCarthy, who told me that there was no use in applying any further—that it would not be granted. I told him I was certain it could be done. He then went with me twice to your office, and agreed upon the boundary, and told you he was perfectly satisfied. In fact, Laidlaw was so well pleased he offered to pay me for my trouble. It seems very strange that they find no fault until now. They have made no survey, have done nothing—but on account of a piece in the Winnipeg paper stating Adams had all the timber (which is not true) they make a fuss. I sent Laidlaw's letter to Sir John, which particularly states he is willing to purchase from Adams, but does not complain of any injustice being



done. I hope you will stand by the Order in Council and not let any of this baby play intervene to prevent justice being done. Please telegraph me if all right.

Faithfully,

(Signed) J. C. RYKERT.

Adams would like the year for the mill to commence January, 1883.

Memo. attached :

Telegraph Mr. Rykert, "Your letter and my report thereon mailed to Minister. Laidlaw's will also be sent moment received."

(Sgd.)

L. R.

(Telegram.)

ST. CATHARINES, September 1, 1882.

G. U. RYLEY,  
Department of the Interior,  
Ottawa.

5. Has any word been received from Sir John since Russell's report.

J. C. RYKERT.

Memo. attached : Will telegraph when Sir John's answer to report arrives.

(Signed) LINDSAY RUSSELL,  
Per G. R.

(Telegram.)

ST. CATHARINES, September 2, 1882.

LINDSAY RUSSELL,  
Deputy Minister of Interior, Ottawa.

6. Have mailed you letter of Laidlaw, in which he states he did not expect a limit, but that he has to thank me for getting the privilege.

J. C. RYKERT.

(Private.)

TORONTO, 4th September, 1882.

LINDSAY RUSSELL, Esq.,  
Ottawa.

7. MY DEAR SIR,—When I wired you the week before last to see if I could have an interview at Ottawa, and you answered me from Rivière du Loup, I had proposed seeing you about the Cypress Hills' timber limit, as to which I have already written to say there has been a mistake through accident or design, I know not which. Now, I believe Mr. Adams is either at Ottawa or some agent of his is, has been, or shortly will be, to ask for the license, but if it be given to him it will only cause a great deal of trouble, and make it much more difficult to do what is right in the matter. The portion applied for by my constituents, Messrs. Shortreed & Laidlaw, and which they were to have their fifty miles out of, is the part that Mr. Adams, as I am informed, has had surveyed, and is now about seeking a license for. All this the papers I have in my possession clearly demonstrate. I want you, therefore, in accordance with your telegram, to refrain from issuing any license to Mr. Adams until I have an opportunity of seeing you, and learning that you are again at Ottawa, I shall at once go down.

Yours truly,

(Signed) DALTON McCARTHY.

TORONTO, 5th September, 1882.

LINDSAY RUSSELL,  
Deputy Minister of the Interior, Ottawa.

8. Can I see you on Saturday or when; important, as the facts recently disclosed seem to show that a gross fraud has been committed *re* Cypress Hills Limit.

DALTON McCARTHY.

ST. CATHARINES, 5th September, 1882.

9. MY DEAR RUSSELL,—Adams has arrived here and informs me that he has, on the strength of the Order in Council, entered into contract for lumber and has also signed contract for putting up mills. It does seem like a farce to delay the license, especially when there is really no excuse for Laidlaw's opposition. He is trying to play a bluff game, and wrote me yesterday that he had stopped all proceedings in Ottawa. I cannot for a moment believe that Sir John will hesitate to carry out the Order in Council, especially when you know that everything was done in good faith and that all parties were satisfied. McCarthy expressed himself as delighted that I had interceded and prevailed on the Minister to issue Order in Council. I hope Sir John will not delay the matter nor wait for Mr. Laidlaw. Every moment is important for Mr. Adams. Laidlaw's letter, which I enclosed Sir John, does not insinuate fraud, but asks to have a chance to purchase. The one I mailed you certainly shows that he felt grateful for my good offices in the matter.

I feel confident that your report must have been favorable and conclusive as to the fraud, or bungling of the Department.

Faithfully,

(Signed) J. C. RYKERT.

There is no harm in stating that Adams had to pay the party who originally selected this limit \$5,000 besides the subsequent cost of survey, or in all he is out \$10,700, about as much as the limit is perhaps worth.

(Telegram.)

ST. CATHARINES, 5th September, 1882.

LINDSAY RUSSELL,

Deputy Minister of the Interior, Ottawa.

10. When will Sir John be at Ottawa? Would like copy of Laidlaw's objections; I think he is only trying to bluff.

J. C. RYKERT.

(Telegram.)

HAMILTON, 6th September, 1882.

LINDSAY RUSSELL,

Deputy Minister of the Interior, Ottawa.

11. Please record caveat against Adams' license at Cypress Hills on ground of fraud and stay all proceedings until notice given to Dalton McCarthy, Q. C.

SHORTREED & LAIDLAW.

(Telegram.)

ST. CATHARINES, 8th September, 1882.

LINDSAY RUSSELL,

Deputy Minister of the Interior, Ottawa.

12. Order in Council authorizes Department to grant license; this Sir John has apparently overlooked. Hope no more attention will be paid to Laidlaw's nonsense. He wants to levy blackmail.

J. C. RYKERT.

(Telegram.)

ST. CATHARINES, 11th September, 1882.

LINDSAY RUSSELL,

Deputy Minister of the Interior, Ottawa.

13. Please telegraph me as to license. Adams waiting here. What is the cause of delay? Sir John said to see you.

J. C. RYKERT.

14. Certified copy of a report of the Privy Council, approved on the 19th September, 1882.—(See Journal of 18th February.)

## DEPARTMENT OF THE INTERIOR,

OTTAWA, 21st September, 1882.

J. C. RYKERT, Esq.,  
St. Catharines, Ont.

15. SIR,—I have the honor, by direction of the Minister of the Interior, to enclose license in duplicate to Mr. Adams for a timber limit near the Cypress Hills for the year 1882 for his acceptance. Please return one of them to this Department. Mr. Gouin has paid \$190, being ground rent for the same.

I have the honor to be, Sir,

Your obedient servant,

(Signed) A. RUSSELL, *for Surveyor General.*

16. This Indenture, made the sixteenth day of January, one thousand eight hundred and eighty-three.

Between John Adams, of the City of Winnipeg, in the Province of Manitoba, Esquire, of the first part, and Joseph Benjamin McArthur of the same place, Esquire, and John Charles Rykert, of the City of St. Catharines, in the Province of Ontario, Esquire, of the second part.

Whereas the said John Adams is the holder of a certain timber license number 1792 and dated the 21st day of September, A.D. 1882, the said timber limit being in or near to the Cypress Hills in the North-West Territories. And whereas it is desirable that the said limit should be properly operated by the erection of mills for the purpose of converting the said limit into lumber, &c., for which a considerable amount of capital will be required. And whereas one Louis Sands, of Manistee, in the State of Michigan, lumber merchant, has agreed to advance all the capital required therefor and to work the said limit upon certain conditions agreed upon and referred to in a certain agreement bearing date the sixteenth day of January one thousand eight hundred and eighty-three, and made between the said John Adams of the first part, the said trustees of the second part, and the said Louis Sands of the third part. And whereas the said party hereto of the first part is willing to accept the said agreement and to assign his interest in said license to the parties hereto of the second part as trustees as aforesaid, upon the terms and conditions therein expressed.

Now this Indenture witnesseth, that the said party of the first part, in consideration of the premises and of the sum of one dollar to him in hand, well and truly paid, the receipt whereof is hereby acknowledged, hath bargained, sold, assigned, transferred and set over, and by these presents doth bargain, sell, assign, transfer and set over unto the said parties of the second part, their heirs and assigns, all his right, title, interest and claim whatsoever of, in and to the said license number 1792, also all his right, title and interest of, in and to the lumber and timber thereon, and also all his rights thereunder. To have and to hold the same, subject to the uses and trusts set forth in the said agreement.

In witness whereof, the said parties hereto have hereunto set their hands and seals the day and year aforesaid.

Signed sealed and delivered in the	}	(Signed)	JOHN ADAMS,
presence of:			J. B. McARTHUR,
(Signed) R. B. HUNTER.			J. C. RYKERT.

DOMINION OF CANADA, }  
County of Lincoln, } I, John Charles Rykert, of the City of St. Catharines, in  
To wit: } the County of Lincoln, Esquire, make oath and say:

That the within assignment was duly executed by the parties whose names appear thereto.

That I am one of the trustees therein mentioned.

That the said assignment was duly executed at the City of Winnipeg on the day the same bears date.

Sworn before me at the City of St. Catharines, in the County of Lincoln, this }  
23rd day of April, A.D. 1884.

(Signed) J. C. RYKERT.

(Signed) J. H. INGERSOLL,  
*A Commissioner, &c.*

17. Memo.: *Re* letter from Secretary Canadian Pacific Railway Company (beneath).

No renewal can lawfully be granted of lease that would cover any odd-numbered sections within 24 miles of Canadian Pacific Railway line. But Secretary Drinkwater is under misapprehension as to the even-numbered ones.

The renewal or not of lease for these is a matter of the policy of the Government, and there would be no inconsistency with the special permission given to the company to cut construction timber in granting such renewal for the even numbers.

A graver obstacle to renewal is the dispute between Messrs. Adams and Laidlaw and Shortreed.

(Signed) L. R.  
*D.M.*

26 Jan'y., '83.

#### LICENSE TO CUT TIMBER ON DOMINION LANDS.

18. Know all men by these presents, that by virtue of the authority vested in me by sub-section 10 of section 52, of the 42nd Victoria, chapter 31, and by an order of His Excellency the Governor General in Council of the seventeenth day of April, 1882, and the nineteenth day of September, 1882.

I, the Right Honorable Sir John Alexander Macdonald, K.C.B., the Minister of the Interior of Canada, do hereby, in consideration of the sum of one hundred and eighty-seven dollars and fifty cents ground rent now paid to me for the use of Her Majesty, and in consideration of the royalty hereinafter mentioned, give unto John Adams, of the city of Winnipeg, Province of Manitoba, gentleman, hereinafter called the licensee this executors and administrators, full right, power and license, subject to the conditions and restrictions hereinafter mentioned and contained, to cut all timber on the following tract of land (hereinafter called the "limit" or "limits"), that is to say:—

Commencing at a post planted by J. W. Vaughan, D. L. Surveyor, which is distant forty-two chains, due north from a point, which is distant five hundred and ninety-two chains, due west from the post between sections twenty-five and thirty-six, in township seven on the fourth principal meridian in the North-West Territories; thence due west six hundred and forty-nine chains to a post planted by S. W. Vaughan, D. L. S.; thence due north three hundred and seventy chains to a post planted by the said surveyor; thence due east six hundred and forty-nine chains to a post planted by the said surveyor; thence south three hundred and seventy chains more or less to the place of beginning, containing thirty-seven and a half square miles, and to take and keep exclusive possession of the said lands, except as hereinafter mentioned for and during the period of one year from the 31st day of December, 1881, to the 31st day of December, 1882, and no longer.

This lease or license shall vest in the licensee, subject to the conditions hereinafter mentioned, all right of property whatsoever in all trees, timber, lumber, and other products of timber cut within the "limits" during the continuance thereof. whether such trees, timber and lumber or products be cut by authority of the licensee or by any other person, with or without his consent; and shall entitle the licensee to seize in replevin, revendication or otherwise, as his property, such timber where the same is found in the possession of any unauthorized person, and also to bring any action or suit, at law or in equity, against any party unlawfully in possession of any such timber, or of any land so leased, and to prosecute all trespassers thereon and other such offenders as aforesaid, to conviction and punishment, and to recover dam-

ages, if any; and all proceedings pending at the expiration of this lease or license may be continued and completed as if the same had not expired.

But this lease or license is subject to the following conditions:—

1. That the licensee shall not have the right thereunder to cut timber of a less diameter than ten (10) inches, except such as may be actually necessary for the construction of roads, &c., to facilitate the taking out of merchantable timber.

2. That this lease or license shall not be allowed to interfere with the settlement of any lands within the "limits" which may be desirable for settlement, the Minister of the Interior to be the judge of the fact and the only recourse of the licensee against the ruling of the Minister in favor of permitting settlement within such "limits" to be that (the licensee) may within sixty days after receiving notice to the above effect from the Local Agent of Dominion Lands, remove all timber on such lands which may be over ten inches in diameter.

Further that this lease or license shall not prevent individual Homestead Settlers holding permits (but not of the class termed "special permits") heretofore or hereafter given under the Order in Council, dated the 20th day of May, 1878, or under any subsequent Order in Council passed in such behalf, from cutting and removing from the land covered by this lease or license such quantity of building timber, fence rails, or firewood, as such permit may set forth; and the Government may, notwithstanding this lease or license, give such permits to individual Homestead Settlers from time to time under the said Order in Council, or any subsequent Order in Council.

3. That the licensee shall take from every tree he cuts down all the timber fit for use, and manufacture the same into sawn lumber or some other such saleable product as may be provided by any regulations made under the said Act.

4. That the licensee shall prevent all unnecessary destruction of growing timber on the part of his men, and exercise strict and constant supervision to prevent the origin or spread of fires.

5. That the licensee shall make returns to the Government monthly, or at such other periods as may be required by the Minister of the Interior, or by regulations under the said Act, sworn to by him or by his agent or employee, cognizant of the facts, declaring the quantities sold or disposed of, of all sawn lumber, timber, railway car stuff, ship timbers and knees, shingles, laths, cordwood, or bark, or any other product of timber from the limit, in whatever form the same may be sold or otherwise disposed of by him during such month or other period, and the price or value thereof.

6. That the licensee shall pay, in addition to the said ground rent, a royalty of five per cent. on his monthly account of sales as above.

7. That the licensee shall keep correct books of such kind and in such form as may be provided by regulation under the said Act, and submit the same for the inspection of the collector of dues whenever required, for the purpose of verifying his returns aforesaid.

8. This lease or license shall be subject to forfeiture for infraction of any one of the conditions to which it is subject, or for any fraudulent return; and in such case the Minister of the Interior shall have the right without any suit or other proceeding at law or in equity, or compensation to the licensee to cancel the same, and to make a new lease or disposition of the said limit to any other party, at any time during the term hereby granted. Provided, that the Minister of the Interior, if he sees fit, may refrain from forfeiting such lease or license for non-payment of dues, and may enforce payment of such dues in the manner provided by section 54 and the following sections of the said Act.

Provided, that if during the said term of one year any actual waiver on the part of the Minister of the Interior, or of any one on his behalf, of the benefit of any condition in this lease or license shall take place in any one particular instance, such actual waiver shall not be assumed or deemed to extend to any instance or any breach of such condition, other than that to which such waiver shall specially relate, nor to be a general waiver of the benefit of such condition. Provided, that whenever in the above conditions the word "licensee" occurs, it is to be taken to extend to and include the executors, administrators and assigns of the "licensee."

Provided further, that the Minister of the Interior shall be the sole judge of the fact in regard to infraction, or alleged infraction, of any one of the conditions of this lease or license, and that his decision in relation thereto shall be binding and conclusive.

That the said lessee shall have a mill in operation by the first of January, 1884.

Dated at Ottawa, this 21st day of  
September, one thousand  
eight hundred and eighty-  
two.

(Signed) LINDSAY RUSSELL,  
*Deputy of the Minister of the Interior.*

I accept this lease or license and agree to all the terms and conditions thereof.

(Signed) JOHN ADAMS,  
*Licensee.*

#### LICENSE TO CUT TIMBER ON DOMINION LANDS.

19. Know all men by these presents, that by virtue of the authority vested in me by sub-section 10 of section 52, of the Act 42nd Victoria, Chapter 31, and by an order of His Excellency the Governor General in Council of the third day of March, 1884.

I, Honorable David Lewis Macpherson, the Minister of the Interior of Canada, do hereby in consideration of the sum of eighty-seven dollars and fifty cents, ground rent now paid to me for the use of Her Majesty, and in consideration of the royalty hereinafter mentioned, give unto Joseph Benjamin McArthur, of Winnipeg, in the Province of Manitoba, and John Charles Rykert, of St. Catharines, in the Province of Ontario, hereinafter called the licensees, their executors and administrators, full right, power and license, subject to the conditions and restrictions hereinafter mentioned and contained, to cut all timber on the following tract of land (hereinafter called the "berth" or "berths"), that is to say:—

The even-numbered sections, with the exception of those vested in the Hudson's Bay Company, within the following described tract:—

Commencing at a post planted by J. W. Vaughan, D.L.S., which is distant forty-two chains due north from a point, which is distant five hundred and ninety-two chains due west from the post between sections twenty-five and thirty-six, in township seven, on the fourth meridian, in the North-West Territories; thence due west six hundred and forty-nine chains to a post planted by J. W. Vaughan, D.L.S.; thence due north 370 chains to a post planted by the said surveyor; thence due east 649 chains to a post planted by the said surveyor; thence south 370 chains, more or less to the place of beginning and containing by admeasurement seventeen and one-half square miles, more or less, as shown on a plan of record in the Timber branch of the Department of the Interior, and to take and keep exclusive possession of the said lands, except as hereinafter mentioned for and during the period of one year from the thirty-first day of December, 1883, to the thirty-first day of December, 1884, and no longer.

This lease or license shall vest in the licensees, subject to the conditions hereinafter mentioned, all right of property whatsoever in all trees, timber, lumber and other products of timber cut within the "berths" during the continuance thereof, whether such trees, timber and lumber, or products be cut by authority of the licensees or by any other person with or without their consent; and shall entitle the licensees to seize in replevin, revindication or otherwise, as their property, such timber where the same is found in the possession of any unauthorized person, and also to bring any action or suit, at law or in equity, against any party unlawfully in possession of any such timber, or of any land so leased, and to prosecute all trespassers thereon and other such offenders as aforesaid, to conviction and punishment, and to recover damages, if any; and all proceedings pending at the expiration of this lease or license may be continued and completed as if the same had not expired.

But this lease or license is subject to the following conditions, viz. :—

1. That the licensees shall not have the right thereunder to cut timber of a less diameter than ten (10) inches, except such as may be actually necessary for the construction of roads, &c., to facilitate the taking out of merchantable timber.

2. That this lease or license shall not be allowed to interfere with the settlement of any lands within the "berths" which may be desirable for settlement, the Minister of the Interior to be the judge of the fact and the only recourse of the licensees against the ruling of the Minister in favor of permitting settlement within such "berths" to be that they (the licensees) may, within sixty days after receiving notice to the above effect from the local agent of Dominion lands, remove all timber on such lands which may be over ten inches in diameter.

Further, that this lease or license shall not prevent individual homestead settlers holding permits (but not of the class termed "special permits") heretofore or hereafter given under the Order in Council, dated the 20th day of May, 1878, or under any subsequent Order in Council passed in such behalf, from cutting and removing from the land covered by this lease or license such quantity of building timber, fence rails, or firewood, as such permit may set forth; and the Government may, notwithstanding this lease or license, give such permits to individual homestead settlers from time to time under said Order in Council, or any subsequent Order in Council.

3. That the licensees shall take from every tree they cut down all the timber fit for use, and manufacture the same into sawn lumber or some other such saleable product as may be provided by any regulations made under the said Act.

4. That the licensees shall prevent all unnecessary destruction of growing timber on the part of their men, and exercise strict and constant supervision to prevent the origin or spread of fires.

5. That the licensees shall make returns to the Government monthly, or at such other periods as may be required by the Minister of the Interior, or by regulations under the said Act, sworn to by them or by their agent or employé, cognizant of the facts, declaring the quantities sold or disposed of, of all sawn lumber, timber, railway car stuff, ship timbers and knees, shingles, laths, cordwood, or bark, or any other product of timber from the berth, in whatever form the same may be sold or otherwise disposed of by them during such month or other period, and the price or value thereof.

6. That the licensees shall pay, in addition to the said ground rent, a royalty of five per cent. on their monthly account of sales as above.

7. That the licensees shall keep correct books of such kind and in such form as may be provided by regulation under the said Act, and submit the same for the inspection of the collector of dues whenever required, for the purpose of verifying their returns aforesaid.

8. This lease or license shall be subject to forfeiture for infraction of any one of the conditions to which it is subject, or for any fraudulent return; and in such case the Minister of the Interior shall have the right, without any suit or other proceeding at law or in equity, or compensation to the licensees, to cancel the same, and to make a new lease or disposition of the said "berth" to any other party, at any time during the term hereby granted. Provided, that the Minister of the Interior, if he sees fit, may refrain from forfeiting such lease or license for non-payment of dues, and may enforce payment of such dues in the manner provided by section 54 and the following sections of the said Act.

Provided, that if during the said term of one year any actual waiver on the part of the Minister of the Interior, or of any one on his behalf, of the benefit of any condition in this lease or license shall take place in any one particular instance, such actual waiver shall not be assumed or deemed to extend to any instance or any breach of such condition other than that to which such waiver shall specially relate, nor to be a general waiver of the benefit of such condition. Provided, that whenever in the above conditions the word "licensees" occurs, it is to be taken to extend to and include the executors, administrators and assigns of the "licensees."

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Provided further, that the Minister of the Interior shall be the sole judge of the fact in regard to infraction, or alleged infraction, of any one of the conditions of this lease or license, and that his decision in relation thereto shall be binding and conclusive.

9. If upon the final location of the Canadian Pacific Railway the whole or part of the lands described in this license should be found to fall within twenty-four miles of the said line on either side thereof, or if the whole or part of the said lands form part of any tract which may be granted to the said company as a portion of the land subsidy to which they are entitled under their charter, the sections in the whole or part of such lands, as the case may be, bearing uneven numbers, will thereby, after such final location, and as soon as due notice thereof in writing has been served upon the licensees or their legal representatives, be withdrawn from the operation of this license, but the licensees or their legal representatives shall be at liberty to remove all timber then cut and all other property belonging to them then on the lands thereby withdrawn from the operation of this license.

10. This license cannot be assigned or transferred without the consent of the Minister of the Interior.

(Signed)

A. M. BURGESS,  
*Deputy of the Minister of the Interior.*

Dated at Ottawa this fifth day of May, one thousand eight hundred and eighty-four.



## APPENDIX B.

## ADDRESS

## TO THE ELECTORS OF LINCOLN AND NIAGARA.

I feel called upon, for reasons which I think you will consider satisfactory, to again address you. The gentleman who, it is said is opposing me in this election in the interest of the Grit Party, has seen fit to publicly charge me with prostituting my public trust as your representative and also with being guilty of offences of a criminal nature, which if true, ought very justly to prevent me from appealing to you for a renewal of that confidence which I have so long enjoyed. It is for you to say whether or not you approve of such doubtful tactics as are being employed to damage me in your estimation. From experience, this pure and honest party, represented by Mr. Pattison, has already learned that such a course has not met with much favor, but it now seems to think that, when it has filled the country with scandals, the time has arrived for again seeking to displace me from your confidence, by publicly making statements which it little cares are true or not. The standard bearers of the party hope that some may be influenced by such disreputable tactics. For some time you have been promised a full disclosure of what is called the "Cypress Hill Timber Limit" scandal, and have been led to expect that this would effectually prevent me from again appealing to you for support. They have, this time, as before, reckoned without their host. Mr. Pattison, who has so recently been admitted into the faith of the Grit Party, has voluntarily, I presume, undertaken this disreputable business, and I know of no man who is better fitted or qualified for such kind of work. His public record justifies me in saying that he cares but little whether or not the charges are true or false. Mr. Pattison has publicly made the following charges against me, and has challenged me to proceed against him for slander, which challenge, many of you know, has already been accepted. Although unusual to discuss any matters which may thereafter be the subject of litigation, I feel disposed to place them before the tribunal of the people, in order that they, and particularly those whose candidate I am, may have ample time, if deemed advisable, to select some one more worthy of their confidence.

The charges are:—

(1.) That while a member of Parliament and your representative, charged to guard your interest, he (Mr. Rykert) took advantage of the position of trust you gave him to secure for \$2,500 a valuable timber limit out of which he afterwards made \$100,000, and his partner \$100,000, and to that extent robbed the people.

(2.) That Mr. Rykert and his emissaries, waylaid the agent of one Sands of Manistee, Michigan, who had been sent by that gentleman to report upon the limit, and paid him \$10,000 to make a false report. That this agent reported the limit to be more valuable than it was, in consequence of which Mr. Sands was robbed out of \$200,000, and that this plunder was divided among the conspirators, Rykert, Adams, Hunter and the Timber Agent.

(3.) That Rykert wrote a letter to Sands, asking him for \$5,000 to pay to the Canadian Pacific Railway to prevent that company claiming part of the limit, and that Sands had sent Rykert the \$5,000, and afterwards learned that the Canadian Pacific Railway never claimed an acre of the land, and that Rykert had refused to pay back the money to Sands, and appropriated it to his own use.

These are grave and specific charges, the meaning of which, if true, admits of no doubt. One would have supposed that a Legal gentleman, making such grave charges, would have not only fortified himself with, but produced certainly sufficient satisfactory evidence to establish at any rate a *prima facie* case, and not adopt the unusual course of reading his indictment, and then calling upon the accused to prove they were untrue, or, in other words, that he was not guilty. The object of making the charges was, and is quite transparent. Mr. Pattison hoped by boasting that he had the evidence in his pocket, the public would not ask for the production of it, and rest contented that they must be true because a professional gentleman, of such distinguished ability as he is said by his more immediate friends to be, had made the charges. I think I may, however, fairly assume that many, who have discovered in this campaign that that gentlemen was more or less economical of the truth, will feel indisposed to accept the naked statements of that rather rash young politician, without at least some slight evidence. However, as the charges have been made, I cannot, in justice to those who have so nobly stood by me in the contest, for a moment hesitate to prove how utterly false and untrue are the whole of the charges, and I do so with the full knowledge that he will have the benefit of my defence before he has undertaken to produce his evidence.

I will not demur to the indictment as I might fairly do. I might very reasonably say that if charge number ONE be true, then charge number Two was not, for the simple reason that if the limit were actually worth \$200,000—the amount which Mr. Pattison alleges I robbed the country out of—then by no possibility could Mr. Sands have been defrauded out of the \$200,000 for which he had the equivalent. I do not pretend to say that Mr. Pattison either KNOWS or SEES that there is any inconsistency in the two statements, and care less whether he does or not. As I understand the law, &c., &c. (See *Votes and Proceedings*, pp. 169 to 174, or *Journals of 18th February*, to end of Sands' Letter to Rykert of 7th July, 1884.)

\* \* \* \* \*

If anything more is required to prove Mr. Sands knew this; here is the reply of the Secretary of the Department of Interior to my letter of 21st December, 1886:

"This Department refused to renew the license for the whole of the berth, after the expiration of the first year, the tract being found to be within the Canadian Pacific Railway belt and the license of the second and all subsequent years included only the even-numbered sections, covering an area of 17½ square miles.

(Signed) "P. B. DOUGLASS,

*"Assistant Secretary."*

Now, as to the payment of \$5,000 to me by Mr. Sands for the C. P. R., what evidence has been adduced of that fact? Is it reasonable to suppose that Mr. Sands would have corresponded with me as he did do, if I had been guilty of retaining his money? Mr. Sands in his affidavit, which was read in the Opera House, does not pretend that I received any money from him in connection with this limit, which is the very best evidence that the charge made was and is a base slander. It appears by Mr. Sands' letter to me of 1st August, 1883, that he suspected there had been deception practiced upon him as to the quantity of timber on the limit, for in a letter of that date he says:

"In my opinion my man Udell has been paid money by Mr. Adams, or someone else, to report to me a larger amount of timber than there was on the ground, as there is no more than 16,200,000 by my own and another expert's evidence, and Udell and Adams' estimate calls for 100 more."

If his man Udell was bribed by Mr. Adams, or someone else, and he knew it, in August, 1883, why did he not expose the transaction then? If he had any suspicion that I had anything to do with this, why did he employ me to fight the C. P. R., and afterwards ask me to negotiate with them for the sections as stated above? If I were blamed by Mr. Sands, why did he write to me on 23rd September, 1883, and use this language in that letter:

"Let me hear from you if anything turns up. Also, if you can receive for me permission to locate a new limit as you spoke about. I and my family are well, and my business fairly prosperous and good here. Hoping you may have the same blessing,

"I remain, yours very respectfully,

(Signed)

"L. SANDS."

Surely, this was rather familiar language from a man to a person who had robbed him! Why did he, as late as 7th July, 1884, as before shown, write me to select the railway sections for him? The statement is absurd on the very face of it, and no man knows it better than Mr. Pattison that the charge is utterly false, and without any color of foundation. Mr. Pattison says that I assisted in robbing this innocent, wealthy Dutchman out of \$240,100. Well, let us see what is his position to-day? He purchased limits with his eyes wide open, after having sent his own confidential agent to examine the same. He considered the limits worth the money as late as 5th June, 1883, for on that day he wrote to me as follows:—

"I trust and I am in hopes still that you will succeed in getting a license for the whole limit, in which case I will have lost nothing in the transaction."

Later on he had the misfortune to have a fire in the limits destroy a large quantity of valuable timber, as stated by him in a letter to me dated 28th September, 1883. At the time he purchased and for a considerable time thereafter lumber ranged from \$40 to \$50 per thousand, and then tumbled down to half that figure. Besides this, for various reasons, as you well know, settlers did not go into that territory as rapidly as was expected, and, therefore, the sales of lumber were not as anticipated by Mr. Sands. I have no doubt that Mr. Sands has been disappointed in his venture, but it is idle for anybody to say that the limit was not a very valuable one, and worth all he paid for it. Every report of the limit from every quarter, together with the detailed reports of the surveyors, all corroborate this.

Here is the report of Mr. McKinnon, a surveyor and engineer who examined the limits:—

"FORT WALSH, N.W.T., 1882.

"Mr. J. Adams:

"SIR,—In reply to your request for information on timber, the following is a summary of my opinion, based on practical experience and four years' residence in this locality:—

"The timber is yellow pine of the best quality, being strong, durable, grips like a vice, straight grained and clear of knots, suitable for railroad purposes, makes the best of lumber and is specially fitted for sash factory purposes. The timber will average throughout forty feet clear from limbs; diameter averages fourteen inches.

"Within the limit there are seven thousand acres green sawing timber, not including tie timber, scantling, laths or shingles.

"Also three thousand acres of dry sound timber, the greater part of which can be worked up into small materials.

"The average feet per acre of inch lumber in green timber is fully five thousand five hundred (5,500) feet.

(Signed)

"RICHARD MCKINNON."

This report was made to Mr. Adams six months before any sale took place and was given at Mr. Adams' request for his own information. In addition, Mr. Adams had the report of his own son who accompanied the surveyor, who could have no object in deceiving his father. Here is his letter as to the value:

"CYPRESS HILLS, 1st July, 1882.

"MY DEAR PA,—You, no doubt, are anxious to hear something about the timber. I think I have seen it all; that is, I have drove around it and walked through some of it. The timber is A No. 1 Douglass' pine, and averages in diameter from 14 to 16 inches, and will average from 45 to 65 feet in length, very straight, free from limbs, and holds its size well.

“ Our limit will take in all the timber there is around this section, and as it is in bluffs we will have to take in some open prairie. That Grit in Hamilton is out of luck. There is not a stick of timber on his limit, if I understand the location of it.

“ Our limit is more valuable than I thought it was ; it is the only timber within a thousand miles of here, and the syndicate will have to get it or lose money.

(Signed)

“ MERCER.”

Take the quantity as estimated by Mr. McKinnon, which is confirmed by Mr. Sands' telegraph of 16th July, 1884, viz., 38,500,000 feet of green inch lumber, without the enormous quantity of dry lumber, tie timber, scantling, laths or shingles, and place a profit on this of, say, only eight dollars per thousand, and there would be \$284,000 net profit. But the whole question of value and robbery of the poor Dutchman is set at rest by Mr. Sands letter above quoted, in which he says if he gets a license for the whole he will have lost nothing by the transaction. It never was pretended that Mr. Adams at the time of the sale knew that the C.P.R. claimed any part of the limit. Mr. Sands in his affidavit admits he only paid the Railway Co. some four thousand odd dollars for their sections. I think I may safely leave this matter in your hands and can confidently rely upon a favorable verdict. If Mr. Pattison had no evidence, other than that which he ultimately produced in the Opera House upon which to base his charges, it must be evident that the only motive he could have had, was to wilfully and maliciously slander me for the sole and only purpose of injuring me in your estimation as a public man. He did not up to that time, nor has he since dared to challenge any of my public acts as your representative for the last twenty-eight years, for he knew well that you had passed judgment upon them favorably on nine different occasions, but he hoped that the charges so suddenly made, and of so aggravated a nature, could not be met by me before the day of polling. He and his friends have openly boasted that I would not dare go to the polls with those charges hanging over me, but he and they have reckoned without their host. It would have been well for him, before accusing a fair and honorable opponent with not only a violation of a public trust, but also criminal offences, to have looked into his own record as a public man. He ought to have remembered that his first entry into public life as an alderman of this city was under a false oath or declaration, even though he may have aggravated the offence by changing the form of it, as he now states, was a very poor recommendation upon which to ask the public to believe charges unsupported by any other testimony than his own word. I am promised some further revelations a few days before the election, the purport of which I am fully aware of, and I can only say, if made will be as malicious and false as those already presented to you. I challenge and court the most careful investigation, either as a public man or a private citizen, in connection with this timber limit affair, but I want and shall insist upon any charges founded thereon being made by some one who will feel he has a reputation at stake. All that I want and all that I ask is British fair play.

Yours truly,

J. C. RYKERT.

The following is a copy of the assignment of lease from John Adams to J. B. McArthur and J. C. Rykert as trustees, which will prove that up to the date of the completion of the agreement with Mr. Sands, that the license was held by Mr. Adams:—

This indenture made the 16th day of January, 1883, &c., &c. See *Appendix A, Paper No. 16.*

\* . \* \* \* \*

The following Memorandum was read by the Minister of the Interior in the House of Commons:—

## DEPARTMENT OF THE INTERIOR,

OTTAWA, 7th May, 1886.

*MEMORANDUM—*

On the 18th of February, 1882, Mr. J. C. Rykert applied on behalf of Mr. John Adams, for a timber berth at or near Cypress Hills, in the District of Assiniboia, and on the 17th of April of the same year, an Order in Council was passed authorising the issue of a license to Mr. Adams to cut timber on a berth of fifty square miles to be surveyed within six months, at his expense, which berth was to be selected within the boundaries of a tract containing an area of 400 square miles. On the 19th September, 1882, upon a report from the Minister of the Interior, that Mr. Adams had filed the returns of the survey of a berth of thirty-seven and one-half square miles within the time specified in the Order in Council of the 17th of April, 1882, Council authorised the issue of a license to him to cut timber upon the said berth; and on the 21st of September, 1882, the license was issued accordingly.

By an Order in Council of the 3rd March, 1884, the odd-numbered sections within the berth licensed to Mr. Adams, being also in the railway belt, were withdrawn from the operation of the license, and authority was given to issue a license of the even-numbered sections, with the exception of Hudson Bay Company's lands, to the representatives of the late Mr. Adams.

On the 4th of April, 1884, a letter was received at this Department from Mr. J. C. Rykert, which reads as follows:—

I herewith enclose you copy of the assignment of the Adams' lease. By this you will see that the new license must be issued to J. B. McArthur and J. C. Rykert, as trustees for Sands and the estate of John Adams. Will you please have the same issued immediately and sent to me.

In reply to this letter Mr. Rykert was informed that it would be necessary for him to forward the original assignment, which he did on the 24th of April, 1884.

This assignment was from John Adams to Joseph Benjamin McArthur and John Charles Rykert. The body of the assignment shows that the assignment was made to the gentleman named in trust. Recital number 3 in the instrument is as follows: "And whereas, one Louis Sands, of Manistee, in the State of Michigan, lumber merchant, has agreed to advance all the capital required therefor and to work the said limits upon certain conditions agreed upon and referred to in a certain agreement bearing date the 16th day of January, 1883, and made between the said John Adams of the first part, the said trustees of the second part, and the said Louis Sands of the third part."

Recital No. 4: "And whereas, the said party hereto of the first part is willing to accept the said agreement and to assign his interest in said license to the parties hereto of the second part, as trustees as aforesaid, upon the terms and conditions therein expressed."

Now this Indenture witnesseth, that the said party of the first part, in consideration of the premises and of the sum of one dollar to him in hand, well and truly paid, the receipt whereof is hereby acknowledged, hath bargained, sold, assigned, transferred and set over, and by these presents doth bargain, sell, assign, transfer, and set over unto the said parties of the second part, their heirs and assigns, all his right, title, interest and claim whatsoever, of, in and to the said license number 1792, also his right, title and interest of, in and to the lumber and timber thereon, and also all his rights thereunder.

To have and to hold the same, subject to the uses and trusts set forth in the said agreement.

In witness whereof, the said parties hereto have hereunto set their hands and seals the day and year (16th January, 1883), first aforesaid.

Signed, sealed and delivered in the	}	(Signed)	JOHN ADAMS,
presence of:		"	J. B. McARTHUR,
(Signed) R. B. HUNTER.		"	J. C. RYKERT.

On the 5th of May, 1884, a license for the calendar year then current, in favor of Joseph B. McArthur and John C. Rykert, was sent to Messrs. Rykert & Ingersoll, Barristers, St. Catharines, and was returned to this Department on the 21st of May, 1884, duly accepted by the licensees, J. B. McArthur and J. C. Rykert, over their respective signatures.

On the 22nd of January, 1885, the following letter was received here from Mr. Rykert. I have this day handed to Mr. Gormully the license to McArthur and myself of the Cypress Hills limit, with a transfer of the same to Louis Sands. Will you please have the assignment duly recorded, and give me a letter to that effect to be sent to Mr. Sands.

This assignment, which recited that the trusts reposed in Messrs. McArthur and Rykert had been duly performed, was registered, and a license issued for 1885, in favor of Louis Sands.

Respectfully submitted,

(Signed)

G. U. RYLEY.

The following is a copy of the Report of the Privy Council of Canada, on the application for a renewal of License:—

Certified Copy of a Report of a Committee of the Honorable the Privy Council, approved by His Excellency the Governor General, on the 3rd March, 1884.

See *Votes and Proceedings*, p. 187, (or *Journals* of 18th February.)

\* \* \* \* \*

The following letter addressed by a gentleman who was utterly unknown to me up to Friday last, will throw a little light on the Limit transaction. This gentleman is a Lumberman, and formerly was a Broker in Winnipeg.

J. C. RYKERT, Esq., St. Catharines, Ont.

DEAR SIR,—Having been in the town of Niagara for some few days back, and being present at Mr. Pattison's meeting in that town the other evening, he made a statement that you had tried to defraud Mr. Louis Sands out of \$200,000 by the sale of a timber limit to him. Though a stranger to you, I am very glad to take this opportunity of putting you in possession of such facts as I am aware of concerning this transaction.

I am in a position to give a positive denial to many of the statements made by Mr. Pattison in connection with this matter. At the time of the sale of this timber limit, I was engaged in the city of Winnipeg in the brokerage business, and was approached by both Mr. John and Mercer J. Adams with a view to effecting a sale of this limit. As I at that time had a number of similar transactions on hand, and had no time to devote to this particular one, Mr. Mercer Adams offered this limit for \$150,000, and finally said \$125,000 would buy it, and I referred Mr. Adams to Mr. Hunter, a broker, who actually did carry out the sale, if I remember aright.

Mr. Adams' limit was a matter of public notoriety in Winnipeg at that time, and I had frequent conversations with both Mr. Mercer J. Adams and Mr. John Adams regarding it. I was informed by Mr. Mercer Adams; and also by Mr. Hunter, that they had entered into negotiations with an American capitalist, whom I subsequently learned was Mr. Louis Sands, of Manistee, Mich., for the sale of the limit, and that he was to send his confidential agent to Winnipeg to go out to inspect the limit.

Mr. Mercer Adams informed me that he and the agent were going out. Previous to their departure I was introduced to Mr. Sands in Winnipeg by Mr. John Adams. This was in the month of November, 1882.

On the return of Mr. Mercer J. Adams to Winnipeg, in conversation with him, he informed me that they had been out there, and, as far as he could ascertain from the representative of Mr. Sands, that he was satisfied with the limit, but that he could not ascertain anything definite from him, as the party told him that he had to make his report to Mr. Sands on his return to St. Paul. Mr. Hunter and Mr. Sands,

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agent, I believe, left immediately after this to see Mr. Sands, and after Mr. Hunter's return to Winnipeg, Mr. John Adams, in conversing with me, informed me that he was then going to Ottawa to obtain the necessary license from the Government, as Mr. Sands would not pay them anything until the proper license was obtained. Some time after, I think in January, 1883, I recollect seeing you in Winnipeg with Mr. John Adams in the hotel, and I understood at the time that Mr. Adams had employed you to look after his interests as his professional adviser in the matter of the transfer of the limit. I remember that Mr. Sands had been waiting to have you come to Winnipeg, it been generally known that you had been snowed in for some days by a blizzard in Iowa, and that Mr. Adams would not consent to the signing of any of the documents until you had examined them as solicitor, and kept Mr. Sands there until you had arrived. The first person that I ever heard charge you with being interested with the sale, or with having defrauded Louis Sands, or being a party to any fraud upon him, was Mr. Pattison at his meeting at Niagara town on Thursday evening last, and from my knowledge of the transaction, I am sure he has been misinformed.

Yours truly,

(Signed)

W. A. COLLINS.

NIAGARA, Feb. 9, 1887.

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 APPENDIX C.
 

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FRIDAY, 2nd May, 1890.

The following affidavit and letters were this day read before the Committee, and filed as part of the case:—

PROVINCE OF ONTARIO, } I, JOHN CHARLES RYKERT, of the City of St.  
 CITY OF OTTAWA. } Catharines, in the County of Lincoln, Solicitor, do  
*To wit:* } solemnly declare as follows:—

1. Since the last meeting of the Committee, I have made enquiry into the question of the disposition of the purchase money paid to John Adams for his limit.

2. From the documents and evidence I have examined, I believe the following to be very nearly an accurate statement of the disposition of the said money:—

The sum of twenty-five thousand dollars was paid to R. B. Hunter, the broker in Winnipeg who negotiated the sale of the said limit;

The sum of five thousand dollars was paid to one Muckle, who first gave the said John Adams information as to the location of the said limit, the said amount having been agreed to be paid to him in the winter of 1881-82, before the application was filed, provided the said Adams acquired the same and sold for a reasonable amount;

The sum of five thousand dollars was paid for the survey and expenses in connection therewith;

The sum of three thousand three hundred dollars to myself for professional fees for services rendered in Winnipeg and the North-West;

The sum of two thousand dollars was retained by the said Sands as discount on the notes, in the event of their being paid in advance;

The sum of two thousand three hundred dollars was retained by the said John Adams for expenses in connection with the limit, for travelling expenses, solicitors' fees and other expenditures in Winnipeg;

The sum of about nine thousand dollars, being one of the notes or its equivalent, was paid to or retained for Mercer J. Adams, a son of John Adams, who claimed to have an interest in the limit, and who had gone to great expense in visiting the limit and looking after the survey, &c.;

The balance of the purchase money was divided between John Adams and Mr. Rykert.

3. Not one dollar of the said money was ever paid by Mr. Adams, myself or any other person in connection with the granting of the said limit, or in the subsequent arrangement and negotiation with the Canadian Pacific Railway.

4. No portion of the said purchase money was paid to any officer or person in any of the departments at Ottawa, or to any person for any such officer, for assisting in procuring the said limit, or in any way in connection therewith.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the "Act respecting Extra-judicial Oaths."

SWORN and subscribed this first day of May, }  
 A.D. 1890, at the City of Ottawa. }  
 F. A. McCORD, C.H.C.J. }

J. C. RYKERT.

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TORONTO, 30th April, 1890.

MY DEAR MR. CREELMAN,—In reply to your enquiry I find, on reference to my note book, that Mr. Dalton McCarthy was present at the opening of the Assizes at



Orangeville on the 3rd April, 1882, and remained there till the 6th April, on which day I find he took part in three cases, but I am unable to say whether either of those cases extended into the following day.

Yours truly,

GEO. W. BURTON.

A. R. CREELMAN, Esq.

TORONTO, 30th April, 1890.

DALTON MCCARTHY, Esq., Q.C., M.P.,  
House of Commons, Ottawa.

MY DEAR MR. MCCARTHY,—Referring to your letter of yesterday I do not think that there can be the slightest doubt about your being in Orangeville from the 3rd to the 7th April, 1882, both days inclusive; nor is there the slightest doubt that you were in Toronto on Saturday the 8th and Monday the 10th of the same month.

Immediately upon receipt of your letter I called at Judge Burton's Chambers and went over his Circuit books for that time. He wrote me a letter on the spot which I enclose. This settles the matter as to the 3rd, 4th, 5th and 6th. I should judge (and his Lordship is of the same opinion), that you must have been there on the 7th, as his entries under date of the 6th are much more extensive than on any previous day. I think he omitted to date the notes of the 7th. This was Good Friday, and the Judge cannot remember whether he sat on that day or not. We have nothing to show that you were here on the 7th, but owing to its being a holiday you would not be at the office and I would therefore know nothing of your movements on that day. It would, however, be utterly impossible for you to be in Orangeville attending the Assizes on Thursday and be in Ottawa on Friday; as to the best of my recollection there was no connection with the east for trains leaving Orangeville at that time in the afternoon.

In view of the importance of establishing beyond doubt that you were not in Ottawa on the 7th, I wired Walsh early to-day to send you without fail to-night a letter from the Deputy Clerk, stating that you were at the Orangeville Assizes from the 3rd to the 7th inclusive. The entries in his books will, of course, show the fact. Walsh will know to a certainty, because I see from Mr. Justice Burton's notes that you devoted most of your time at Orangeville to the work of the Orangeville office. You were in a breach of promise case of "McLaughlin vs. McLaughlin," on the 3rd. This was followed by "Leighton vs. Medley," which I should judge must have run into the 4th. You were in a long case of "McGibbon vs. Hutcheson" on the 6th (if not on the 7th), and this was followed by "Harris vs. Johnston," and a motion which you made for judgment in "Leighton vs. Medley." This accounts for there being no entries in your fee book.

I find in our Letter Book that on 4th April we telegraphed Dr. Slaven, Orillia, that you were at Orangeville, and would be there all the week. On the same day I telegraphed you to Orangeville about arranging to take "Page & Proctor," and I got a reply from you, which we cannot lay hold of. This telegram you sent on the following morning, namely the 5th, as I find a letter from me to Bruce & Co., on that day stating the receipt of a telegram from you about the time of writing.

There is nothing on the 6th or 7th, but on the 8th, you were in the office here, as I find letters dictated by you and signed by yourself copied in our letter book of that date. In one to Gormully of Ottawa, you say you return to Ottawa on Monday night and will see him there. I remember distinctly your coming from Orangeville to take "Page vs. Proctor" and its being adjourned, but I do not remember whether you came down on Friday morning or Friday night.

You were in the office on the 10th, because I remember that Dr. Slaven, or Orillia, was here to see you. He telegraphed again on the 8th to know if he could see you here on Monday, "and I replied by saying you would be in Toronto by Monday." I

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cannot find that you wrote any letters on that day, but on the following day, namely the 11th, I got a telegram from Peter McLaren, of Perth, asking as to your whereabouts, and my reply is as follows:—

“TORONTO, 11th APRIL, 1882.

“*Mr. McCarthy is now in Ottawa. Left here last evening.*”

I think that these facts will establish very clearly that you were not in Ottawa during the week commencing 3rd April, 1882, nor on the following Monday the 10th. I hope that you will get a satisfactory letter from Walsh to-morrow.

Yours truly,

A. R. CREELMAN.

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HIGH COURT OF JUSTICE, SURROGATE COURT AND COUNTY COURT,  
ORANGEVILLE, 30th April, 1890.

D. McCARTHY, Esq., M.P.,  
Ottawa.

DEAR SIR,—I beg to inform you, after having examined the Civil and Criminal dockets in my office, that the Spring Assizes for the County of Dufferin, in 1882, opened on Monday, April 3, and closed at 5:20 p.m., Friday, April 7. I find that you were present and took part in the conduct of cases on either docket on every day of the sittings from the opening to the close of the Court.

I am truly yours,

JNO. McLAREN,  
*Local Registrar.*

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# REPORT

OF THE

SELECT STANDING COMMITTEE

ON

# AGRICULTURE AND COLONIZATION

FOURTH SESSION—SIXTH PARLIAMENT.

# 1890

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*PRINTED BY ORDER OF PARLIAMENT.*

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OTTAWA:  
PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY.

1890.



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# REPORT.

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HOUSE OF COMMONS,

Thursday, 8th May, 1890.

The Select Standing Committee on Agriculture and Colonization submit the following as their first and final report:—

The Committee examined, during its sittings, the Rev. Leo. Gaetz, farmer, settled near the Red Deer River, in the District of Alberta; Mr. John Lowe, Deputy Minister of the Department of Agriculture; W. A. Webster, an Ontario farmer, at present engaged as an agent by the Department of Agriculture for the purpose of promoting migration and immigration to the North-West Territories; Mr. A. J. McMillan, an agent of the Government of the Province of Manitoba for promoting immigration to that Province; and Mr. Wm. Saunders, the Director of the Experimental Farms of the Dominion.

The evidence of these gentlemen, as taken by the short-hand reporters, is herewith appended, and submitted as a part of the Committee's report.

The evidence of Mr. Gaetz, based on his own experience of six years as a farmer, in the District of Alberta, gives a very highly favourable view of the capabilities of that, at present, but little known region of the Dominion, at the base of the Rocky Mountains, in relation to soil, mineral resources, water and climate. Mr. Gaetz selected the Red Deer country, in the District of Alberta, as a field for settlement, for the reason that he was compelled by ill-health to give up the ministry in the Methodist Church in the older Provinces of the Dominion. He was unused to farming, but he reported to the Committee that his operations had been successful and that he was entirely satisfied with his selection. His statements, containing new information, are of interest.

Mr. Lowe furnished information, in a detailed statement of the operations of the Department of Agriculture, with respect to immigration during the calendar year 1889. The figures which he gave showed that while there was a very marked check in the number of immigrants to Canada coming, during the year, from points beyond the sea, there was a considerable increase in the numbers reported from the United States. The figures in detail are furnished in the report of his evidence herewith. The total expenditure by the Department for the calendar year, including the cost of all establishments in the United Kingdom and Canada, amounted to \$126,043, a sum much less than the expenditure of previous years. The total number of immigrants during the year given by Mr. Lowe, as reported by the agents, was 52,983, and as reported with settlers' goods by the Custom Houses from across the United States frontier 38,617, making a total of 91,600. Particulars respecting the entry of these immigrants are contained in the evidence appended.

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Mr. W. A. Webster's evidence contains a report of his travels in different parts of the Dominion, and also in the adjoining United States, particularly Dakota, where the Canadians who have emigrated have largely settled. Mr. Webster stated that the farming conditions of the parts of Dakota which he visited were very greatly inferior to those on the Canadian side of the frontier. He also stated that there is a decided movement among the Canadians in the United States, whom he visited, to return to Canada. He showed that the failure of crops in Dakota had led to the very greatest distress.

Mr. McMillan gave a report of his operations, particularly in the Province of Ontario, to induce the class of emigrants who formerly went to the United States, to settle instead in Manitoba. He stated that increasing numbers are beginning to settle in the Province of Manitoba, and apparently with the best results.

Mr. Saunders, the Director of Experimental Farms, furnished to the Committee with as much detail as possible at one sitting, an account of the operations of the several Experimental Farms in the Dominion. He gave detailed explanations with reference to the experiments which had been made with the cereals, supplementing the information which he gave to the Committee last Session with the facts established by the experimental operations during the year 1889. He furnished particular information regarding the experiments with wheat and barley, his statements showing that the experiments with the two-rowed variety of barley had proved successful, and pointed to the advantages which would be likely to accrue to the farmers of the Dominion from the introduction of this variety, arising from the fact of its marked superiority to the six-rowed for malting purposes, and its suitability for export to England. For detail of the information furnished by Mr. Saunders, reference is made to the report of his evidence.

The Committee have also had before them a proposition submitted by the "United British Women's Emigration Society" for the assisting of emigration from Great Britain by the loans of moneys to pay the passages of suitable emigrants, which proposition was referred to a sub-committee whose report is submitted herewith. The whole respectfully submitted.

P. WHITE,  
*Chairman.*



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REPORT OF THE SUB-COMMITTEE  
OF THE  
SELECT STANDING COMMITTEE ON AGRICULTURE AND COLONIZATION.

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HOUSE OF COMMONS,  
OTTAWA, 1st May, 1890.

The Sub-Committee having carefully considered the proposals of the Hon. Mrs. Sheard-Wortley, and the scheme submitted by the Hon. Mrs. Joyce, and which appears to rely for its effective working on local rather than departmental effort, recommends that a circular embodying the proposals and communication be prepared and sent to the Executive of every municipality in the Dominion, and submits a draft of circular and of Mrs. Joyce's proposal for approval.

J. WIMBURN LAURIE,  
*Chairman, Sub-Committee.*

CIRCULAR.

HOUSE OF COMMONS,  
OTTAWA, 1st May, 1890.

A communication has been placed before the Select Committee on Agriculture, submitting a scheme by which it is proposed to assist suitably selected and well recommended persons of both sexes from over-peopled districts in Great Britain to emigrate to Canada.

This Society submitting the proposal is mainly composed of very influential ladies' and has 46 branches throughout the United Kingdom, and a short extract from its original code of rules and its object is appended, together with a copy of the scheme proposed by the Vice-President, the Hon. Mrs. Joyce.

It will be noticed that the Association proposes to advance the full amount of passage money to the emigrants they select to fill the places offered, and they rely upon the good faith and written assent of the emigrant to repay the amount so loaned, and it is therefore evident that they will select honest and industrious people only, and whose previous characters justify the belief that they will fulfil their engagements, the employer in Canada being merely asked to retain the money in accordance with the written assent and agreement of the employé, and remit to the Department of Agriculture at Ottawa.

This offers a strong guarantee that the emigrants will be very carefully selected, whilst on the other hand no guarantee is asked either from the local committee or the employé, nor is any pecuniary responsibility undertaken by either.

The Committee is aware that there are many localities in Canada where additional labour is much required, but at the same time recognize that voluntary gratuitous work, such as carried on by this Association, can be best supplemented by local organizations, working in comparatively limited areas. And the Committee believes that when tried and found to work successfully all the help required to settle the immigrants in fitting occupations will be readily given; but in order to give the proposal a fair start, so as to bring its advantages before the public, it has

been decided to make the proposed scheme as widely known as possible, by forwarding to each Municipal Council a copy of the Hon. Mrs. Joyce's communication, and to ask that if there is a good opening for immigrants in the district that the matter may be taken into consideration by the Council as early as possible, and that the Council, either acting directly or through a committee, would ascertain the wants of the district which might be met by the work of the association, and would communicate these wants and their willingness to co-operate with the Council of the Association in supplying them on the proposed terms. Any correspondence on this subject should be for the present addressed to the Minister of Agriculture, Ottawa.

The Hon. the Minister of Agriculture has given instructions that, in order to save time during the present season, applications may be addressed to the Department of Agriculture, Ottawa, whence they will be forwarded to England as early as possible. That if the scheme becomes permanent it will be preferable that a particular district in Canada should be, so to speak, affiliated to a particular district in the mother country, and establish a continuous stream of immigration thence, the new arrivals thus coming to join old acquaintances who would have become settled and used to the ways of Canadian life.

### UNITED BRITISH WOMEN'S EMIGRATION ASSOCIATION.

#### OBJECTS.

This Association is established to promote the protected emigration of women and children, due regard being had to the interests both of the emigrants and of the countries to which they go.

The Association pledges itself:—(a.) To emigrate only such women and girls as are of good character and capacity.

(b.) To secure for them proper protection on the voyage and adequate reception on arrival.

(c.) If possible, not to lose sight of them for a year or two after their emigration.

There is no paid machinery. The subscriptions are devoted to the necessary printing and to defray working expenses.

*(Copy of Letter from the Vice-President of the United British Women's Emigration Association, the Hon. Mrs. Joyce.)*

### EMIGRATION TO CANADA.

#### SCHEME FOR ASSISTANCE BEING GIVEN BY WAY OF LOAN.

In proposing such a scheme it must be clearly understood that the reason for there being good agricultural labourers to spare from the old country is that there is so much land, which was corn land, now laid down to grass, so that fewer men are needed.

Many of these men have been born and bred in villages where their fathers and grandfathers have lived in the same houses, and where the squires and land owners have a very great regard for their work people. But agriculture being so depressed in England they have not farm work for all their hands.

On my own farm half the number of hands are employed, because I have laid down so much in grass.

It will be seen, therefore, that a good class of labourers can be sent out, but the persons who wish them well cannot afford to give the passage money, though they would lend all or a part of the necessary amount if there were reasonably good security for its re-payment.

Amounts for re-payment might possibly be banked at the post office, and its officials might assist in collection, provided the Canadian Government gave authority. Or it might be paid through the immigration agents at their various centres. A registry might also be established in every district in combination with the com-

mittee proposed to be formed, with a secretary for collection, the details of which are given later.

The guarantee that really valuable labour will be sent out will depend on the enquires into character and capacity made by the workers of the United British Woman's Emigration Association, which forwards letters from past employers as certificates.

This Association is already well known in Canada, and has received thanks from the Montreal committee for the care it has taken in the selection of the Emigrants it has assisted.

I would suggest as a tentative measure: That a committee of leading men be formed in any district where farm or domestic labour is wanted. That applications for labour be made to the secretary of the committee, all such applicants being thereby understood to be willing to assist in using the machinery laid down by the committee for re-payment of loans advanced to the labourers, by means of instalments to be retained out of their wages.

That a description of each situation, with wages offered, be sent over to England as early as possible in every year; that these situations should be an engagement for as long a term as practicable (preferably, for at least twelve months); that the wages offered should be such as, in the opinion of the committee, are fair, and should be stated in the application; that the employers agree to remit the amount so retained monthly to the Department of Agriculture, Ottawa, in registered letter, and for which the Department will send receipts, and the Department will remit these sums so deposited to the Committee in England by which the advances are made.

In return for this, the United British Woman's Emigration Association would be responsible for the selection of suitable persons according to the best of their judgment.

That this Association would be the medium for receiving loans for the purchase of ocean and rail tickets, and for making all arrangements for transit and communication.

As the best English agricultural labourers are married men, and as these should, if properly selected, be the most desirable immigrants for Canada, the committee would desire—

That one-fourth of the persons asked for shall be married persons, *i. e.* man and wife, with not more than two or three children. That in this case the woman would have capacity of either laundry, cooking or dairy. That the Canadian Loan Labour Committee agree to make an experiment of this kind, in a tentative manner, and if six ladies in addition to the leading gentlemen already suggested will form a local committee and arrange to receive, guard and suitably place them in respectable situations, and will return a report of addresses and wages on arrival, together with a subsequent report once a year to the United British Council, that Association will also agree to select very carefully, at the rate of one-fourth of the whole number, single women for domestic service.

These young women to come out on the same terms of detained wages for repayment of loan advanced.

This might be tried for the one year named; there could be little harm done, and experience gained for future use.

Table of tentative scheme for twenty situations. If applications are made for ten single men, there should be five families, five single women, for that contingent.

(Signed) ELLEN JOYCE,  
*Vice-President.*

# THE EVIDENCE.

## PART I.—AGRICULTURE.

OTTAWA, 26th February, 1890.

The Agriculture and Colonization Committee met at 10.30 a.m., Mr. PETER WHITE, Chairman, presiding.

The CHAIRMAN—Hon. Mr. Carling has suggested to me that Rev. Leonard Gaetz, who has lived in the Red Deer River district of the North-West Territories, might be able to give the Committee some information with respect to that country.

Hon. Mr. CARLING—The Rev. Leonard Gaetz, who is well-known in Western Canada, and on account of poor health was obliged some years ago to leave the ministry, settled in Alberta, about 100 miles north of Calgary, in the vicinity of the Red Deer River, and has become a farmer, and is cultivating a large quantity of land. He brought down with him yesterday, from there, samples of grain that were grown in that section, and I thought the Committee would be very much interested in hearing a description of that country, and in seeing the samples of grain that were grown there.

The CHAIRMAN—Perhaps you will tell us, Mr. Gaetz, when you went to the Red Deer country what its chief attractions are, what the nature of its products are, and how that country is adapted for agricultural operations?

Rev. LEONARD GAETZ—I have the honor and privilege of appearing before you, as the Hon. Minister of Agriculture has stated, through a kind suggestion of his own. I may say here, that I once had the privilege of preaching, not at, but to the Hon. Mr. Carling, in the city of London; and he was a kindly friend then and I believe continues to be, and from his intelligent devotion to his Department he has won the hearts, I think, of all the farmers from the wave-washed shores of the Atlantic to the eastern slopes of the Rocky Mountains, which I have the honour to represent here to-day. I showed the Minister of Agriculture some samples which are here before you, and he thought it might be well if these were presented to the Committee, as it is not a reflection upon the intelligence, even of this honourable body, to say that few have the slightest conception of the extent, the products and the capabilities of those Western Territories. I felt then, and feel still, an embarrassment; because although I cannot say I am entirely unaccustomed to public speaking, I am quite unaccustomed to speaking under such auspices, and I am very much afraid that in my ardour I may violate all the rules of parliamentary discussion and branch off into an exhortation or sermon and be called to order. I hope, however, you will regard any of my errors as errors of the head rather than the heart. I am a thorough Canadian, from the sole of my foot to the crown of my head. I am an enthusiastic farmer. I claim to be a co-worker with you, if not on the floor of Parliament, yet in the fertile fields of the Western prairie. I am a co-worker with you in everything that leads to the success and development of this ancient and honourable industry. I speak more particularly to-day of the Province of Alberta, because I know it better than I know Assiniboia and North Saskatchewan; but I may just say here, that it must not be considered as an infringement on the prerogative of the representative for Alberta, my friend Mr. Davis, for he is perfectly willing that I should be his Aaron in speaking of that promised land. I have no doubt, also, that my friend from Regina, Mr. Davin, and Mr. Macdowall, from Saskatchewan, will present information with respect to their particular Provinces.

The Province of Alberta has an area of over 100,000 square miles. It is, therefore, nearly twice as large as Manitoba, about four times as large as New Brunswick, five

times as large as Nova Scotia and forty times as large as Prince Edward Island. It stretches from the 49th parallel of latitude—the American boundary—up for over 450 miles north to the Territory of Athabasca. It extends from the 111th degree of longitude on the east, to the Province of British Columbia on the west, being somewhat of wedge shape, about 120 miles at the south end, and somewhere about 300 miles at the north—or, say a mean of 200 miles in width. This country may really be divided into three parts, and each of these parts has a special and distinctive capability of its own. There is, first, that western portion of Alberta, which takes in the Eastern slope of the Rocky Mountains and out through the foot hills to the prairie proper, in which division the hand of Providence has treasured immense wealth and forests of timber and everlasting reservoirs of water. Now, it does not require any very great prophetic genius to foretell the commercial possibilities that are to be found in such a district. As yet, we are only playing at mining; but I firmly believe, Mr. Chairman and gentlemen, that our children will see Denver and Butte cities, and Bentons, north of the 49th parallel. I see no reason why any sane man can question that. The possibilities are there, and while capital is seeking for investment, and labour is clamouring for employment, and enterprise is everywhere commanding that the stones be made bread, I believe it is not impossible that we shall see these things north of the 49th parallel. I know that in that country a great deal is being done, but very little compared with what we have reason to expect. This arises from the fact that its mineral resources and resources of timber have been discovered by individuals who, as yet, have not the capital to open and develop them, and when the hour arrives and capital is found to invest in enterprises in that western portion of Alberta, it will be a great source of strength and commercial advantage to the whole country.

Then, sir, I hasten to say that the balance of Alberta, making more than two-thirds of the Province, may be divided again into what we call Southern and Northern Alberta. Southern Alberta which extends from the boundary line north 200 miles to a point about 40 miles north of Calgary, and from the edge of the foot hills out to the boundary line of Assiniboia, is one of the greatest stock countries of the continent of America. It is not a new thing to say in this presence, because it is a well-known and admitted fact by the American Ranchmen, that Southern Alberta is a far better stock range than can be found to-day, either in Wyoming Territory, Nevada, Washington Territory or Oregon, for the depth of the snow-fall in winter is less and the grass is better. Many American ranchmen are endeavouring now to find some way in which they can bring—especially duty-free—their stock over into the district of Southern Alberta in order to graze them there. Now, while I speak of this section as being distinctively appropriate as a stock-raising country, it is only just to say that, in many portions of Southern Alberta I have seen crops of the ordinary kinds of grain—wheat, oats and barley—very excellent, both as regards quality and yield. From High River, Sheep Creek, Pine Creek, Fish Creek and the valleys of the Elbow and Bow, I have seen at agricultural shows, some very fine samples of grain. So she is particularly favoured by having one industry which she can control in a remarkable manner, and yet capable of growing the grains of commerce. I consider this a great source of wealth, as I am sure you all do, and we have the encouragement that on such large areas, men are able to raise hundreds and thousands of stock at comparatively little cost and comparatively little risk, although I must admit that in certain seasons when the snow-fall is exceptional and a crust on the snow, there is some loss of cattle. I think it is only fair to say that some will be lost this year. Should it reach even 25 per cent: which has never yet been reached; aside from the unpleasant thought of the suffering of the animals, it is an inconsiderable loss after all, when you take into consideration the ease and cheapness with which the cattle can be produced. I sometimes think that if an eastern man can afford to sell a three-year-old steer for \$30, as I hear they have done, a western ranchman ought to be able to give the steer and a bonus to the man who takes him, to the amount of \$10; because I think it is pretty well understood that you cannot grow steers to three years of age under \$40 or \$45 per head. Taking

Southern Alberta, then, it has rich resources in its capabilities of cattle-producing, and also to a considerable extent in grain-growing.

To come more particularly to Northern Alberta, that great fertile valley stretching from about 40 miles north of Calgary, on for 200 miles and more past the Red Deer River, the Battle River, North Saskatchewan and Sturgeon River, we have a somewhat different country, with capabilities peculiar to itself, and, in my humble judgment, the garden of Alberta, a country pre-eminently suited to mixed farming. It has some peculiar features, in this respect, viz., that it is a well wooded and a well watered country. It is true that there is not wood everywhere where a person would like to find it, but it is true that it answers the description of a park-like country with sufficient timber for necessary purposes in the greater portion. It is a country where a settler going in with little means does not need to expend his capital altogether to provide shelter for himself and his stock, but where, if he has not timber on his own land, he can get a permit from the Government and get 1,800 lineal feet of building timber, 400 roof poles, 2,000 fence rails and 30 cords of dry wood for 50 cents, and put up his buildings. He can husband his resources to expend in fitting himself out with stock and implements to carry on his work. That is certainly a very important item. So far as water is concerned, I am glad to think that the indications are that there will be no need to mention irrigation, at least in Northern Alberta, for a great many years to come. We have there magnificent watercourses, mountain streams, and also creeks and springs. Even at a very high rolling point on the prairie there is springing out of the sides of the hills and in the coulees, springs of water that remain open the year round. I have never known a solitary instance in that section of the country where a man had to dig more than 15 to 30 feet, to have at hand, a well of the purest and best water. I speak favourably of Northern Alberta also, because we can grow cattle there, I think, at one-third of the cost that they can be produced in any of the Eastern Provinces. It is true we think it best at any time, and often find it necessary, to house our cattle, because the snow-fall is deeper in Northern Alberta. I do not hesitate to say that in my humble judgment the time is fast coming when the best interests of the country, the greatest commercial prosperity of the country, will be best served by holding cattle in such numbers as can be raised, as therefore the loss will be only such accidental losses as may occur to any farmer. It does not take any very great skill to raise cattle, which at twenty-eight and thirty months old will dress, without an ounce of grain, 650 and 700 lbs. of beef, or a three-year old that will dress 800 to 850 lbs. I am speaking of what I have seen, and am testifying to what I know by personal experience.

Then, sir, it does not take a very great deal of skill in farming. Even a novice like myself, in average years, can grow crops of grain—oats, from 50 to 75 bushels to the acre, weighing 46 to 50 pounds to the bushel; barley, from 45 to 55 bushels to the acre, weighing from 54 to 57 pounds to the bushel; wheat, from 35 to 40 bushels to the acre, weighing 62 to 64 pounds to the bushel; black barley, 35 to 40 bushels to the acre, weighing 60 to 68 pounds to the bushel. We have grown 400 bushels of potatoes and 700 bushels of turnips to the acre. I may say, I have seen greater things than these, but I am not taking what is phenomenal under very exceptional and favourable circumstances, but what I believe the average farmer with average care and application can realize, in five years out of six, in Northern Alberta. But I may say here, I have known yields of 83 bushels to the acre of Welcome oats, and I have seen 90 bushels grown at Red Deer. A man at Fort Saskatchewan raised 115 bushels to the acre, and gave sworn testimony to that effect. I am perfectly aware that men from that country are suspected of being able to tell big stories.

The CHAIRMAN—Corresponding to the size of the country.

Mr. GAETZ—Yes, precisely; but I have taken the pains to bring my bondsmen with me, in the shape of grain samples, and I will leave practical farmers to say whether the collaterals are worthy of being accepted or not. I am bringing samples produced upon my own farm by one who has no exceptional skill in farming. Some samples are of the crop of 1889 and some are of the crop of 1888. Now, when we have a country that will produce such grains as these, and that number of bushels to the acre,

I can safely leave it to the Committee to say whether there must not be something favourable in the soil and climate where such products may be reaped. Just to give you an illustration of the fertility of the soil and the influence of the long, bright days in the North-West Territories: I have seen wheat and oat straw grow to the height of 5½ and 6 feet, and yet well headed, and filled with plump grain. Mr. L. A. Hamilton, Land Commissioner for the Canadian Pacific Railway, who is now in the city of Ottawa, will attest to this fact: That I sent, in the fall of 1888, to the C. P. R. car, wheat 6 feet 2 inches in the straw, with strong heads, averaging 4½ to 5 inches in length. I am not going to say to this honourable body that in the North-West Territories, in Alberta, it is a perfect paradise—that there are no drawbacks and no disadvantages. I will not impose upon the intelligence of the Committee by saying that there is nothing that the farmer has to contend with, no difficulties, no anxieties in their matters of crop-producing, but I shall be very glad indeed, if any gentleman here will tell me where on the face of God's earth there are not some difficulties and some disadvantages to be contended with in farming. I have to say this in all truth and candour. I have examined closely into this matter, and I do not know a spot on earth, either south or north of the 49th parallel, where I would rather take my chances in the industry of mixed farming than I would in Northern Alberta. I just wish to say, in order to disarm any possible hostile criticism that I have no town property to sell; I have no land you can buy; I have no disposition to be removed. I want to be in the best part of the country, for my own sake and for my family's sake. I have come here, gentlemen, not as the agent of any Government or of any man or of any corporation. I am, at your own command, telling you of a section of our great country as I find it. I have been there six years, long enough to have formed a judgment as to its character and capabilities, and therefore feel that I have a right to speak with some assurance. My motives for going, were various, but the chief reasons were sickness, poverty, and a desire to keep my family around me. It was not any dislike for the beautiful Provinces of the east. I am dead in love with Canada, anyway. I include all the Provinces, even Quebec, which seems to have been handled somewhat roughly of late. But I had not the capital to invest in purchasing a farm in these beautiful Provinces. I never could have hoped to secure land in the east to enable me to keep my large family of boys around me, seeing that I was very near coming within the range of Mr. Mercier's fecundity bonus. I think there are thousands in Ontario and the other Provinces just in the same fix. I say, if a man is well situated in the eastern Provinces, and if he is doing well, I see no earthly reason why he should move; but men who are mortgaged heavily or renting farms, and are likely to leave the heritage of mortgage and want to their children, I believe it is their duty to go out to the North-West and take up land, which will enable him to sustain that family and do more for them in five years than he could do under the same circumstances in fifteen or twenty years in the eastern provinces. I may be asked: Is there any valuable land still to be had there? Is there much of that land you speak of? Why, gentlemen, I might almost say it is all available. There is only in the fertile valley of the Red Deer that I have described to you, a few hundred of occupied homesteads. This is only a drop in the bucket as compared with the capabilities of these vast stretches of fertile land—land very much better than some of the land I am farming. I am on the bottom lands, by the riverside, which are thinner and poorer and will require feeding with manure a little oftener. But most of these products are from the bottom lands. There are millions of acres of deep soils in the various portions of the Red Deer country that are now entirely unoccupied. That is saying nothing of the fertile valley of the Battle River, the Saskatchewan and the Edmonton and Fort Saskatchewan districts, and also the Sturgeon River districts, stretching up for 130 miles north—a country of wonderful possibilities. It seems to me, in my zeal, I am in danger of overstepping the bounds of privilege; but bear with me, when I say the indications suggest the necessity of a very vigorous immigration policy for the North-West country—a very vigorous immigration policy, indeed. With the strong competition of the Argentine Republic, Brazil and Mexico, Australia and the

United States, and a great many other countries, is it reasonable to expect that people are going to flock into Canada without even the facts of the case being set before them. I think it is quite impossible for us reasonably to expect that. I therefore hope that there will be efforts put forth by this honourable body that will encourage the filling up of that country; for, let me say, it is to your interest as well as ours. You send us a thousand men, and in a few years we will send you back \$50,000 for commodities that it is impossible for us to provide for ourselves—commodities which you will control and in which we will not be likely to come into very serious competition with you. Our markets will soon be in the other direction. China and Japan have become tired of eating rice, and want flour; and why should they take it from Washington Territory, Nevada and California, that is, from those portions of it which grow wheat, when it can be grown out in those western Provinces of Assiniboia, Saskatchewan and Alberta? Our coal will not come into competition with eastern coal, for they are clamouring for it for the furnaces along the mountains of Nevada and Washington Territory, where they have to go to the enormous expense of cutting timber away far up on the hills and shunt it down to the valleys below for their furnaces. They are clamoring for our coal. Our beef, I hope, will soon go to England by the Hudson's Bay route and save long travel. In this way we shall keep out of your road, while we shall be a help to you afterwards. I am not insensible to the fact that the eastern Provinces have done a great deal for the western Provinces, and suffer me to mention that what they have done is no less the duty of patriotism than the act of benevolence. If I am isolated in those prairie Provinces from my brother in Nova Scotia, I would like to feel that there is enough patriotism in Canadians to stretch across those 3,000 miles and give me a show for myself and my family. I feel we are indebted for many acts of generosity already, but it seems to me that we are just where a child gets sometimes, when an expensive swaddling band has fallen down around his feet. He has got where his swaddling is an embarrassment to him. I want this Committee and honourable body of men to say of this western child: "Loose him, and let him go." Do it by bonusing railways with cash bonuses. Give him railways to open up that country, and I pledge you my word of honour that the day a railway goes up through Northern Alberta you will find it settling up more rapidly than any part of Manitoba or the North-West has been settled up. It is more self-sustained, more self-contained, and has more of the elements of success than most of the other portions of our great Western Canada. I cannot sit down without remarking that I am in duty bound to express the obligation that we are under to the Hon. the Minister of Agriculture, and the Parliament that sustain him, in the establishment of Experimental Farms. This Ladoga wheat, a sample of which I have here, is a matter which has laid us under obligation, because it puts within our reach an early-maturing variety of great merit. So with other grains and small fruits. Very few indeed of the settlers have the time or means, or the intelligence, to experiment for themselves, so as to enable them to conduct their farming operations intelligently: for I maintain it is just as necessary to exercise intelligence in regard to farming as anything else. The day was, when it was supposed a farmer did not need brains in order to succeed. That was always a mistake. Sharp competition makes it necessary to use both brain and muscle, or else be left behind in the struggle for bread. I feel that the Experimental Farm, while an institution that must benefit the eastern Provinces, is particularly necessary to us. We have no agricultural literature. We have not the experiments of others to guide us—not even their blunders to shun. We are feeling our way. Every thing is tentative. In good faith we applied the methods that were appropriate in the East, but often failed. In this matter, therefore, I say that the Experimental Farm, under its wise and devoted direction, will be of great value. Not the least in importance are the contemplated experiments with natural grasses of the country, for the time will come when settlement will limit our ranges, and in order to feed our flocks and herds when the wild ranges are limited, it will be necessary to fall back upon the cultivation of native grasses, in themselves most nutritious, and which can be cultivated with success. With this assistance I have



no fears with reference to the future. I do not fear the competition of the United States when our country becomes known. I have no idea that the best portion of this continent lies south of the 49th parallel. I have no confidence in the idea that the Americans have the best of it. The centuries will tell that the best portion of it lies to north-west of the great lakes. When the resources of that vast region are better known, Canadians will flock back from the United States. In my community, two-thirds of the settlers are men who were once in the United States—Canadians who went to the States and tried it and have come back again. In my own Province of Nova Scotia, that strong, vigorous people are growing men and women so fast that they have not places to put them in, and God has provided the prairies of the west. Would the people of Canada rather have them go to the United States? If they do, I tell them that six of our latest settlers got tired of going from Nova Scotia to the United States, and have found their way in over this transcontinental route and are doing well. Some bachelors there have been able to make in one summer \$400 worth of butter, and raise a band of calves, besides, such as you could not produce in this country if you tried. I say that is a country that has hope and promise in it, and I therefore trust you will be able to develop some plan that will settle up that country. Now I thank you very kindly indeed, hon. gentlemen, for the patient hearing you have given me. I have felt time and again that I am trespassing: but my heart is full. My purposes and motives are unimpeachable before heaven. I believe in the country where I have gone to make a home. I believe the Providence of God never made that country so perfect as it is, to be a failure. I believe there is a home there for millions of the earth, and I hope these facts will be calmly looked into, and I believe the result will be favourable. I shall be glad to answer any questions that may be asked, being conscious that I have not nearly gone over the ground.

*By Mr. Trow:*

Q. Have they exported any very large amount of grain from that territory?—  
A. No, sir. The home market as yet requires it.

Q. I would also ask why you produced samples of the crop of 1888? Surely there was sufficient in that great country in 1889 to fill those little bags without taking the produce of 1888?—A. It is well understood that in every new country there is a local market, and that local market is the very best we have. We have no reason in the world for sending our products away and getting 50 cents a bushel, when we can get 68 cents right at our door. There is in every new country this local market, which, as long as it lasts, is the very best. Up to the present time we have had ways of disposing of all we could raise. I sold 1,500 bushels of oats to one man—a stage contractor—at 68 cents per bushel. There is a vast freight traffic that goes from the Canadian Pacific Railway station at Calgary all through that northern country, away up to White Fish Lake, and Saddle Lake and the Indian reserves north. These teams have to be fed, and require all the grain that we have already raised there. With reference to my bringing the seed of 1888, I have nothing to conceal. I do not hesitate to say, and I assume that the questioner knows, that 1889 was our hardest year. It was the most difficult year, because of a drought that we had never before experienced.

Q. Why was that the case?—A. Because the winter before was no winter at all, just a continual spring. There was no snow on the ground. There was no frost. Our Aprils and Mays are invariably dry, and the seed last year was placed in the ground where it was so dry that it did not germinate. Rain held off until about the first week in July, and consequently we did not realize either the quantity or quality of grain we had in other years. This year, I am glad to say, we have an old fashioned Canadian winter, with plenty of snow and plenty of cold. I believe the prospects were never better.

Q. At what dates do you commence seeding?—A. About the latter part of March or the 1st of April. Some of our largest seeders, the Beaty Bros., for instance, have their grain mostly sown by the 8th of April. I have known it to be the latter part of April before it was sown. In the year 1886 or 1887—I cannot

just tell which—the snow lay on until the latter part of March, and seeding did not begin until the 10th of April.

Q. Are you subject to any summer frost?—A. The only one we had was on the 11th July, 1887, when barley was just heading out. Frost in those localities, as many of you know, goes in veins and streaks, something like a hailstorm, and quite often you will find that while the grain on one half section has been injured, that on the neighbouring half section it has not been touched at all. The frost was local. We have this to fear. It is one of the drawbacks that may come; I cannot guarantee that it will not. It is one of those occurrences, however, that may come to almost any country, and when it destroys the tobacco crop of Virginia, as it did last year, it will be very likely to strike out and reach the crops in northern parts of Canada.

Q. I understood Mr. Gaetz to say his place was on the river bottom and the land not so fertile as higher up. That is not our experience as a rule: because the *débris* is washed down by the rain and storms, and, as a rule, the bottom lands are most productive?—A. The land is rich, but not so deep or so strong as the bench lands immediately above. When Mr. Hoyt, of Minneapolis, was out to see us two years ago, with Mr. Eastman—an old Canadian, who had been in Minneapolis—they took up my land and said: "Is that what you call light land? That is equal, if not superior, to the very best land we have in the State of Minnesota." This bottom land is only light in comparison with what is called the bench land or lands on a higher elevation. One reason why these bottom lands are thinner or lighter is, that the streams, whose wash has made them, are mountain streams, flowing through rocky regions and over sandstone deposits, bringing with them much silica as well as vegetable deposits. These streams do not flow through deep alluvial soils, as some of the eastern rivers do. These bottom lands may require manure sooner than the bench lands, but where there exists such opportunities for growing large bands of cattle it is easy to supply this lack. The bench lands would be injured by manure during the first ten years or so, but the time will come when these lands will require enriching. Nature will only respond so far as you treat her kindly and generously.

Q. Where do you derive your information in reference to the percentage of loss in the ranch districts this season, because the season is only partially past. Twenty-five per cent. is very large. I understand you to say 25 per cent. would be the loss?—A. I hope I was not so understood. I said: "Even should it reach 25 per cent., which it never had yet." In the winter of 1887 it reached 7 or 8 per cent. I am sure there will be some loss this winter. I was only making the point that should it reach that percentage (25) the ease with which the cattle could be produced would not make it, after all, to a large ranchman, a very serious loss.

Q. What distance are you removed from the railway company's service?—A. Eighty-eight miles from Calgary, my nearest railway point.

*By Mr. Armstrong:*

Q. Perhaps Mr. Gaetz would give us some idea about the general rainfall in the summer in that country. It is pretty plentiful and pretty evenly distributed as a general thing. Of course, we know this last year was dry all over the North-West?—A. I am very glad also to be able to answer that question, because I came into that country having imbibed from every source the idea that it never rained. The Canadian Pacific Railway employés and the American land agents were telling me when I was going into the country that it never rained there and I would be dried out, and be sick and tired of it before very long. In the face of this I thought I had done a rash act in coming to a country where it never rained. But before the 20th of August I wondered whether it ever stopped. It rained from about the 8th of June at short intervals, on through June and July and up to the 17th of August, so that the brooks were booming and the sloughs were full, and we could not get into the meadows with our mowers, and had to go out on the high prairie to cut our hay. The year 1886 was a delightful year, because the rain just seemed to come when it was needed. It was well distributed and all we needed. It was not so great as in 1884 and 1885 but it was sufficient for all purposes. In 1887

there was also abundance of rain. From 1884 to 1889 the rainfall was sufficient for all purposes of agriculture. Last year, 1889, was the only season that we had any suspicion of the possibility of a failure of moisture.

*By Mr. Trow :*

Q. How many months do you house your cattle and horses?—A. A great many of them we do not house at all. Our young stock or yearlings simply go in the shed in the night and around the straw stack in the day. Our breeding cows, we house. My young horses were out this winter until the last week in January though one of the coldest winters since I have been in the country. They were in perfectly good condition and healthy. Horses accustomed to it will get into one of those big sloughs and will stay there week after week, live well and come home fat. Speaking of last winter, our young horses did not come home at all. We never fed them a pound of hay; but I do not want to see the recurrence of a winter like that again. I think a snowfall and cold are better than those mild winters.

Q. This has been the experience of the farmers, even in Ontario—the experience of the new settlers, when the country was comparatively a bleak wilderness—the cattle lived on brouse. It has also been the experience in Manitoba. When the country becomes thickly settled, do you expect to raise natural grasses there? Has the experiment been tried?—A. I have never been under the necessity of trying the experiment. I am experimenting now with a variety of grasses under cultivation, including timothy, alsac clover, blue top and Kentucky blue grass. I have tried those. So far I have had no success with clover. Last year I put down an acre of timothy and had an excellent yield—a ton to the acre, even dry as it was. I will just say further, that the other piece which had been sown two years was very short, and did not come up to my expectation at all, and was not cut. It would have cut probably half a ton, but I thought it was better to let what there was go to seed; consequently, I am unable to decide as to the others, but I see no reason why timothy should not succeed. As to native grass, Mr. McKay, who has been experimenting at the Experimental Farm, Indian Head, will give us some encouragement, I hope, on these points.

Q. Would not the Experimental Farm be much better in your settlement than at Indian Head?—A. Certainly, I would like that very much. The Department did not look at it in that way; and yet, generous and unselfish as I am, I think, all things considered, it is better where it is, because it is working for a wooded and park-like country in Northern Alberta as well as for the Province of Assiniboia, where there is a great dearth of wood, and consequently I believe the results will be far better and more satisfactory to have it located where it is—because, if they succeed with any experiment at Indian Head, I have no doubt it will be a great success in Northern Alberta.

*By Dr. Sproule :*

Q. What is the usual depth of your snow in winter?—A. Well, it is very varied. I have known it to be 5 or 6 inches deep in the winters of 1886 and 1887. In the winter of 1887–88 it was 23 and 24 inches deep, but to strike an average, I would say somewhere between 16 and 18 inches, taking a period of ten years.

*By Mr. Trow :*

Q. Has any coal been developed in your section?—A. I may just say to my honourable friend that the whole country is underlaid with coal. There is none yet being mined. I am within twenty miles of the great coal banks in Range 24, Township 38, west of the 4th Principal Meridian, where by my own measurement there are 60 feet of coal from the top down to the water's edge, and running under the water's edge I don't know how far. They are not developed any more than a man taking a sled in winter and rolling on a block of half a ton or so at a time and taking it home. That is all the development as yet.

*By MR. ARMSTRONG :*

Q. I suppose you have been a good deal in Northern Alberta?—A. Yes.

Q. Down nearly as far as Edmonton?—A. I have been thirty miles north of Edmonton.

Q. The question I want to ask you is this: Have you formed any general idea about the extent of land fit to go on for immediate settlement? You understand in our own country, in Ontario, even around London, where they have the best land, there are large tracts of magnificent land now that in the early days were not fit to go on to settle. It requires time and capital. About what do you think is the proportion of land that a settler can go in on and commence ploughing and cropping at once?—A. There is so much of it that it would be impossible for me to say. I have simply to state this: If a man were to tumble out of a balloon at random, he could hardly fall on a quarter section of land in that country where there would not be enough fertile, tillable land for a man of small capital to go to work upon and farm. That is my honest conviction, that is, unless he fell into a lake, and provided his health was not impaired by the fall. Good land is so abundant it is really easier to tell what is not there, than what is there. There are immense tracts. Of course, there are bluffs of small timber here and there, but these are a convenience. Taking the land generally, I think this land to-day in its virgin state, without a ploughshare having touched it, would be worth \$100 to the acre, near some eastern city or town. It is so fertile and so easily broken up, that a man can start and plough for a quarter of a mile, and if he gets a favorable position he can plough a mile.

Q. I suppose these bluffs will be good land, too, after the timber is taken off?—A. The very best.

*Mr. Davin:*

Wherever there are bluffs there is splendid land also?

*By Mr. Armstrong:*

Q. The bluffs you speak of are not rocky, worthless land at all. It is good land the same as the surrounding prairie, when the timber is taken off?—A. I think it is the very best of land, but now it costs too much to clear, while as yet, there is such an abundance of land. In my garden, for example, I have that kind of land, land that had been burned over and covered with rose-bushes. There is not a rock in it. You cannot get a rock to shy at a gopher for miles in a stretch. I believe it to be the richest land, from experience, where these timber bluffs have been.

*By Mr. Watson:*

Q. You have had considerable experience there in regard to rainfall. Don't you think it would be a good thing to protect a lot of this timber—I suppose it has a certain effect on the atmosphere and rainfall of the country?—A. I have no doubt it would be an important thing to protect what timber we have. Take sections of the country, say 40 miles north of Calgary, there is a distance of from 15 to 20 miles where there are only scattered bluffs. It is not only important to protect what there is but to grow more. The Government ought to give great encouragement for the supplying of trees to plant. It is a matter of no difficulty at all to grow any of these trees. I have taken spruce up and removed them, taking simply ordinary care of them, and I have lost but 2 per cent. of those I have planted. Poplars are more vigorous still.

Q. Is the timber being injured very much by fires?—A. A great deal, I am sorry to say.

Q. What means could be taken to protect them?—A. It is very difficult indeed to say what means could be taken. I am not a born legislator, but I sometimes think it would be desirable that there should be an officer appointed in various districts—a sort of fire warden—whose duty it should be, not his privilege, whenever a fire started anywhere, to go out and command his neighbours to go and assist in putting out that fire, and having authority to fine those who refuse. As it is, if we see a fire and know it is going to pass our own place without doing serious harm to us, in our selfish way we often go to sleep and let it burn. I have felt intensely on this subject. I know there has been enough timber destroyed in my district to meet the requirements of a large agricultural community for the next fifteen or twenty years. If there was a fire warden to go and warn men when a fire started, even fifteen or twenty miles away, this damage might be averted. At

the inception of a fire it is a very small thing but afterward it is a very difficult thing to control or stop it.

Q. Would a system of fire-brakes do?—A. We all do that. The man who is a rustler will generally put his field in such a shape as to protect his place; but for the unsettled portion of the country, those vast stretches of country, nobody's particular interest, it would be simply impossible to meet the difficulty with firebrakes.

Q. Nobody except the Government. Would it not be well in the interest of that country and its future for an expenditure to be made in making fire-brakes every six, or eight or ten miles?—A. That would mean making these fire-brakes every year, because the growth of vegetation is so rich. I have seen a piece of ground turned up and not cropped, and by next season there would be a growth of 3 or 4 feet of rank grass. That grass dries in the autumn and leaves you as helpless as you were before.

*By Mr. Armstrong:*

Q. What are the principal varieties of timber you have in your country?—A. We have chiefly spruce and poplar. In addition to those we have tamarac, a little birch and a small wood called saskatoon, of very little commercial value, but of great value to the farmer. It is a very tough wood and makes an excellent whiffletree or anything of that sort. It is equal to rock elm in Ontario.

Q. Does the spruce grow to any considerable size?—A. I have had some spruce taken out this winter for milling purposes that will go 28 inches across the stump. That is a large size. If I were to strike an average, I would say 12 or 15 inches would be an average all round.

*By Mr. Kirk:*

Q. Is spruce a desirable wood for fencing?—A. Not for fencing, if just cut down and immediately put in without any preparation; but spruce that has the bark shaved off and put into a hot willow fire and singed, or dipped in lime water, is almost as desirable as tamarac, but of course not so desirable as cedar.

Q. How does it compare with Nova Scotia spruce?—A. I think it is the very same. I see no difference. Some people will take this dead spruce that they find fire-killed, in small pieces no bigger than your arm, and string wire upon it. They take no pains to keep it from corroding, and such treatment gives the impression that spruce is no good. I think that if pains are taken, that spruce makes a very excellent post, not equal to tamarac or cedar, of course, but still a very desirable post in places where other varieties cannot be had.

*By Mr. Trow:*

Q. Has the Government made a proper system of survey of the townships out there?—A. Yes, sir. The country is all blocked out in townships, and a considerable portion of it sub-divided into sections. In the Red Deer River district there are ten townships divided into sections; but the whole country is not sub-divided. It is laid out in townships, so that a man who understands township surveys can pretty nearly locate himself.

Q. Why should he be put to that unnecessary trouble?—A. We sincerely hope that will not remain the case very long. I think that whenever immigration begins to swarm in there, that will be remedied. I beg to suggest, although the Government would not thank me for pointers, that it would be well to get ahead of the immigration, so that men might have their choice and know what they had chosen.

*By Dr. Sproule:*

Q. How are you off for mills?—A. We have no grist mills there yet. No man has had enough capital to start one, and it is one of the things I propose to inquire about and see if a portable grist mill can be had. There was a saw-mill put in by the Mackenzies some years ago, and last fall I was rash enough to put in a portable saw-mill with edger, matcher and planer,—a thirty horse power John Abell engine. We think now of getting a grist mill to run by this engine during that portion of the year she will not be used by the saw-mill, as we have not enough demand to warrant cutting the whole year. The day we are able to convert our wheat into flour will greatly lessen the cost of living; for it costs \$1 to

\$1.35 per hundred to freight your flour from Calgary. The Red Deer River, with a fall of 14 feet per mile, is one of the grandest water powers that nature ever provided, with good banks and every facility for the establishment of mills. As yet, however, it is very much cheaper, in a small way, for men to employ steam power rather than water.

*By Mr. Innes:*

Q. How do vegetables and small fruits do?—A. Vegetables do splendidly. We have had no manner of failure in regard to vegetables in any year but last year. The drouth last year decidedly affected us, as it did Manitoba and the North-West, generally. I suppose I may astonish some of you when I say I have grown potatoes at the rate of 720 bushels to the acre. That is a phenomenal yield, but not that we gave them any special attention. We can grow from 300 to 400 bushels of potatoes per acre without any extra attention, skill or manure. We can also grow carrots, cabbages and cauliflower. I have frequently seen cauliflower at Calgary fair, that were a yard in circumference. You may have seen them larger, but I am glad to get them that large: In reference to small fruits, I may just say that this is another matter that has to be experimented upon for us, rather than we for ourselves. I have been for four or five years doing this work, and not without some results. I have grown red currants, black currants and strawberries with considerable success, but not what would satisfy me or the taste of any ordinary farmer. I find we made a blunder. I have no idea that it is our cold winters that kill our fruits. I think it is the hot, dry winds of April and May. The sap comes up early, unless they are mulched, then the bark gets loose because the sap seems to dry up. I am waiting for information from others on this matter, but in the meantime I am trying a heavy mulch around the roots this year, so as to keep the sap back, as you do with your grape vines. If we can keep the sap back I believe we will make a success of small fruits. It is done in many parts of the country and some have excellent success. I have not yet got what I hope to obtain.

*By Mr. Trow:*

Q. Have you chinook winds?—A. We are not so subject to them as they are in Southern Alberta; but since I left home, as a mere freak of nature they have had one of the strongest chinooks there that they have had in any part of the country. The snow went off very quickly and the whole band of cattle started off to seek their own fare, and succeeded so well, that when they came back they would not touch food. But as a general thing we are not so liable to warm winds as they are further south.

*By Mr. Armstrong:*

Q. Have you any wild small fruits that can be used?—A. I only planted some last year, and cannot say. The growth this year was remarkable, and I begin to feel this is a matter in which we can attain some success. There is all manner of wild fruit there, such as currants, goosberries, &c.

Q. Can you gather them for your own use?—A. Yes; any quantity for our own use. There is another berry, called the Saskatoon, very much like the blueberry of the Eastern Provinces. In 1886 a man could go out and gather barrels of them.

*By Mr. Watson:*

Q. What was the largest crop of grain grown there, and what is the amount of area under settlement?—A. The area of settlement would be over a length of seven or eight miles along the Edmonton trail, by three or four miles east and west of trail, but it is a scattered settlement. There is no closely-packed settlement anywhere. As to the largest crop—do you mean that I have had?

Q. I mean the total crop?—A. There is no Bureau of Agriculture to gather statistics, and I really cannot on the spur of the moment give any information. In the season of 1888 I had about 3,000 bushels of grain in all—of wheat, oats, barley and some peas. The Beatties had some 2,000 bushels. I suppose 10,000 or 15,000 bushels were grown in the little neighbourhood there, altogether.

*By Mr. Cochrane :*

Q. Do pease grow well there?—A. I have grown 35 bushels to the acre, and weighing 66 lbs to the bushel, of the Golden Vine variety.

*By Mr. Trow :*

Q. Do you find the wild pea there?—A. We have abundance of pea vine, also vetch, all through that district.

Q. It is regarded as a strong indication that the land is fertile, is it not?—A. We have abundance of it. There is one variety that grows low and tangled in the grass, while there is another that grows on the willows and poplars, climbing them 6 or 8 feet.

*By Mr. Watson :*

Q. How is your wheat marketed if you have no market?—A. I dispose of it to newcomers. We keep some for seed, and we fatten pigs on it, and it pays to fatten pigs on wheat, when you get 40 bushels to the acre and 64 pounds to the bushel, and 10 cents a pound for pork.

*By Mr. Fisher :*

Q. How many people are there in that settlement?—A. I suppose there are about 100 occupying homesteads. They would average, including bachelors, from 150 to 200 in that settlement. I wish to say that this is some distance from the Mormon settlement. There is nothing that would give me more pleasure than to have the Government send out about 1,000 men and 2,000 women. It would be the grandest thing that ever happened to that country. I say, when a man goes out to that country or to any country, he should take his wife with him. If he has not a wife to take with him, he should get one. Many persons ensure their own failure by going out for a year or two to get things fixed up and send back for their wives and families. A woman who cannot do as much as a man and a-half in fixing up, is not much of a woman. I am worth a little, but my wife is worth ten times as much as I am. If you want a downright enthusiast in reference to the country, if you have money to spend for immigration purposes, she will do the work. When she went out to the North-West Territories, six years ago, the doctors were anxious in reference to her chances of living even a few years. She had never been well in the Lower Provinces for many years. Now she is a robust, strong woman. I knew also a Mrs. Nelson, wife of the Rev. Mr. Nelson, who has also regained health. I am only mentioning those facts to show that the climate cannot be so rigorous and so fatal as some people would like you to believe. That is not the case. I do not wish to disparage this country, but taking even the low reading of the thermometer for the last few days in the North-West, I will take the climate indicated, in preference to what we have had here for the last two or three days. I have not had a cold or a sore throat for the last two or three years till I came to Ottawa. It would be foolish for me to say it is not cold in the North-West. You do feel the cold there, but, at the same time, you don't feel the cold to the extent that you might imagine from the reading of the thermometer. We have not lost a solitary day all winter in consequence of cold; my sons have gone three and four miles to work in the coldest days we have had, and the children play out of doors, and my wife frequently takes a walk in this bracing atmosphere, unless the temperature is very low indeed.

*By Mr. Innes :*

Q. What is the average range of the thermometer in winter?—A. I can hardly tell just off-hand, but this winter, I believe, the mean temperature in Northern Alberta measures down somewhere a few degrees below zero. It has been very steady cold weather, about the coldest I have known since I have been in the country. In the summer months the mean temperature derived from meteorological statistics at Battleford and Toronto, taken three years ago (I have no recent data), for the months of June, July and August, was 61° in Toronto, and 60° in Battleford.

*By Mr. Bian, (Wentworth) :*

Q. How are your summer nights? Under what conditions do you get your summer frosts? Is it after rain, or how?—A. It is usually after a rain, when the wind is to the north-east.

Q. Do your rains come from the north-east?—A. From the north-east generally.

Q. Is that where you have your summer rains from?—A. Well, we are very apt to have our summer rains from the north-east, more apt to be from that quarter than any other.

Q. It is apt to settle down cold?—A. It is very apt to settle down cold the early part of June, especially in the full of the moon in June. If we have rain then, there is a little danger it might settle down into frost, though very slight.

Q. When the wind is in the north-east?—A. Yes; however, in reality we have never been seriously affected.

*By Hon. Mr. Carling:*

Q. You have experimented with different kinds of wheat, I think, in that section of the country. You have tried the Red Fife and you have tried the Ladoga wheat. I would like to ask you whether you have found the Ladoga wheat to ripen earlier than the other different kinds of wheat that you have tried, and what is the result of your experiment. I might say to the gentlemen present that the sample of Mr. Gaetz's wheat, here present on the table, is the Ladoga wheat, grown in Red Deer district, and I have a sample here of the Ladoga wheat grown in the Peace River district, 350 miles north-west of Edmonton, which weighs 64 pounds to the bushel. It is quite clear that that northern district, as far as the Peace River, is very able to grow a good quality of wheat. I pass it around to the gentlemen who would like to see it?—A. I have tried three varieties of wheat, one variety called the Defiance, another the Fife, and the third, Ladoga. My experience is that the Ladoga will ripen about a week or ten days—generally ten days—earlier than the Fife, and four or five days earlier than the Defiance. Up to the present, it is the earliest maturing variety that we have had, and the general feeling among the farmers is that this is the wheat for the North-West. If there is any little prejudice as to the colour of the flour, I think this will be overcome. If the farmer is able to take his own grain to the mill he will be glad to take flour, even with a high colour.

*By Mr. Armstrong:*

Q. Would it rate as a hard wheat?—A. I believe it would. I am not prepared to say, but the Experimental Farm Bulletin represents it as a hard wheat, with a larger proportion of gluten in it than the Red Fife, and the amount of gluten in it, constitutes its strength.

*By Hon. Mr. Carling:*

Q. How does it do as to the yield per acre?—A. It is the best, in my opinion, by five or six bushels.

LEO. GAETZ.

Hon. Mr. CARLING.—I felt that the Committee might possibly like to see samples of the two-rowed barley, such as it is the intention of the Government to import for seed. I have a sample here of Danish barley, imported from the Royal Agriculture Society at Copenhagen, weighing  $57\frac{1}{2}$  pounds to the bushel. I have also a sample of two-rowed barley grown at Medicine Hat, in the constituency of my hon. friend, Mr. Davin, weighing  $56\frac{1}{2}$  pounds to the bushel, which I think is quite equal, if not superior, to the Danish barley we imported. I have also a sample of Danish barley grown by Mr. Wilson of Winona, weighing  $55\frac{1}{2}$  pounds to the bushel. I have also got a sample of No. 1 six rowed barley from Toronto, which I would like hon. gentlemen to look at, and compare with these samples of two-rowed barley.

Mr. McNEILL.—A gentleman recently told me that he had bought two-rowed barley in the vicinity of Kincardine that was superior to the two-rowed barley imported from the old country. He also said it was a good crop.

Mr. COCHRANE.—Did he tell you what the weight was, and how long he had grown it?

Mr. McNEILL.—This was a grain buyer who spoke to me, and he said he had bought it there for two or three years.

Mr. COCHRANE.—How much did it weigh?

Mr. McNEILL.—Over 54 pounds to the bushel.



Mr. COCHRANE.—The impression is, that you can raise this barley for a year or two, and then it degenerates and gets to be the same weight as the six-rowed.

Hon. Mr. CARLING.—Professor Saunders has found the very opposite—that each year it has improved, instead of deteriorating.

Mr. McNEILL.—The impression left upon my mind was that the barley he had gotten this year was the finest he had yet grown.

Mr. SEMPLE.—What is the weight of the barley grown on the Central Experimental Farm this year?

Hon. Mr. CARLING.—I cannot say, because I do not happen to have specimens with me. I know it is over 50 pounds to the bushel.

The Committee adjourned.

HOUSE OF COMMONS, 23rd April, 1890.

The Committee on Agriculture and Colonization met this day, Mr. PETER WHITE, Chairman, presiding.

Prof. SAUNDERS.—Since I had the pleasure of meeting with you last year a very considerable amount of work has been done in connection with the Experimental Farms. Progress has been made on them all. At the time of our meeting last year the Experimental Farm in British Columbia was the only one which had not been established. During the past summer that farm has been started and is now in good working order. A large area of land has been cleared up, orchards are being planted, fall grain was sown last autumn, and spring crops are now being got in. That farm is located at Agassiz, B.C., 70 miles east of Vancouver, beyond the base of the Coast Range of mountains and in the coast climate—the moist climate of British Columbia. It will perhaps be pardonable at the outset to review for a moment or two some of the difficulties which presented themselves in carrying out this Experimental Farm scheme, and how they have been surmounted; and judging from the very small amount of adverse criticism, it may be fair to assume that the conclusions reached have been reasonably satisfactory. The Act provided that one of the farms was to be located near Ottawa. That gave but a comparatively small amount of labour in its location, for the reason that the neighbourhood had been determined by Act of Parliament; but of the other farms, one was to be located in the Maritime Provinces, one in Manitoba, one in the North-West Territories and one in British Columbia, which necessarily involved much travel in the inspection of different locations, and required very careful consideration. Evidence had to be sifted as to the advantages and disadvantages of the several localities discussed, and the representations of those interested in the different sections considered. Disappointment to a large number could not be avoided, but the general concurrence in the suitability of the farms chosen, for the purposes for which they have been established, indicate that the opinion is very general that the selections have been judiciously made.

The next difficulty was the choice of suitable men to direct the work. The superintendents of these branch farms must necessarily be well-informed men, pleasant and affable in their relations to the public, and enthusiastic in the work in which they are engaged. They must also have a general knowledge of agriculture in all its departments. Such men are difficult to find, but those of you who have read the report for 1889, recently presented to the House of Commons will, I think, be convinced that the superintendents of these Experimental Farms are men of the right stamp, who are entitled to the confidence of the community, and who manifest in their work, as shown by the reports they give, a degree of enthusiasm which is very gratifying.

With regard to the lines of work pursued at the Experimental Farm since last we met, I may say that during the past year over 300 acres of land have been under crop and about 8,000 bushels of grain harvested. The yield of corn, cut green for fodder and placed in the silo, was about 200 tons, and the roots gathered about 140 tons. We had very little hay this year, not more than 10 tons in all, for the reason

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that a large part of the farm when purchased consisted of partially exhausted hay fields. These were ploughed in the spring of 1888 and other portions seeded, but that season was so dry in this portion of the country that we had very poor results. Last year, this operation was repeated under more favourable conditions, and a considerable area was seeded, and we hope to have a larger hay crop this year. Some mixed crops of pease, oats and barley were also grown for feeding green to cattle, and the results of these crops are given in the annual report. Experiments have been continued with wheat in several different lines, as this is one of the most important crops in Canada. In the first place, the varieties tested have been grown as field crops, under ordinary farm conditions. It has been truly stated that a large quantity of a good stable manure has been used on this farm; but it must be remembered that when any farmer takes hold of 450 acres of land, a large portion of which has been partially run out, it takes some time to bring such land up. The quantity of manure which has been used, from 12 to 15 tons to the acre, is not more than any judicious farmer would put on such land. We are endeavouring, however, to avoid, in future much expenditure in this particular, and during the past two years a large quantity of manure has been drawn during the winter by the farm teams. The horses are employed almost entirely in that work during the winter, and by that means, we have been able every year to manure from 50 to 75 acres of land, and it is expected that in another year or two all the land that requires manure will have received at least one application. Many of the crops referred to in the report have been grown on land which has had no manure, for the reason that we have not been able to reach those portions. Some of the wheats have been grown on such land. Others have been grown on land that had a dressing of manure, but had been in roots or some other crop previously. The particulars with regard to all these crops, are available and we shall be glad to give information at any time to anyone desiring it, but it has not been possible to publish all these details in the annual report. The work involved in preparing such a report as is submitted this year is greater than some may imagine. Our superintendents are all new to the work and they cannot begin the preparation of their reports until the threshing is over, and by the time their results are compiled and reviewed the matter is required for the printer. The reports of the officers of the Central Farm contain much information which, I trust will be useful to the farming community and no efforts will be spared to make these publications increasingly useful and to profit by the suggestions which any of the gentlemen here are good enough to give us.

One of the lines of work we have been continuing is to ascertain the relative yield of different sorts of wheat in field crops. Some of these, as you will see by our report, are very promising. The wheat that has given the best crop during the past season is Campbell's White Chaff wheat. This originated with David Campbell, of Nottawa, Ontario. It is not yet, I believe, obtainable by the general public, but we are now sowing some of it on the Central Farm, and hope next year to have some of it to send out for test. We have been very chary about cleaning these samples strongly, because we have had so little of it. The sample here submitted might have been improved by blowing out some of the smaller grains, but as it is a very promising wheat, I was anxious to preserve every kernel of it for sowing this year. The yield was  $36\frac{3}{4}$  bushels to the acre, and weighed 56 pounds to the bushel. The light weight was due to rust which injured all the crops at the Central Experimental Farm. Our best crop of White Russian was 33 bushels.

*By Mr. Semple:*

Q. Is this White Chaff a bearded or bald wheat?—A. A bald wheat. Besides these experiments in ordinary farm culture, we had a series of experimental tests, such as I reported on last year, where different fertilizers are applied to the same plots of land every year, and test plots left alongside of them without any fertilizer, so that we may be able to compare the results obtained by the use of these fertilizers with the results on those plots on which no fertilizer is applied. These results have not yet been published, for the reason that the last two years have been very exceptional. Year before last the season was very dry; last season it was very wet.

During the very dry season the land where these fertilized spots were located appeared to be thoroughly well drained. There was no sign of water at any time on any part of it; but last year, when we had so much rain, pools of water formed on these fertilized plots, and no satisfactory results could be expected under such circumstances. As soon as the crop had been harvested a sufficient number of drains were put through these fertilized plots to guard against a repetition of such injury. It is intended to publish the results of 1889 with those of the coming year, by which time it is hoped that the tests will have been carried sufficiently far to give some fair idea of the results obtainable by the use of the different kinds of fertilizers.

Another point we are endeavouring to test, one of great importance to the farmers, is the results of early and late sowing of different varieties of grain. Last year my attention was specially called to this point from the crops obtained from growing grain as single plants. I explained to this committee last year that in one set of experiments we planted kernels of grain 1 foot apart, so as to determine the relative fertility of the different varieties under like conditions. It so happened that last season a storm of wind blew up two or three days after these kernels were planted, and blew the soil off to such an extent that it exposed many of the seeds and mixed them up to some extent. As it was likely that the results of this work would be unreliable on this account, another crop was put in eight or ten days after the first sowing had been done. When the results of the second sowing were compared with the first, the great advantage of early sowing was apparent. This year plots of one-fifth acre each have been prepared, and six or seven samples of grain have already been sown. Another set of the same samples will be sown a week hence, another set in two weeks, another in four, and another in five, and when these have been harvested the yield will be ascertained, so that we may be able to present to farmers some more full and complete results in that line of work. I am much impressed with the importance of this point in farming, and I believe that farmers could make a large amount of money if they would be more earnest and energetic in getting their grain in early. Every day's delay means a certain proportion of loss, if the results of our experience are to be trusted.

*By Mr. Trow :*

Q. What effect would a week earlier in the sowing have on the rust?—A. I think it is very likely that the grain would have escaped most of the injury, because the rust comes usually in its worst form about the time the late grain is ripening. This is one of the practical points that cannot be too strongly urged on farmers, and I hope when we get the results of the tests now being carried on that we shall be able to present them in such a convincing way, they will be of benefit to the farming community.

*By Mr. Cochrane :*

Q. Do you think there is anything that can be used on the land that will prevent rust?—A. I do not think that any application will entirely prevent rust in a season when it is very prevalent.

Q. Have you tried salt?—A. Yes; one of the fertilized plots was treated with salt last year, but I could not see any difference in the amount of rust on the plot that had been treated with salt as compared with those alongside, which had been treated with different fertilizers. The wheat rust is a parasitic plant, the spores of which are carried about by the winds, and seem to depend entirely on atmospheric conditions as to how rapidly they will overrun and devastate grain fields. Last year the soft, damp weather which prevailed when the grain was partially matured, presented conditions most favourable to the spread of this disease.

*By Mr. Trow :*

Q. Salt has a tendency to stiffen the straw, has it not?—A. It has that tendency; and my impression is, that salt is a useful thing to ameliorate rust where it only prevails to a certain degree; but where the conditions are very favorable to rust, as they were last year and all varieties of grain are attacked by it, I do not think the use of salt will be attended by any striking benefit.

*By Mr. Cochrane :*

Q. Are there not different kinds of rust—the red and the black?—A. There is a black rust found on oats, which botanists class as a different species.

Q. Does not the black rust strike wheat?—A. It strikes oats most.

*By Mr. Jones (Digby) :*

Q. Are you much troubled with weevil here?—A. You mean the insect which produces what is known as silver top?

Q. It is known in the Maritime Provinces as weevil. It is an insect that eats the head and lets it tumble over?—A. The word “weevil” is used in so many different senses that one cannot answer the question asked without knowing what insect is meant. We have never had the heads of any of our wheats eaten by insects. That must, I think, be due to some of the climbing cut-worms.

Q. That is one of the greatest troubles we have in raising wheat in Nova Scotia?—A. I know you have the midge there. That insect in the larval state is of an orange colour, and feeds on the grain by sucking the milk out of it; but I never saw the depredations of the insect you referred to. Another line of work carried on at the Experimental Farm with wheat is the continuation of the tests for the purpose of ascertaining the relative fertility of the different varieties. This is perhaps more a scientific problem than one of a practical agricultural character, and yet it is of the greatest value in its bearing on agriculture. In a paper read before the Royal Society of Canada last year at the annual meeting held in Ottawa, the results of the yield of many varieties of spring wheat and barley and oats grown under similar conditions were given. This paper shows that the average yield of different varieties under exactly the same circumstances will vary, in some instances, fully 100 fold—that is, one will produce double the quantity of the other. In the case of oats, the difference was still greater. There were examples of 1,500 fold, and others again that were as low as 728 fold. Experiments of this class have been carried on in England and elsewhere with wheat, but I do not know of any that have been published which are as full as those which have been carried on in connection with the Central Experimental Farm, and I have not seen any results of experiments published, with regard to the yield of oats and barley grown in this way. It is a point of great importance to ascertain the greatest yield which can be got by a liberal use of fertilizers and by surrounding the plant with the most favourable conditions. The explanations given in the report show how these small plots have been treated with a liberal top dressing of phosphate, nitrate of soda and ashes, the object being to see how far the productiveness of these different varieties might be stimulated in this way. Another point had in view was this: I found that the size of the kernels and their weight also was increased when grown from grain produced in this way, that in some instances there was a gain in the weight of from 25 to 50 per cent. and it was thought probable that by treatment of the grain in this way and by selecting the largest kernels that some varieties of seed might be produced which would be of great value. Last year being such an unfavourable season we did not reach results as good as those had the year previous, owing to rust. This year I hope we may have a more propitious season and that the results may be more satisfactory.

*By Mr. Cochrane :*

Q. These large yields were from seed that was planted individually?—A. They were from kernels that were planted a foot apart each way, so as to give them plenty of room for growth.

Q. It would not follow that if they were sown as you generally sow seed the same results would be obtained?—A. Not to the same extent; but if you find one variety under treatment of that sort which gives double the yield that another would on exactly the same land and under the same conditions, I think it is fair to presume that the variety which yields the most is the more promising for the farmer to sow. A farmer would get double the crop by sowing such seed, but a slight increase in the crop of the country is a matter of very great importance to the farmers. Take the crop of oats in Ontario, for example, amounting, it is said, to 64,000,000 bushels. If an additional pound in weight to the bushel can be added to that crop it means a great

deal. It would add \$640,000 a year to the profits of Ontario farmers. This increase may seem small in itself to the individual, but not so in the aggregate, and these large figures impress one with the importance of doing all we can to stir up the farmers to more care and activity. This we are endeavouring to do by placing in their hands such information as will induce them to improve their farming, and by distributing among them new varieties of seed, try to bring about an increase in the average production. The average in England is much in advance of anything we have yet been able to do in this country, although Canadian farmers have the credit of growing some of the best crops in the world—certainly better than Australia, India or the United States, or any of those countries which compete with us in grain. I am satisfied we have not reached the maximum in this respect. I think one of the great points of usefulness in the Experimental farm work, is the stirring up of people, to think. The great mass of mankind are slow to move. If we can get a farmer to think and take pains with any one thing he grows on his land, he sees at once the benefit, and it is very apt to make him a better farmer.

*By Mr. Bain (Wentworth):*

Q. The question of quality would be of prime importance in that class of experiments?—A. Especially in regard to wheat. Experiments have been carried on with from 70 to 80 varieties of wheat, but this year many of those varieties are being discarded because they have not been found desirable for general cultivation. In their place other sorts are being introduced, obtained from different parts of the world.

Q. Speaking generally, were those that yielded a higher rate of increase as good as those which yielded more moderately?—A. The White Russian did best of all our spring wheats, and next to this was this wheat of Mr. Campbell's. This latter has not yet been submitted to analysis or to the millers for opinion, but I think, from its appearance, that it is quite as good as the White Russian, and the White Russian is known to be spring wheat of fairly good quality, and perhaps one of the best that our farmers grow, although it is soft, and would not do for our North-West.

*By Mr. Trow:*

Q. What quantity of Campbell's wheat have you now on hand?—A. I cannot say from memory. We are sowing all we have. Mr. Campbell sent either a peck or half a peck last year. We sowed it all and got the heavy crop that I have spoken of. This is a wheat, however, which could not compare with the Ladoga. It is not hard enough for the North-West; but while we are very anxious to do all that is possible for Manitoba and the North-West, we do not intend to neglect the wants of Ontario and Quebec. In both these Provinces a very large quantity of grain is grown, and I am anxious that we should get these early varieties into the hands of as many farmers as possible in the northern districts in these Provinces, where the season is short.

*By Mr. Watson:*

Q. When you plant your wheat a foot apart for experimental purposes do you find it takes any longer to ripen?—A. Under such circumstances it does not always ripen evenly; especially in some varieties you will find at harvest time some unripened ears among those which stood out late. This is not a practice that we can recommend to farmers generally. The objects had in view in these experiments were to ascertain the relative difference in the individual fertility of the varieties, and also to see if we could not get in this way small quantities of improved seed for cultivation on a larger scale.

Q. The question then is, as to whether thin or thick sowing is the better?—A. I think that depends very much on the climate. I do not think that thin sowing could be recommended for either Manitoba or the North-West, because the season there is short, and you want your grain to ripen up evenly, and in order to do that it is not desirable to impose on each individual kernel the burden of sending up more than two or three stalks. You will frequently find along the margins of fields in Manitoba, kernels which have thrown up forty to fifty stalks, and it will be almost

always found that some of these will have unripened ears at the time of harvest. Experiments are being tried to test this question of thin and thick sowing. It is not wise to take anything for granted; it is better to go on testing from year to year, giving the results to the farmers and leaving them to exercise their own judgment as to how far they will follow.

Q. I may say, from my own experience, that we find that two bushels to the acre in Manitoba is better than a bushel and three pecks. It does not stool, out and will ripen several days earlier?—A. On the Central Farm here, with a bushel and a-half to an acre we do not find that difficulty. This year we are trying on some plots a bushel to the acre, to see if there is that objection, and even if our experience should show that late stooling and uneven ripening did result from thin seeding in this district, that might not apply to the western parts of Ontario, where I think that thinner sowing might be followed, in many instances, with judicious economy.

Q. Most of our grain is sown broadcast in Manitoba and a certain number of kernels will not germinate?—A. I think that sowing in drills in Manitoba is much on the increase. Last year the use of the drill on the Experimental Farm at Brandon showed a great advantage over broadcast sowing.

By Mr. McMillan (Huron):

Q. My experience in sowing is, that if you have a field where the soil is very rich and very well manured you can afford to sow very much thinner than where the land is not so rich. The richer the land the less seed is required to give good growth?—A. Yet on rich soil it would be found there is a tendency to stool out late in proportion to the fertility of the soil. You will have that more in some seasons than in others. In a wet season you will have grain stooling out with greater vigor and there will be a larger proportion of unripened ears at the time of harvest. There is, however, no general rule to be laid down in this matter. Every farmer must be guided by his own experience.

I desire to submit to you a sample of a very promising wheat, one which, according to the *London Times*, the *Mark Lane Express* and *Bell's Weekly Messenger*, is likely in the future to be the most profitable wheat for Russia and Canada. It is one of the results of a number of experiments in cross breeding which have been carried on by Carter & Co., the seedsmen, of London, England. A year ago they applied to the Experimental Farm for a sample of the Ladoga wheat, and they report that this cross bred wheat ripened several days earlier than the Ladoga, and that it is more prolific and a much finer wheat; but the English growers do not seem to realize that soft wheat, although useful in Ontario, is of little or no use in the north-western parts of Canada. I hope that this variety, which is known as selection "I," will be suitable for cultivation in the North-West. From its appearance, it promises to be a good wheat, and I hope that in another year we may have a sufficient quantity of it for a limited distribution. As yet it is very costly, and a small quantity only has been secured for this year's work. While on this subject of cross breeding I may say that experiments in this direction are being carried on at our Experimental Farm. Twenty or thirty varieties have been produced by the cross fertilization of some of the leading sorts, with the view of combining in the hybrids the good qualities of both parents. It is too soon to say whether any of these will be of much value, but some of them are promising. Having only had single plants to form an opinion on, it is unwise to say more than this; but it is intended that this work shall be carried on persistently from year, to year until some varieties of value are obtained.

The subject of barley has engrossed a good deal of attention during the past year, not only at the Central Farm, but on the several branch farms as well. As you all know, our barley market is in a very unsatisfactory condition, and it was thought desirable that all the information obtainable should be got on the subject of two-rowed barley, with the view to ascertain whether the climate in our different Provinces was suitable for the production of such barley as the English maltster requires and where the best barley could be produced. A bulletin has recently been issued, in which is given the results of the examination by several experts in Eng-

land and Scotland of samples of two-rowed barley which were grown on the several Experimental Farms, and also by farmers in different parts of the Dominion. These were sent over for the purpose of ascertaining what prices barley corresponding with samples would bring in the English market. I think the number of opinions on the difference samples is something over 30. It will be found that the average of the different opinions place the value of these samples in England at 36 s. per quarter of 448 lbs. That, as I have shown in this Bulletin, is equal to about 76 cents for the Canadian bushel, after providing for the expenses of carriage and commission. The poorest sample which was sent over, and which had a weight of 51 $\frac{3}{4}$  lbs. per bushel—a sample which I think almost any good barley grower could excel in quality—was valued at a figure which would be equal to 60 cents per Canadian bushel of 48 lbs. The estimate for transportation in taking it from the grower to the consumer and commission, was 18 cents per bushel. These opinions, I think, are very satisfactory, and the importance of the subject is very great. Estimating the surplus crop of barley in Canada this year at 10,000,000 bushels, every cent added to the price represents \$100,000 to the farmers, and if the surplus crop of this year had been two-rowed barley, and had been equal to the poorest of the samples sent to England, it would have resulted in a gain of \$1,500,000, to the producers. These figures, when taken in the aggregate, are very important, and it is highly judicious on the part of the Minister of Agriculture and the Government that an endeavour should be made to place a sufficient quantity of seed in the hands of the farmers in order that tests may be carried on, on a much larger scale. With such possibilities in view I think Canadian farmers will be much encouraged, and that they will take hold of this matter with spirit, and I trust that after another year a sufficient quantity of two-rowed barley will be available for export to England—to thoroughly test its value in the English markets that thus another outlet will be provided for our surplus crop, one which I hope will be more profitable to the farmers than that which they have at present. There is another point I wish to refer to in this connection, one to which I think Bulletin No. 6, on barley, gives a reasonably full answer. It is the objection which some have urged that two-rowed barley deteriorates rapidly, so much so that it would be necessary to bring out seed every year. I do not think this is correct; the experience at the Farm here seems to indicate that two-rowed barley improves after the first year, especially in fertility, although this is not a barley district. We have not been able to grow it very heavily, here; but the samples sent to us by farmers who have had the small bags of grain sent to them for test seem to show that it is reasonable to expect that the weight will run from 53 to 56 lbs. per bushel, in the best barley districts, from such seed as is being distributed this year. If it run only 53 lbs. it will probably command a better price than the poorer sample I have referred to, which weighed only 51 $\frac{3}{4}$  lbs.

Before leaving this subject of barley I desire to call attention to a hulless barley for feeding, which I have here, and which was obtained from India last year. I have mentioned before that the Government of India, under Lord Dufferin's Administration, was good enough to order a selection of such varieties of grain grown in the Empire which were likely to be useful to Canada, to be collected and sent here for test. A large number of samples were sent here. Some were received too late to give them a fair test, but this hulless barley produced a crop which weighed 58 lbs. to the bushel here and 62 lbs. to the bushels on the Experimental Farm at Indian Head. Barley is deserving of consideration also for feeding purposes, as there are many districts in the Dominion where malting barley cannot be grown to advantage but where feeding barley can be grown with profit.

*By Mr. Carpenter:*

Q. What was the yield of this barley?—A. That I cannot give from memory, but it will be found in the report. Mr. McKay, of Indian Head, gives the yield also in his report, but there they only had about 6 inches of rainfall last year. There was also another variety of barley of the six-rowed sort which originated with Mr. J. Baxter, of Pickering, which is very distinct in the plumpness of the grain. It has produced very well and the weight of the crop is very good. This is probably one of

the most promising of the newer six-rowed barleys which has been brought under our notice in connection with the Experimental Farm work. While I think that the growth of two-rowed barley should be encouraged in every way, we should also look well after the best varieties of the six-rowed.

*By Mr. Cochrane :*

Q. What reason do you give for the fact that barleys of the same weight were quoted at different prices in England?—A. Apart from the weight, which is always an important quality, maltsters seem to pay particular regard to the skin of barley, whether it is thin or thick. They also like it mellow; but I am not sufficiently versed on this subject to be able to explain just what the term "mellow" means. The colour seems to be a matter of less consequence to the English brewer than is generally supposed. The buyers here make much of it, but I do not think they are warranted attaching so much importance to it, as they do. In one report from a brewer on a sample sent from the North-West the remark was made that it was too light in colour for their trade. The brewers everywhere would prefer a plump barley which was slightly discoloured, to a somewhat shrivelled barley that was white. I think if farmers will allow their barley to get fully ripe before cutting, and in the threshing be careful not to break the grain, they would find their grain more acceptable to the buyers. The buyers and consumers in Great Brit. in all complain that the samples of Canadian barley contained too many broken grains. That depends on the setting of the thresher. If it is set too close—and this is often done, for the reason that farmers want all the burs knocked off—there will always be a certain proportion of breakage. There is a special form of apparatus for taking off the awns without incurring much risk of breaking the kernel. It is important that this point should be attended to by farmers, otherwise the value of their barley will be reduced. These broken kernels do not germinate, but become mouldy, and the mould spreads and gives a bad flavour to the malt. It is difficult to separate broken kernels, as the sieve that would allow a broken kernel to go through would also pass a whole kernel.

*By Mr. Trow :*

Q. There is an impression abroad, and has been ever since I can remember, that a shower or two of rain during harvest will depreciate the price of barley several cents. Now, if it has not that injurious effect—and this is an idea of the buyers and not the maltsters—it should be generally known. They will dock you four or five cents per bushel if one or two showers of rain have caused the barley to be discoloured. If it does not hurt the grain why should the buyers make such a difference in the price?—A. I can imagine that there might be a condition brought about by protracted moisture that might injure barley very seriously. If it has been exposed to that moist atmosphere long enough to start germination, even in the slightest degree, it would be difficult to start it again evenly on the malting floor, and it may be that buyers are warranted in being watchful in order to protect themselves, but where barley is otherwise in good condition a little discoloration should not depreciate its value.

*By Mr. Cochrane :*

Q. You are talking about the English market?—A. Yes.

*By Mr. McMillan (Huron) :*

Q. There is not the least doubt that barley which has been allowed to lie as thrown off in the swath is depreciated in value from 8 to 10 cents per bushel. We found the best way was to throw off a good big sheaf, let it lie, turn it in the morning, when the dew was off, and get it in, or put it in cocks that night?—A. To show you how far and over what area barley may be grown in Canada, I may mention that the heaviest samples have come from extreme points. One from Prince Edward Island weighed 56 lbs. to the bushel, and one from Medicine Hat went 56½ lbs., and the highest value was put upon this latter sample. There must surely be within this 3,000 mile stretch of country large areas where two-rowed barley may be grown with profit, and the only way to find out where these territories are is to submit the matter to test, which farmers must do for themselves.



*By Mr. Carpenter :*

Q. Our buyers contend that with dark or coloured barley the brewers cannot make pale or light ales?—A. I am not sufficiently familiar with the United States market to know whether the same opinion prevails among the American maltsters as I have cited as obtaining among the English maltsters. No objection has been raised there to coloured barley. I am told also that the brewers have a ready method now of bleaching ale.

*By Mr. Kirk :*

Q. Did I understand you to say that two-rowed barley is not the most profitable for feeding purposes?—A. I have a letter here from a farmer which bears on that point. I have had farmers tell me that they prefer to grow two-rowed barley because they get a heavier crop. Here is a letter from Mr. Thomas Gibson, of Newcastle, Ont., in which he says: "There are two varieties of the two-rowed that I think are called Scotch and English. The English grows a longer straw than the others and a larger berry. I sowed  $7\frac{1}{2}$  acres of the Scotch last spring, or the short straw kind. It was a very fine crop, 50 bushels per acre, and heavy in weight. I have it all yet as I cannot sell it with the six-rowed. It is a fine, plump grain."

Q. Is there any difficulty in regard to the soil?—A. I think that any soil which would produce a good crop of six-rowed barley would raise an equally good crop of the two-rowed.

*By Mr. Watson :*

Q. Have you tried any experiments on light soil with two and six-rowed barley?—A. Yes; but only to a limited extent, and I cannot give the results from memory.

Q. I have been informed that it requires a heavier soil for two-rowed barley than the six-rowed?—A. I think it is a point generally admitted that a good soil for barley is a rich friable loam, without too much clay in it. Light, sandy soil is not usually desirable.

Q. I think you can get a better crop of six-rowed barley than of two-rowed off poor soil?—A. I am not at all sure about that, but I am inclined to think you would get very nearly the same. The constituents that are taken from the soil are almost identical in both varieties, and I see no reason for supposing that you would get a better crop of one, than of the other, off a poor soil.

*By Mr. Trow :*

Q. It would be very injurious to have the two-rowed and six-rowed mixed?—A. As far as sale is concerned, it would be almost as injurious as having oats and wheat mixed. Farmers must look upon these two varieties of barley as two distinct crops, and harvest them in that way.

Q. In these circulars that you are sending out, would it not be well to warn the people to keep them separate?—A. The barley bulletins, in which the importance of this question has been strongly urged, have been freely distributed, and one of these has been sent to every purchaser of two-rowed barley.

*By the Chairman :*

Q. Has the information been given that this two-rowed barley does not ripen at the same time as the six-rowed?—A. Yes, it has, in the same bulletin. The difference, I think, might be put at six to ten days later; but even in the short seasons of the North-West there has usually been time enough to ripen any of the varieties, and I do not think that there is any danger to be apprehended in Ontario or Quebec from that cause.

*By Mr. Wilson (Lennox) :*

Q. Would two-rowed barley be likely to sell to the Americans if we had large quantities?—A. My impression is, that it would, and in a short time sell for higher prices than the six-rowed. That opinion is based upon the fact that a considerable quantity of two-rowed barley has been brought from California during the past year and used in Milwaukee as a substitute for the better class of Canadian barley. Since it can be shown that two-rowed barley yields a considerable percentage more of extract than the six-rowed, I think it would be unjust to our American friends to suppose that they would not be alive to their own interests sufficiently to take advantage of any benefit they might derive in that way.

*By Mr. Cochrane:*

Q. Is not California barley considered of better quality than the general run of Canadian barley?—A. I believe it is; we have had some samples sent from London, Eng., to the Experimental Farm here for seed, and we grew them last year. We did not find the California barley as good as some of the better classes of English barley. In Bulletin 7, on two-rowed barley, you will notice that some of the experts in speaking of our barley say it is not as good as the best Bohemian and California barley; at the same time the price was put at 36 shillings. The very best samples of English and foreign barley have commanded during the past year from 42 shillings to 46 shillings, and the highest price put on any of the Canadian samples was 42.

Passing to the subject of oats, it is no doubt one of the most important crops grown in Canada, for the reason that it is used so largely for feeding purposes. Experiments have been continued with a very considerable number of varieties of this grain. A large number of samples have also been distributed for test, and it has been found a very plump and heavy grain, and in most instances have maintained their weight very well and promise to be not only very prolific but earlier and heavier than most of the other varieties in cultivation. As I have already remarked, an increase of 1 pound per bushel in the oat crop of Ontario puts \$640,000 in the pockets of the Ontario farmer, and when we realize that some of these samples of oats will run from 10 to 15 pounds above the standard, it shows that the possibilities are very great of increased gain if we can maintain that weight in this country. Last year we brought out some of Carter's Prize Cluster oats, which weighed either 42 pounds or 44 pounds, and we received a sample from Medicine Hat, which I submit here, grown from that seed, weighing 46½ pounds. At Indian Head the oats weighed 2 pounds more than the seed received from England. Seed of the same variety imported this year is unusually heavy, and weighs 50 pounds to the bushel. If we had had ten times the quantity which has been imported there would have been no difficulty in disposing of it, so great has been the demand for these oats. If we can succeed in a few years in raising the general weight of the oat crop of this country even a few pounds, it will make a very great difference to the farming community. The Prize Cluster yielded 50 bushels to the acre on the Experimental Farm here in a comparatively unfavourable season. That was on a five-acre plot. With us, however, the weight was only 34½ pounds to the bushel, owing to rust. After cleaning it well and fanning it, we have distributed it in 3-pound bags through the mail, which, supplemented by Carter's, made up 3,000 to 4,000 bags. Since February 15th, and up to the present time we have sent out 9,000 bags of grain of 3 pounds each, or 27,000 pounds. With every bag there has been sent a circular of instruction, which requests the person receiving it to make a return as to yield, productiveness, earliness, and other important particulars in reference to the crop; and at the end of the season, when we get our returns all in and classified, we shall have a very good idea of the suitability of this variety for the purpose in view.

Another variety of oat of which a limited distribution has been made this year, is the Black Tartaria. In some parts of Prince Edward Island, Manitoba and Ontario, there seems to be a preference for black oats. A prominent Scotch farmer visited the Experimental Farm last year, who in the course of conversation, referred to his crop of black Tartarian oats, which he represented as being unusually heavy and of a fertile straw. I asked him to send me a sample, and found when I got it that it weighed 41½ pounds, which was a good sample for Black Tartarian, and after reserving enough for test on our different farms, the remainder has been distributed in 3 pound bags. Besides these, there are five or six other very promising varieties, such as the Victoria Prize, the Flying Scotchman, the Racehorse and the Lancashire Poland White, of which more or less have been distributed. These are all heavy varieties, and prolific and will it is expected, make for themselves a good record.

*By Mr. Cochrane:*

Q. Which do you think is the best variety?—A. I am very favourably impressed with the Carter's Prize Cluster. It is a very handsome oat. It has a large

bushy head, good straw and stands up well. We had about as good a crop in bushels from the Black Tartarian as from the Prize Cluster, but the oats were much lighter. Taking the weight into account, the Prize Cluster produced much the best crop. All varieties of oats were more or less rusted last year.

*By Mr. Fisher :*

Q. With these very heavy weights per bushel, do you usually get as many bushels to the acre?—A. Judging from our experience, I should say, yes. The result of the test of that variety last year on the 5 acres which were sown on the Experimental Farm here, which averaged 50 bushels to the acre, confirms that opinion. The weight, 34½ lbs, did not come up to some other varieties, which ran 36 and 37 lbs.; but they produced a smaller yield. A field of Prize Cluster, sown at Indian Head was acknowledged to be the finest field of oats in the North-West from Winnipeg to the Rocky Mountains, and it ripened 10 or 12 days earlier than any oats they had there.

*By Mr. Cochrane :*

Q. Is it not a general thing that oats in the North-West are grown on poor land?—A. Not so often on poor land as on land in a poor condition as to preparation; but that does not affect the earliness. Farmers are beginning to realize that it does not pay to cultivate anything poorly in the North-West. On the Experimental Farm there, Mr. Mackay has given a very practical and instructive illustration during the past year, of the effects of poor and good cultivation. The test fields were side by side, and the difference in the crop was very marked, and when I visited the farm after the crop was harvested the difference in the stubble was very striking. On the one, the stubble was thick and plentiful, and on the other it was sparse and poor.

Q. Notwithstanding that, we understand that there was a failure of oats in the North-West this year on land that was cultivated?—A. Not invariably so. Mr. Duncan McQuaig, of Portage la Prairie, told me that if all his oats had been like the Carter's Prize Cluster he would have had nothing to complain of. He attributed his failure largely to having varieties that were more or less run out. By the distribution made this spring we have placed this prize cluster in about 3,000 different localities in the Dominion, so that it will be generally available in the country in a few years if it is successful.

*By Gen. Laurie :*

Q. Have you tried any experiments with winter oats?—A. We are trying them in British Columbia, but have not had the opportunity of experimenting there until this season for the reason, that the Farm has only just been started.

Q. I sowed 16 acres of them and did not get a blade?—A. We have tried them here and they are not suitable for this locality. The corn crop is getting to be an exceedingly important one in this country, and I regret that lack of time has prevented me from getting into suitable form for publication the material accumulated during the last year on the subject of corn. Still, I think there may perhaps be a gain by deferring it to another season, because most of our results last year were on small plots, and these are not always quite reliable as a basis of calculation. I think it may be better, therefore, to defer the publication of the results until next year. About 70 varieties have been tested, and the variety that has done the best is one which has not yet been generally kept by Canadian seedsmen. It is the Thoroughbred White Flint. This flint corn, which seems to be earlier than the Mammoth Southern Sweet or Sweet Ensilage, produced in small plots over 40 tons to the acre, while the Southern Sweet and Sweet Ensilage produced from 24 to 25 tons. These are the result from small plots. This year it is proposed to plant an acre or two of each, from which we shall be able to speak more decidedly. If it continues to prove as valuable a sort as it seems to be, it will deserve general and strong recommendation. It is a variety which has the habit of branching out a good deal from the base, and is regarded with much favour by many growers in the United States. I have brought with me a sample of what is known as "The Squaw", corn, which is the only variety that has been early enough to ripen uniformly in Manitoba every year. This is believed to be the same variety as that

which the early French explorers found the Huron and Iroquois Indians growing at the time of the first settlement of this country. It has a small ear and the grains are very much mixed as to colour but a seeds-man at St. Mary's Ont., of the name of Mitchell, who I met when attending a Farmer's Institute meeting in St. Mary's last winter, has been trying to improve this corn, and as the result of 8 or 9 year's work he has succeeded in producing a variety which seems to be a vast improvement. He says it is equally early with the original sort. If we get a variety of corn as good as this of Mr. Mitchell's which will ripen every year in Manitoba and the North-West, it will do much to overcome the difficulty they have there in providing winter fodder for cattle.

Q. That particular kind that you referred to as having produced such a yield of fodder—will that corn ripen in this country?—A. Not entirely so. We have at the Experimental Farm sample ears of all the varieties which have been grown; but I cannot say from memory how near this particular sort came to being ripe. I know it was nearer ripe than some of the other large varieties.

Mr. FISHER.—It ripened with me, and was the very best I had.

Prof. SAUNDERS.—Corn may be divided into three classes or groups. The flint varieties have the grains all rounded above; the dent or tooth sorts have grains formed like teeth, with a flat top; and it seems as a rule that flint corn ripens earlier than dent. The varieties of sweet corn are all earlier than either of the other sorts, but do not produce so heavy a crop. The experiments carried on at Indian Head and Brandon during the past season have demonstrated the advantage of a thorough preparation of the soil. Occasionally, in a favourable year good crops have been got by simply scattering the seed on the stubble and harrowing it in, but this is not a common experience, and it is not safe to presume that a man is going to be successful with any such farming. The man who cultivates his land best will, as a rule, get the best crops. In connection with our North-West work, I may say that we have just got through with the distribution of 100,000 forest tree in 1,000 packages by mail. The distribution has been confined to Manitoba and the North-West, where trees are much needed, with the hope that in the many different sections where these trees have gone there may in a few years be established clumps of trees which will produce seed, and thus lay the foundation for further planting. The announcement was made about six weeks ago in some of the newspapers in the North-West that a limited distribution would be made, and it was thought that in providing a thousand packages a very liberal provision had been made; but, in the course of two or three weeks about 2,600 applications came in from parties who pledged themselves to take every care of the young trees and to report from time to time on the progress that they made. This shows the great interest which is taken in tree-planting on the great plains, and points to the importance and necessity of trying to help those who are doing frontier work in the Dominion and endeavoring to build up a country there, which will be a great benefit to every section of this great Dominion.

*By Mr. Jones (Digby.):*

Q. What kind of trees are you sending out there? A. It was thought very desirable that the first distribution should be a success, hence, the bulk of the trees sent out were such varieties as are known to be hardy in that climate. The packages of 100 were made up of 25 Manitoba maples, 20 white elm, 10 white ash, 10 green ash—that would be more than half of the bundle—and the other half of smaller numbers of varieties which are more or less an experiment, but which promise to be hardy over a considerable portion of the territory.

Q. Is this the best time to set them out? A. Yes; as soon as the ground is fit to work.

*By Mr. McMillan:*

Q. You said that you were drawing manure from Ottawa. I would like to have the professor take a plot and not put any manure upon it, but keep ploughing down a green crop; so that he might see how that would renew the land. Then about wheat: the plots of wheat that were drowned with water, I should say that should be fully reported, because it is something our farmers do not comprehend as

fully as they ought—the harm of water lying on the soil. Farmers are benefited by knowing where the failures come in as much as following the successes. We know there must be failures on that farm as well as everywhere else. About salt, I would say this: I have experimented largely with salt. Any farmer who has a heavy clay soil should not use salt, because it is one of the worst things to bake the soil I know of. On a light mucky soil salt is beneficial?—A. I hope I was not misunderstood in speaking of the fertilized plots. It is not the intention to withhold anything from the public; but knowing the interest which is taken in the question of fertilizers, I feared that the publication of results where the land was not in proper condition would be misleading. I hope to profit by the suggestions of the honourable gentleman who has last spoken; but I think such information as he refers to can be worked out by using comparatively small plots. Among the plots where the different fertilizers are being applied to test their relative merits, plots are left here and there for comparison, on which no fertilizer is being used. I suppose we can demonstrate thoroughly in a small area what has been suggested with respect to a large area. The effect of ploughing in, green crops for bringing land into condition is being tried on the Experimental Farm in Nova Scotia. One difficulty I felt in regard to this matter is, that we have no record of the land here, as to what has been done with it in the past. There is no doubt that the ploughing in of green crops is one of the very best ways of improving land and restoring its fertility; but where we have so many crops to cultivate and experiments on different lines have to be made with all the important crops, and where land must be found for the testing of all new varieties of grain, fodder crops, fruit, &c., &c., it would be difficult to provide a large area at the Experimental Farm here for the purpose named. We are keeping an accurate account of what is being done on the land, so that we shall be able to show every result with accuracy. Last year the general drainage was nearly completed; there are but a few more branch drains to put in, and from this time forward we may look for reasonably good results.

*By Mr. Fisher:*

Q. I think it would be interesting if a block of land were to be left without any manure at all. There is some of that land which was cleaned up which is not of very good quality, and it would bear considerable green manure for a few years to come. A series of crops of that kind would be an instructive lesson?—A. I quite agree that it would. As I have already stated in connection with the series of fertilizer plots, we have plots left unmanured, so that we may observe the result on corn, wheat, oats, barley and other crops. These plots have been treated in the way you suggest; they are one-fifth and one-tenth acre each.

Q. You could hardly work green manure on such small plots?—A. I shall be very glad of any suggestions that any gentlemen may have to make.

*By Dr. Cameron:*

Q. You may remember that I obtained some Ladoga and Red Fife wheat from you? I have brought with me a sample which was grown by one of our farmers in Inverness, and I have also obtained a sample of the wheat grown on the Experimental Farm. I think it compares very favourably. There is no midge in that wheat?—A. I might say that very gratifying accounts of this wheat have come this year from New Brunswick, Nova Scotia, Prince Edward Island, and some of the extreme northern parts of Ontario; but there has scarcely been a good report of it from any part of the older settled portions of Ontario, on account of the rust. In the North-West territories the Ladoga is proving itself to be a valuable wheat, and the same may be said with respect to British Columbia. There are some reports which state that this is the first variety in some of the northern districts which parties there have ever been able to ripen perfectly.

Dr. CAMERON.—Both these samples ripen from two to three weeks ahead of Red Fife.

*By Dr. Robertson:*

Q. Has the Ladoga wheat retained its hardness in the Lower Provinces?—A. Not entirely. It retains its hardness sufficiently to make it more valuable to millers

than the ordinary soft wheats, and I apprehend that it will gradually get a little softer, but it does not lose its hardness rapidly.

*By Mr. Carpenter :*

Q. There is another question in our section that is an important one among farmers, and that is, the best methods of applying manure—whether to apply it green from the stables or to let it decompose?—A. In each series of the fertilizer plots to which reference has been made there is a plot treated with green manure and one treated with rotted manure. During the last year the crop of corn was heaviest where it was fertilized with green manure; but in roots the crop was a little the heaviest where the rotted manure had been applied. I think, in the case of barley there was a slight advantage in favour of the green manure.

*By the Chairman :*

Q. Does the use of green manure not tend to produce a greater crop of noxious weeds?—It does, undoubtedly, and that is a very important point. Where grain is sown it has a tendency to make the land weedy, but if it is used on root crops or corn it matters little whether you have a few more weeds to cut or not.

*By Mr. Trow :*

Q. Do you not think there is a great deal of waste by not applying it properly and by taking it to the field and allowing some of the elements to evaporate?—A. There are certain materials in manure which give it value. These are nitrogen, phosphates and potash. Neither the phosphates nor the potash can be dissipated by any amount of drying you can subject it to. They can be washed out to some extent by the rains. If manure is left on high ground that is liable to be washed it may lose much in that manner; but I apprehend that there is more loss by allowing manure to rot, through the evaporation of ammonia, than any of us imagine. Using the same weight of green and rotted manure, the green manure has given the best results on the crops named. If you put ten loads of green manure in a pile, you are not going to get ten loads out. You may get five or six, and if those five or six are not equal to the original ten, after all your labor and increased cost of handling, it is an important thing for farmers to know.

*By Mr. Fisher :*

Q. If ten loads of green manure be put in a pile such as you would make for a compost heap, would it not be worth as much next fall as if it were put on this spring, whether it be five loads, or whatever it may be? Taking the pile of manure, would it not be worth as much to put on the land next fall as if it be put on now?—A. I think, load for load, it would.

Q. I mean pile for pile?—A. Judging from our experiments, it would not be worth much more than half as much.

*By Dr. Cameron :*

Q. What does the Professor consider the best system of manuring—spreading on the surface or ploughing in?—A. The manure on the surface has not been a success at the farm—whether due to the season or the soil, I cannot say. We have only tried it one season, but we found it so difficult to work and keep it in place that we have adopted the other plan invariably ever since. Sometimes it is very lightly covered, but it is always covered more or less. It rots much more readily in that way, and is more easily mixed with other parts of the soil, more and rapidly brought into a condition fit for plant food.

WM. SAUNDERS.

## PART II.—COLONIZATION.

HOUSE OF COMMONS, 12th March, 1890.

The Committee on Agriculture and Colonization met this day, Mr. PETER WHITE, Chairman, presiding.

MR. JOHN LOWE, Deputy Minister of Agriculture, was examined.

THE CHAIRMAN.—In keeping with the practice which has been followed in previous years, we will allow Mr. Lowe to make his statement first and be questioned when he has concluded.

MR. LOWE.—Before commencing the statement of figures and facts relating to immigration during the past year, I would ask for permission to make an explanation. I find it stated in the *Hansard* that Mr. Watson had stated in the House that my testimony could not be considered reliable, because I had stated that 13,000 American citizens had settled in Manitoba in the year 1883. I wish to explain and also to prove that that is a total misapprehension of the facts. What happened was this—I read from the printed minutes of the Committee of that year: Mr. Trow asked me how many American citizens had settled in Manitoba during the previous year. My answer was, that there were 14,000 entries at Emerson and other points. Mr. Trow then expressed the opinion that he did not believe that 14,000 citizens of the United States had settled in Manitoba in that year: to which I answered that these were the entries from all points, and from which the number of 17 per cent. was deducted for floating population. A few minutes later, Mr. Watson asked me if it was not guess work in speaking of 14,000 going in from Minnesota and Dakota. I answered that they were not from Minnesota and Dakota, but from all points. Still later there was a further question put by Mr. Fisher, and I stated the numbers included the labourers for the C. P. R. railway works. Again, in answer to Mr. Watson immediately after, I said that according to the returns they included labourers. Those are the facts in regard to that matter.

MR. WATSON.—If this is Mr. Lowe's statement, I think in justice to myself I should be allowed to make an explanation. I do not think it is a good system to allow any witness to come before this Committee and criticize what was said in Parliament. If this is allowed there will be considerable time taken up. I state here what I stated on the floor of the House, that I do believe—and it was proven by Mr. Lowe's figures given to us in 1883—those figures are not reliable. I do not think that Mr. Lowe has proven to the satisfaction of this Committee that 13,000 American citizens did settle in Manitoba in 1882. When I asked him if they came from Minnesota and Dakota, he said from all points—I suppose from all points in the United States. I say my statement is correct, and that there was not that number of American citizens settled in Manitoba in 1882.

MR. LOWE.—I did not say so.

MR. WATSON.—I received the answer, from all points.

MR. LOWE.—I did not say they were settlers—or persons who took land. They were people who came in by the railway, including railway labourers and navvies.

MR. WATSON.—And making the deduction of 17 per cent., 13,000 therefore remained in the country. We have only to take the figures. In 1881, 23,000 were reported as having gone into that country; 70,000 in 1882; 40,000 in 1883—in all, according to the Deputy Minister's report to this Committee, we should have in 1885 some 275,000 settlers. How many did we find, according to the census? We found 135,000 people. If my statements to the House are not reliable, I would like to know what statements are.

MR. LOWE.—I would like to go with Mr. Watson into an examination in detail of that statement. I understand that I can now simply correct an error said to affect my credibility here.

MR. WATSON.—I have. That is where I got my facts.

MR. LOWE.—With respect to the information I have to give to the Committee, on immigration to Canada during the year 1889, I have first to state, it was marked

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by decline, as respects immigrants from across the ocean, as compared with the previous year. The number of all who came in by the St. Lawrence in 1889 was 27,571, against 37,700 the previous year—the difference being more than 10,000. That includes not only the immigrants who came to Canada, but the immigrant passengers who took our routes for the United States. Against that, however, there is the fact that entries with settler's goods from the United States is very much larger than previously. It reached the very large figure of 38,617, against 31,000 the previous year. That figure, I may again explain to the Committee, as I have done on previous occasions, is based on actual registration, and not a mere count of settlers, which is always more or less liable to error. I have brought some of the actual entries from which are compiled the returns of immigrants with settler's goods. The form contains the number of male adults, and of female adults, and the number of children. It not only gives the numbers, but the particular county to which they go, their nationality, and where they came from. The whole of the 38,617 is made up in that way. The number of those reported by the agents as settlers coming *viâ* the St. Lawrence in 1889 was 18,732, and to Montreal direct—that is the beginning of a new feature in the immigration—there also came, *viâ* the St. Lawrence, 3,717. These represent principally the immigrants brought by the Beaver Line. The other lines brought a few direct, but not many. These are immigrants distinct from those landed at Quebec. By the Suspension Bridge there came 9,173,—that is out of 44,000 immigrants who came in by the trains going to the Western States and using that route. In New Brunswick we have the number of 3,714, and *viâ* Portland, Boston and New York we have 2,451 reported by the Montreal agency. The numbers reported as going into Manitoba and the North-West are 26,809 during the year. Of these, 21,488 are reported *viâ* Port Arthur, 4,491 by the American railways, and west of Grenna we make an estimate of 795 having entered from the best information we can get. There were also 25 who came in *viâ* Vancouver. I give the figures as approximate—obtained by count and record of the agents. It is as well, perhaps, at this point, to make a further explanation as to the manner of collecting these figures at Port Arthur, as that has been called in question.

*By Mr. Bain (Wentworth):*

Q. I suppose this 26,000 is the net result, after deducting those who went out?—

A. That is what we understand by the numbers of settlers in the whole of the North-West at every point, including those who have gone forward to British Columbia during the year. We have arrived at the net number of settlers, as nearly as we can. I think it is well to read to the Committee a report from Mr. McGovern, the agent at Port Arthur, as to the manner in which he counts the immigrants entering at that point. He says: "Every train going west which carries passengers, colonists' specials as well as regular passenger trains, is most carefully examined by myself or caretaker, and when large trains arrive we each check a part of them, so as to be sure to get through before the train arrives at Fort William, which is seven miles west of Port Arthur. When trains are very late, or following each other very closely, which is frequently the case in the early part of the season, one of us goes from 15 to 35 miles east of Port Arthur to meet them. We commence at the front of the first passenger coach and go through the train to the sleeper, question every passenger, and take the greatest care not to miss anyone. The people are asked if they are going west as new settlers, returning home or on a visit. If they are new settlers they are asked destination and where from. If foreigners, their tickets are examined. No general account is made of the passengers, nor any record kept, except of those who have expressed their intention of becoming actual settlers. The numbers of these are taken down one by one as we go through the trains, and the totals made up in the office and copied on to the returns. I enclose copy of the daily returns kept at this office last month—January—which shows how the records are kept—the number, men, women and children, separately; nationality, and destination of the daily immigrant arrivals, and the time at which each train arrives here. You will notice by the statement No. 4 that a daily record is kept here of all immigrants *en route* to the United States *viâ* this agency."



(Mr. Lowe here showed to the Committee the working sheet).

Mr. LOWE.—I do not mean to say that mode of counting immigrants is not liable to some mistakes, but I do say it is the only mode which we have of obtaining the approximate number of the immigrants arriving at that point; and these figures are obtained for the information of the Department. I may explain, in connection with the decline of immigration by the St. Lawrence, that there has been also a decline of European immigration to the United States. The numbers in 1888 were 539,000 and in 1889, 441,000, the difference being nearly 100,000. With the purely British immigration the same kind of fact is found, and also with regard to foreign immigration. There has been a great and serious diversion of immigrants, which has affected the immigration to Canada, in the form of competition in what may be called the Emigration Markets of the Mother Country. I have in my hand a paper which was sent to the Department by the High Commissioner's office. It is an Imperial Return containing correspondence respecting immigration to the Argentine Republic; and I find in this a decree which was passed by that Republic in September, 1889, allocating a credit, or a sum of not less than \$7,000,000, for the purpose of promoting immigration to that country; and this is in continuation of the previous very large sums spent by that country for the same purpose. There is a statement also in this official paper which says that the previous advances of that nature by the Republic had been successful; and that it is on the strength of that success they made the further advance. The mode is something similar to that which we adopted in the case of the Mennonite immigrants in 1874 and 1875, and also in some other cases—that is, by making advances. They say that the previous advances which have been made have been successful—that is, I understand, they have been returned, and the immigrants satisfactory. So far as our experience, however, goes, with regard to similar advances, it would not lead us to expect the measure of success which is reported in these papers, except in the case of the Mennonites.

Mr. TROW.—Do you know anything about the propaganda with reference to settlers going to that Republic?

Mr. LOWE.—It is exceedingly active. There is a very large issue of publications, and the special agency is active. Large sums are placed at the disposal of the agents, who appear to be vested with very free powers, and who expend large sums of money to make selections of what they consider suitable immigrants. They pay passages, taking notes or obligations for re-payment. That practice has been continued now for three or four years. The population of the Argentine Republic according to these returns is 3,500,000, and the immigration for 1889, to the date of this return in September, had reached the figure of 200,000, principally of assisted and prepaid immigration, and they expected to receive before the year was out the number of 250,000.

Mr. BAIN.—What nationalities were they mostly of?

Mr. LOWE.—They are making efforts now to obtain immigrants from the north of Europe. The immigrants in the past have been largely Italians from the south of Europe; but for the purposes of wheat-growing and cattie-raising, especially in the more southern parts of the Republic, the immigrants from the north of Europe it seems, are thought better.

Mr. BAIN.—They have not done much among the English-speaking classes yet?

Mr. LOWE.—Not very much, but they seem now to have made a very special effort. They have made an allocation of 8,000 leagues of country for an English settlement, and they have also allocated a very large sum of money to promote that settlement. I forget the amount mentioned in this correspondence, but it is a sum of money adequate to the settlement of that extent of country.

Mr. BAIN.—Have you had any recent reports? I understood the boom had collapsed and things were very flat?

Mr. LOWE.—This is the most recent report. (Showing the report from which he had quoted). It was published and laid before the Imperial House of Commons during the present Session, and the decree which I have quoted was made in September last.

Mr. BAIN.—I am speaking of what occurred within a month past?

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Mr. LOWE.—I have not heard of any collapse as regards immigration. There have been questions in the financial papers as to the credit and means of the Republic, the figures of loans and expenditure being very large for the white population of that country.

Mr. TROW.—Have you seen, recently, reports with reference to the unsuccessful state of the country, and that settlers are becoming dissatisfied, and the tide of immigration is going back?

Mr. LOWE.—I saw some recent reports of hardships in the case of a party of Irish immigrants. The country has drawbacks, but there are also apparently advantages. Some settlers find the country unsuitable.

Mr. COCHRANE.—Especially where they have to work.

Mr. LOWE.—There are drawbacks of various kinds, but the country seems to be capable of producing cereals in great abundance, and also live stock, from which I think that we shall have in future an active competition, as well as at present, in what we call the immigration markets.

Mr. WILSON (Elgin).—Mr. Trow asked whether or not you have seen these reports? He did not ask you whether there were drawbacks or not?

Mr. LOWE.—We get reports all the time, at various times, from newspapers, as well as from our correspondents, and of course I see and read them all.

Mr. WILSON (Elgin).—You have seen the reports?

Mr. LOWE.—Yes; I read all received.

M. BAIN.—Can you tell us briefly what inducements they offer to agricultural settlers?

Mr. LOWE.—They pay the passage, but sell the lands at a very small price. They have a somewhat complicated system. I did, I think, either last year or the year before, bring their printed regulations here, as well as their circulars, from which I read to the Committee. We have also an active competition from the Australian colonies, and they also compete with our operations, and that in an increasing extent. The colony of Queensland alone has a large territory and not a very large population. That Colony voted, during the last year, the sum of £250,000 sterling for immigration—that is nearly \$1,000,000. The last complete return which I have for all the Australian colonies is 1887. It gives the total figure as 246,869; but then, as against that, there was an emigration by the sea of 180,000, leaving only in that year a settlement in the Australian colonies of 66,000 people for the very large sums of money expended by the whole of those colonies. That, of course, would bring the *per capita* cost, if a calculation was made in that way, very high indeed.

Mr. BAIN.—It would show a very large change in population.

Mr. LOWE.—Yes; there was an activity of movement; and it does not follow that those who go out are the same persons as those who go in. I do not think they were.

Mr. BAIN.—They have a system of labour by which they hire natives of the Island for a limited period, and they are always coming and going.

Mr. LOWE.—I do not know about that. They have what is called nominated passage, which does not imply that assisted passage is thought a disadvantage or a disability. If a family is nominated by relatives, or perhaps others who will take care of them, the Government in some of the colonies either pay the whole or the greater part of the passage.

Mr. BAIN.—These people work on the sugar plantation. It is the native population from the South Sea Islands that come and go on contracts for two or three years.

Mr. LOWE.—I have not the figures as to the extent to which that population or that class of labour is used. I referred to nominated or assisted passages from the United Kingdom.

Mr. LOWE.—In answer to a member, I mentioned the total figures with regard to the Customs entries, or entries with settlers' goods; but as these are so large, and the fact, in my opinion, so remarkable, I have made a particular analysis of this return, and I find that out of that 38,617, no less than 25,521 were returned Canadians.

*By Mr. Bain (Wentworth):*

Q. That is between us and the United States?—A. Yes; that is, Canadians coming back with their household effects, who make the Customs entry of settlers' goods, with horses, or cattle, or general household effects—the entry being made on the form which I exhibited to the Committee.

Q. Does any particular locality show special figures?—A. They come in small numbers and driblets at every port along our frontier.

Q. There is no special gain at any particular points?—A. No. I can give you the figures by Provinces. In Quebec the total entries in 1889 were 19,663, and of that number 15,517 were returned Canadians, 626 were natives of the United States, 466 were English, 220 Irish, and the rest small scattering numbers. In the Province of New Brunswick the total number was 1,408, of which 942 were Canadians and 157 natives of the United States; the rest were in small scattering numbers. In Nova Scotia the figures are very nearly the same, both in amount and character, the number of entries from the United States being 948. In Ontario the number of returned Canadians was 7,150, while those who were natives of the United States reached the figure of 2,573. There were also 1,417 English, 441 Irish, 530 Scotch, 385 Germans, and the rest scattering in small figures. In Manitoba there were 487 Canadians, 305 natives of the United States, 524 English, 118 Germans, and the rest scattering figures. In Prince Edward Island there was a total return of 348—that is, 195 Canadians, and the rest small scattering figures. In British Columbia we have a return of 1,140, of which 282 were Canadians, 257 from the United States, 285 English, 112 Scotch, and the rest small scattering numbers. The value of effects entered by those who came in this way was \$1,516,798.

Q. Have you looked to the deducting of our people who went to the United States in the same period, to see if we have gained or lost?—A. I have not the same means of ascertaining the facts in detail, but I believe that the Americans do keep these figures in connection with their Customs returns. They have not published them; and I have never been able to obtain them, although I have applied for them.

Q. I was struck the other day with the United States Consul's report from Hamilton, at the number of certificates of that class he had issued and the amount and value that was credited of goods going to the United States?—A. I have no doubt that there is a movement going on, and that it is the same as that which has been going on. The figures of the whole in the past have been very large, and they present many points of interest. In fact, they are about a substitution for the immigration. I do think, however, from these very large figures of immigrants with Customs entries last year, that the current is beginning to turn.

Q. We are gaining?—A. I think so, from the fact I have stated. I do not think that at any time the outflow has exceeded 30,000 a year; but I think it has reached that figure. The figures of the United States census returns would seem to establish that fact.

*By Mr. McNeill:*

Q. What was the figure you gave as to the number returned from the United States?—A. The number was 38,617. There may have been many others, who may have come simply across the frontier, but what the numbers of those may be I cannot say. They may, under some circumstances, be very considerable, but the figures I have given are an actual registration of every man, woman and child, giving both names and nationality.

*By Mr. Bain (Wentworth):*

Q. These do it for the sake of passing their goods?—A. Yes.

*By Mr. Gordon:*

Q. Have you any means of keeping the record of single men passing in from the United States?—A. Not by any means which we have now in operation. The actual test would be that which I applied myself a few years ago at the point of Port Huron. That is taking the ins and outs. If you get the total passengers both ways the balance will show you the net emigration or immigration.

*By Mr. Trow :*

Q. Is there any record kept of those who come in at the Bridge and go out at Sarnia?—A. We have the figures I gave you, taken at Hamilton—that is, 8,913.

Q. What is the object in counting those at all?—A. I think it is important. We ought to have as many immigrants as stated by the figures given from Europe by the United States lines. The United States lines have thousands of agents throughout the United Kingdom, and they are competitors with the Canadian lines for all sorts of passengers, including immigrants to Canada.

*By Mr. McMillan :*

Q. Have you any means of ascertaining the number of those who leave, for instance, the Province of Ontario, and go into Manitoba or the North-West? I see that there has been a large meeting at Clinton and that immigration agents from the other side, and Mr. McMillan from Toronto, were up there, and after that meeting there were over 30 car loads of goods, and immigrants along with them, left that point, and that the greater number went into Manitoba and the North-West. Now, have you any means of ascertaining the numbers that go in that way?—A. We have that kind of count, which I explained to the Committee, by our agent at Port Arthur, which is the principal point of entry now. It takes in those who go by the lakes and those who go by rail.

*By the Chairman :*

Q. Do these 26,809, which you state went into Manitoba and the North-West, include migrants as well as immigrants?—A. Yes; that is the total number who went in. It is well to remember this point in accounting for the immigration, as respects all those figures which I gave to this Committee during the "boom." I stated that fully one half, or more than the half, was made up of migrants from the older Provinces of Canada.

Q. Have you distinguished in these returns between those who are migrants and those who are immigrants?—A. Yes; they are taken in the way I have stated. Of course, that mode of recording has not the accuracy of registration, and is more or less liable to error. I do not think the figures can be regarded as anything more than an approximation. There is one test which will come, however, within a very few months from now, and that is the test of the census. We shall very carefully endeavour to ascertain the difference between the native-born, or those born in the Dominion of Canada, and those born outside the borders of Canada.

*By Mr. Watson :*

Q. Do you keep an account of the people coming east of Port Arthur as well as those who go west?—A. No; we do not keep any account of the outgo. Our figures are figures of immigration, and the figures which I have given to the Committee all along—which I think I have frequently explained—are the figures of immigration. There is always an emigration. That is not only true of ourselves, but of all other countries which receive immigrants. I just showed you that from the Australian colonies, which are islands, that they had only, in one year, the latest returns in my possession, a net immigration of 66,000 from a total of 258,000 immigrants who went in.

Q. All the people who are going to stop in Manitoba are reported by your agent at Port Arthur?—A. Yes; in the manner which was explained in that letter I read.

Q. Is any allowance made for excursionists?—A. They are not taken. I read from Mr. McGovern's letter that excursionists are not taken.

Q. I mean going east?—A. No.

Q. Then we cannot rely on your statement?—A. I do not see how that affects it. They are neither taken going east nor west.

Q. From our own town some sixty or seventy persons have come down to the east, and on returning they will be counted as immigrants?—A. No; it is distinctly stated that they are not. It was distinctly stated in the letter of Mr. McGovern that such are not counted.

*By Mr. Trow :*

Q. How are those entered and counted at Emerson, West Lynn, Gretna and points west of that? Are they considered as American citizens?—A. No; when there was an account of immigrants entering at that point the same distinctions were made and the same questions asked: but we have no reports now from those points and we may possibly be making a considerable gain without having a record of it. We have merely made a small estimate, based on the previous numbers, of people expected to have come in that way.

Mr. BAIN.—I think the Port Arthur agent should add one more column to his returns, indicating the last place of residence of the party going in?

Mr. LOWE.—We do get the points from whence they came or rather the countries from whence they came. We have men, women and children from the Maritime Provinces; men, women and children from Great Britain; men, women and children from France; men, women and children from Germany; men, women and children from Ireland; men, women and children from Scandinavia; and from the United States, men, women and children. The figure I gave was the total number of entries.

Mr. COCHRANE.—Those entries only contain the parties going to Manitoba and all parts of the North-West and British Columbia?—A. There is no possible track that can be kept of them after they pass that point.

Mr. WATSON.—Have you heard of a great many people travelling west to Washington Territory by the Canadian Pacific Railway?

Mr. LOWE.—There is, I believe, a very large traffic. We have endeavoured to obtain from the Canadian Pacific Railway the total of these figures. I wrote to Mr. VanHorne for this purpose, and he told me he could not furnish me the information that I required without a very great deal of labour and a very considerable time. I desired to get that information for the Committee, if it was possible to obtain it.

Mr. WATSON.—It is very important, I think.

Mr. LOWE—continuing his general statement—said: That total number of children of all kinds brought out by the various charitable institutions and persons during the year was 1,022. I may add, that a suggestion which was made by this committee a year or two ago, has been acted upon. That is a medical inspection has been made of all the children who come out, and a report on this head will be found in the report of the High Commissioner when it is published as an appendix to the report of the Minister of Agriculture.

Mr. CARPENTER.—This inspection takes place before they leave the old country?

Mr. LOWE.—Yes.

Mr. CARPENTER.—Not on their arrival here?

Mr. LOWE.—No. Then, with regard to the character of the immigration of the year, that is always a question of considerable interest. On this I have here the reports of the agents at the different points. Mr. Stafford, at Quebec, has, of course, the best opportunity of observing. He states that the immigration as a whole was of a very superior class; that there was an increasing difficulty in obtaining a supply of female or domestic servants. That is the fact stated at Quebec. I might very superior class; that there was an increasing difficulty in obtaining the necessary read you the same sort of statements from the reports of all the agents. It is better, however, to save the time of the Committee, to say that I have read these statements, and that they are of the same general character—that is, they express satisfaction with the immigration. There is another point with regard to the character of the immigration. We have had a very considerable addition to the settlers in colonies; that is the German, Scandinavian and the Icelandic. There has been a gain of 600 Icelanders during the year, and from all reports they are found to be doing very well. They seem to be a class of immigrants very much desired in the North-West.

Mr. McMILLAN.—What means is adopted to obtain the number of immigrants coming by the St. Lawrence, or the number who have gone from this country and returned. I was in the old country last summer, and there were a number of people returning on the vessel I was on, and we never even saw a Custom house officer. I

stepped ashore at Quebec, got on the train, and there was no means of ascertaining the number of immigrants.

Mr. LOWE.—Are you sure the Custom house officer did not see your baggage?

Mr. McMILLAN.—Perfectly certain. There is reason, perhaps. It was very foggy weather, and the vessel did not report until we came into Quebec. We laid there a certain time, and we were allowed to go.

Mr. LOWE.—At Quebec, the return of the immigration is a registration, and also at Halifax. It is not taken by the Customs officials. It is a registration, and we have in the Quebec office the names and other particulars of every immigrant that has arrived for a number of years past. We have them bound up in immense volumes, and sometimes we refer to these volumes many years back, and furnish the names of immigrants who have come to this country.

Mr. BAIN.—How are the books made up?

Mr. LOWE.—They are made up from the passenger lists of the steamship companies, and these passenger lists are made out under the provisions of the Imperial Passengers Act, which is exceedingly stringent.

Mr. GORDON.—Can you inform the Committee whether the United States now impose head money on emigrants leaving their shores?

Mr. LOWE.—Not on emigrants leaving, but on immigrants arriving they impose a tax of 50 cents at New York. That is now a Federal tax, The Federal Government is now taking the charge of immigration out of the hands of the State of New York, and I see by the recent reports that it is intended to remove the place of arrival from Castle Garden, as at present, to Bigelow's Island, in the channel, a little outside.

Mr. BAIN.—Is Montreal likely, in future, to be the port of debarkation of immigrants?

Mr. LOWE.—I cannot tell; that is yet an unsettled question—one that has some difficulties for the Department. There is a question as to whether or not Montreal may become the port of debarkation. If that were to happen it would be necessary to provide means to receive immigrants, but we have at present at Quebec, at the Louise Embankment, probably the best arrangements for receiving immigrants and the best buildings on the continent.

Mr. BAIN.—Under this arrangement the effect would be to duplicate your staff for a reduced number of immigrants.

Mr. LOWE.—That depends on circumstances. I think it is very likely, indeed, that for convenience the landing of the immigrants, for the future, for the North-West Territories *via* the Canadian Pacific Railway will take place at the Louise Embankment.

Mr. BAIN.—If the agency has any protection to strangers coming here, it would be undesirable to have them scattered between two points?

Mr. LOWE.—If it were simply a question of deciding one point at any particular port, it would be within the administration of the Minister of Agriculture to get an Order in Council passed, under our present Act, to prescribe that they land at a special point. When it comes to be a question, however, whether a passenger in England can be prevented from buying a ticket direct to Montreal and telling him he must buy it to Quebec, a new element of considerable importance comes in.

Mr. BAIN.—Of course, the result will be that the Department will have to keep two sets of officers at two different stations, which may reduce the number of immigrants scattered at the two points.

Mr. LOWE.—Probably the thing may be settled in time in view of the convenience of landing at one place. My own impression is that that will be the case. I merely give that as an opinion.

There is a further point, continuing my general statement, of which I had made a note, as showing the adaptability of the North-West in high latitudes for colonization. Governor Schultz sent to the Department some days ago some specimens of grain, of barley, wheat and oats, which had been grown by Bishop Bompas at Fort Simpson in 1889. That is a point fully 20 degrees of latitude north of the United States frontier, and it is a point on the Mackenzie River as far north as the north

shore of Hudson's Straits. I do not mean to say, and I do not know what may be the capability of that country for growing wheat, oats and barley; but here is the fact that Bishop Bompas sent these specimens to Governor Schultz as having been grown in the open by him. I suppose, as a continuation of the information which he took before his Senate Committee, Governor Schultz sent these samples on to the Department. I think this much may be said: that where wheat and oats and barley ripen, there will be a settlement of human beings, some time or other.

Mr. BAIN.—Are there any dates as to when that matured?

Mr. LOWE.—There is no information, except that these samples of grain were sent by Bishop Bompas last year.

Mr. TROW.—There is a considerable bombast about that. The Hudson Bay officers have been cultivating a-quarter of an acre of small plots surrounded by a high board fence, but the general country is not adapted to the growing of grain.

Mr. LOWE.—No; I do not say that it is adapted; still you have the fact of that grain being ripened in the open. The next point of information which I have on my notes is simply to submit to the Committee copies of a leaflet and hand-book which have been recently printed. The small vote at the disposition of the Minister has not admitted of the large printing of previous years, but there was an addition of 75,000 copies of that hand-book printed for distribution during the present winter and also of 85,000 of little leaflets and map of which this is a sample. The total cost of immigration for all services during the calendar year, was in round figures, \$126,000. That is the cost of all establishments, both in Europe and on this continent, making the small *per capita* cost of immigration \$1.37.

*By Mr. Trow:*

Q. That includes the Liverpool and London offices?—A. Yes; every place.

*By Mr. McNeill:*

Q. Is there any truth in the rumours published in the newspapers with respect to distress among the crofters in the North-West?—A. I do not believe that anything of the kind exists. Some of the crofters may not be doing very well, and may not be so well adapted to their new life as other immigrants; but I have reason to believe that on the whole they are doing fairly well.

*By Mr. Watson:*

Q. Have you had any enquiries from the old country as to how they are getting along?—A. We have had no recent enquiries; but in the summer and after the settlement of these crofters, Mr. Colmer, of the High Commissioner's Office, came out for the purpose of making a special inspection; and his report was that they were on the whole fairly and comfortably settled. I think it is well I should explain, with regard to that settlement, that it is not in any way aided or particularly invited by the Department. It is purely an Imperial tentative effort for the purpose of settling those crofters in the North-West.

*By Mr. Wilson (Elgin):*

Q. What means have you taken to ascertain the condition of the crofters there?—A. I have just stated that an officer of the High Commissioner's Department, Mr. Colmer, very late during the past year made a special house-to-house inspection, and found them in fairly good condition.

*By Mr. Watson:*

Q. Have you seen some correspondence in the *Toronto Mail* of the Highland Society being asked to assist these crofters?—A. Yes; and I have seen that those statements are met by other statements; and I am told that Prof. Robertson, on whose authority those statements were made, has not been out there since the fall of last year.

Q. Has any means been taken to contradict those statements?—A. The only means we can take when statements of that sort appear is to give information to the representatives of the press. They generally come to the Department to ask for information; and we have freely given them all facts pertaining this matter.

*By Mr. McNeill:*

Q. Are those crofters sent out by the Imperial Government settled in the same district with those who came from the Lady Gordon Cathcart locality?—A. No.

That settlement of Lady Gordon Cathcart's was a settlement made not very far from Brandon, under the immediate supervision of Mr. Thomas Bennett, now the agent at Winnipeg, and the reports from that colony are favourable.

*By Mr. Wilson (Elgin):*

Q. Will you tell me what time the inspection was made last summer? "Last summer" is a very broad term?—A. Mr. Colmer completed his inspection pretty late in the fall, and went home by one of the last steamers.

Q. Have you any report from him? Have you embodied his report in any report to this Committee? We would like to have some report or evidence showing what the facts are, because there ought to be a definite statement made, so as to correct any false impressions which might exist in the old country with reference to the harsh treatment of these crofters?—A. We did not take any special written report in relation to these immigrants, different from that relating to other immigrants, because we never had any reason to believe there was anything special to report.

Q. Did Mr. Colmer make a special report on the crofters to the Department? He should have made a report to the Department, and we ought to have some evidence of it? A. The report which Mr. Colmer made to the Department was a verbal statement.

Q. A mere general statement of all immigrants in the North-West?—A. Not simply that; he made a general statement as to the conditions in which he found the crofter settlement; but I may explain that the Department did not send Mr. Colmer to make each report. It was the High Commissioner, who desired that information for the advantage, I believe, of the Committee appointed by the Imperial Government to direct the advances of money for the settlement of these people. I have no doubt the report of Mr. Colmer might be obtained.

Q. How did the Department here get this report? From whom?—A. I stated that the Department had not sent anyone to make any report.

Q. I want to know how they got that report?—A. The Department has no written report.

Q. Did he or did he not report?—A. I think from this repeated question we should have a definition, in order to understand what is meant by "report." If I can understand that, I shall endeavour to give definite answer. I used the term "report," as I distinctly stated, with reference to a verbal statement which Mr. Colmer made to me personally in the Department and to the Minister of Agriculture. I called that statement "a report;" but it was not a written report, nor did the Department request Mr. Colmer to come to this country to make it.

Q. Perhaps you will give the substance of that report as stated to you? We have no evidence beyond your statements, and we want you to make it as full as possible, so that we can know the condition of these men?—A. The Committee will, of course, take my statements for what they are worth. I can only repeat this: that Mr. Colmer reported to me in the sense I have already stated of the crofters in the North West.

*By Mr. Watson:*

Q. Is that speaking of them generally?—A. He made a general report to me of what I understood was a house-to-house visitation, made by himself. I did not ask him for any further particulars.

Q. I think it is very important, with regard these crofters, that we should get all the information we can, because I believe very damaging reports have been sent to the old country which will prevent other crofters coming to Canada. I believe the Highland Society of Toronto has taken action in this matter and it is necessary to have these reports contradicted in the press?—A. I have no doubt that those reports are not well based, and I have already given this statement to the press.

Q. Have you caused any inspection to be made of these crofters?—A. We have not considered it worth while on the strength of these reports.

Q. Is it not important to take action when the Highland Society in Toronto is found to be soliciting subscriptions for their fellow countrymen in the North-West?



—A. I have no doubt that the Imperial Committee, which is responsible for sending those crofters out, will get the information in detail and publish it.

*By Mr. Wilson (Elgin):*

Q. You say you have no doubt that reports are totally unreliable. Will you give us your reasons for coming to that conclusion?—A. I have already given one reason, and that is, to me, the sufficient statement by Mr. Colmer as to the state in which he found this crofter settlement, from, I believe, a house-to-house visitation. I have a further reason, which is of a negative character, and that is that had there been anything of this kind it would have been obtained and reported to us by Mr. Bennett, the agent of the Department at Winnipeg, who has had very much to do with crofter settlement, and is keenly alert to its condition. He has reported nothing to the Department. I take the fact of no report from him to the Department to be sufficient to warrant me in considering these reports as being without foundation.

*By Mr. Trow:*

Q. How are the settlers located—promiscuously?—A. No; they have been carefully guided. The Imperial Government has advanced a considerable sum of money; and Mr. Scarth, or Mr. Scarth's company, has had very much to do with their settlement. So far from sufficient care not having been taken to place these people in a very good position, I think, if any error has been committed, it was that probably too much was done. That was an opinion expressed to me by a gentleman from Scotland, who called at the Department after visiting Manitoba, to see specially into the state of these crofter settlers. He told me that in his opinion they had been rather too much coddled, and that the settlers would probably have been better off if even less had been done.

Q. Would they not probably have done better if they had been located on the west side of Lake Winnipeg, where they could have caught fish?—A. That is a question I find it difficult to answer. Mr. Scarth and the gentleman who had charge of this settlement, I take it, were well acquainted with the circumstances, and they selected the spot which the crofters now occupy.

*By Mr. Watson:*

Q. The North-West Land Company had no land west of Lake Winnipeg?—A. I don't know anything about that. I think Mr. Scarth was selected in view of his personal standing and character by the gentlemen of the Imperial Committee.

*By Mr. Wilson (Elgin):*

Q. You tell me, then, that having investigated all the facts, being in a position to ascertain all the conditions with reference to these crofters, you have no hesitation in stating it is your firm belief and opinion that there is no such suffering as reported in the public press of to-day?—A. You ask for my belief from my understanding of all the facts. My answer is——

Q. You told me that after investigating, as far as you could, and being in a position to know the facts, and having had reports of the inspectors coming to you, you felt yourself in a position to express an opinion?—A. I will answer that question very frankly—and it is, that those reports which have appeared are very gross exaggerations, in my opinion.

Q. There are really no facts in connection with them?—A. I do not mean to say that there are not some individual cases of not well being among the settlers; but, having relation to the colony as a whole, I am satisfied that these reports are without foundation.

Dr. WILSON (Elgin).—He said he made no report. He said, if there was any hardship existing, Mr. Bennett would have reported it.

Mr. LOWE.—If there had been any fact which Mr. Bennett thought of sufficient importance to report to the Department he would have reported it. If there had been any urgency he would have known it and telegraphed, or if the matter was less urgent he would have written. We have had nothing from Mr. Bennett on the subject, and that alone is sufficient, for my own satisfaction, that there is nothing in the story.

Mr. Trow.—Would it not be necessary to go there and see? If there are cases of extreme hardship to this class of settlers, something should be done to relieve them, for various reasons. In the first place, British Columbia is using considerable exertion just now to get out a colony of crofters to that Province, and, of course, if there is nothing in it, it should certainly be contradicted.

Mr. Lowe.—I may state to the Committee that I will make particular inquiries of Mr. Bennett; but in relation to the question which is asked by Mr. Trow, as respects relief of the kind of distress alleged, by the Department, that is the point of very great difficulty indeed. It is found that when one begins to give that kind of relief there are plenty of applicants. That is not only our experience, but it is also the experience in the United States. The New York Commissioners in Castle Garden, when they commenced their operations, were very free in giving relief to what they considered was distress. They have withdrawn that, step by step, until it has been totally withdrawn; and Mr. Jackson, the Secretary of the Commission, who has had very great experience at that point (Castle Garden), told me that there was a great danger in giving any kind of official relief to immigrants, for the reason that they thereby ran the risk of pauperization. Still, in stating that to the Committee, I would also mention that that experience is not by any means uniform. It is, for instance, stated in this correspondence, in connection with the Argentine Republic, that immigrants after arriving there are kept for fourteen days at the Government's expense; and the system is found to work well.

Mr. Trow.—You are aware that the States Government of Dakota and Minnesota are aiding settlers that are in destitute circumstances in both of those States?

Mr. Lowe.—We have reports of that, and we have also reports to the effect that this has become so prime a necessity that no other course was open to prevent starvation.

Mr. Cochrane.—It was not from the fact that they were immigrants that they could not make a living?

Mr. Lowe.—No; the distress extends to old settlers. We have reports on that distress from Mr. Webster, who visited the States and reported to the Department.

Mr. Watson.—I have just to say, that I believe that the reports of distress existing amongst those crofters have been circulated in the north of Scotland, and those crofters in the north of Scotland are very much alarmed at the reports sent home. I do think it should be the duty of the Department of Agriculture to send an agent there. I believe the crofters in the Pelican Lake settlement should be visited by an agent who could contradict these statements that there is distress among them as a class. There is no doubt that some of those crofters are fitted for the North-West as immigrants, and some of them are not fitted.

Mr. Lowe.—Undoubtedly, it is the fact that the Crofters, as settlers, are not uniformly successful. We have experienced that not only in the North-West but in other parts of Canada. Some of them, however, make very successful settlers.

*By the Chairman:*

Q. Have any assisted passages been given by the Department during the last year. I understand that statements have been made to that effect by some of the labour organizations?—A. No assisted passage whatever has been given since the close of that system in April, 1888.

General Laurie.—I do not propose assisted passages. I simply propose that the proposals made by benevolent people in England should be taken up. I do not say to accept their proposals, but to modify them in such a way that they could be worked for our advantage.

*By Mr. Wilson (Elgin):*

Q. Has any assistance been rendered to any of these children?—A. No assistance has been rendered. A bonus of \$2 per head has been given in the case of a portion of them. That is to the people who maintain homes to receive them in and distribute them from.

Mr. Watson.—I think that our land regulations provide for the scheme suggested by General Laurie, and that a certain amount of security can be taken on the homestead.

The CHAIRMAN.—I understand General Laurie to say that a number of the labourers in England are not able to settle on land.

Gen. LAURIE.—These societies will advance the money to them with the prospect of being repaid. They do not ask the Government to undertake any obligation to secure it, but ask the Government to furnish the machinery by which the repayment may be forwarded.

Mr. TROW.—Our Government should be exceedingly cautious in putting home-steaders under obligation to money lenders in the old country. Nothing would be more injurious to a settler than if he had the right to encumber his property.

Mr. McNEIL.—General Laurie simply proposes that the matter should be taken up and considered. I think anyone who has had any experience in the rural district of the old country can tell you that the class spoken of by General Laurie would be a class very desirable to us out here. In my own country, in many parts of it, some of the most successful farmers to-day are men who came out under precisely the same circumstances in which General Laurie proposes to bring these persons. Many of the men who have become our most successful farmers in Canada came out with only the clothes they had and an axe in hand, and have carved out happy homes for themselves and families. I think we should not forget that, and never speak of such people as persons who are paupers.

Mr. WILSON (Lennox).—Why should this Government be made responsible for the money. If these people cannot pay their own passages I do not think they are good immigrants.

Gen. LAURIE.—I do not wish the Department to be responsible at all. It is simply that the Department will provide machinery for the collection of money and enable these persons to remit.

Mr. WILSON.—Who is to pay for the machinery?

Gen. LAURIE.—You have the machinery already. You have your immigration agents, and I simply suggested that the machinery you now have here should be utilized, so that correspondence with the people at home should take place through the agents.

Hon. Mr. CARLING.—That matter has been fully considered, and the Government have declined to become responsible. What these parties wish is, that they shall advance sufficient money to settle these immigrants out here, and we shall be responsible for the repayment of that money. That would necessitate the Government forcing these parties to pay the money. The Government have declined to take such action, and I do not think it would be wise to take upon ourselves the responsibility which this scheme involves. We have our machinery, and we have offered all the facilities which we are capable of affording for the settlement of these persons. We will give them all the information possible, and, if necessary, send guides with them to our land offices, and explain all the regulations of our system. We have, however, declined to become responsible for the advances of any money for the purpose of settling these immigrants.

Gen. LAURIE.—I think the Minister misunderstands my present proposal. I said that there is a class of labourers in the old country who never have a week's maintenance ahead, and that there is an over supply of labour in the district where they live. For such people to raise their passage money is simply out of the question: but benevolent people in that district, such as the gentleman who wrote the letter I placed before you just now—a retired brother officer of mine—are prepared to advance the passage money of, say, 15 or 20 men, women and children. All they ask is that some machinery be provided to assist in the collecting of the money and having it remitted to England. These men do not understand how to remit 5s. or 7s. 6d. at all. They do not understand how to draw money orders. These benevolent persons in England would like to see some means of collecting their wages, when they are willing to have half their wages stopped, and they want to have their communications addressed through the official channels of the Government. Whenever there is an official of the Government, such as an immigration agent in this country, he could be utilized for this purpose. These persons are not prepared to

go on land. Nothing would be worse than to send men to Canada with only the clothes on their back and place them on a farm. He has no means. But he supplies exactly what we want. Our young people are too ambitious. They won't be labourers. They strike out for themselves. We want to replace that class in this country. We want to bring in something at the bottom that will take the place of our young men, who are rising above it. I, as an employer of labour, have found it so. There are large numbers who want labourers and would be glad to get them through the immigration agency. In this case the people in England will advance the passage money, in the hope that they will be recouped by the labourers themselves. It is not my proposal; it is the proposal of benevolent people in England who ask if this can be done. They offer their services as immigration agents for Canada, and the question is, whether it is worth our while to modify their proposal so that we can make it turn to our advantage.

Mr. BAIN (Wentworth).—I should be very sorry to see this subject disposed of summarily. I can realize the position of these labourers in England. We all know that the price of grain has run so low that it is difficult to make ends meet, and greater attention is being given to stock-raising. A friend of mine in the south of Scotland wrote me since I came here this Session that as a stock man he had not had such good times for several years. A large amount of land is being put into grass, and the labour that was formerly employed on these farms—for everyone knows how cheap and abundant farm labour is there and to what a limited extent farm implements take the place of men—is not now needed. The result, is that a great many farm laborers find their occupation gone. I can understand the feeling of a farmer who has employed men in that way for a number of years and then finds no further use for them. I think it is a pity if we cannot find some process by which they could be located out here. These men are helpless and gravitate to large centres, and we know the tendency of men to run down. I agree with General Laurie as to the difficulty of attempting to locate this class on land, but if there could be any process by which the agent employed by the Government could find a way for these men to reach farms, where their labour is wanted, and to facilitate communication between them and the parties assisting them, I think the Department should do that. It would never do for the Department to undertake the collection of money, but the Department could offer their agents as a channel of communication between these parties, with the understanding that they have faith in the moral uprightness of these men. That is what it comes to. I know that I have had men in my employ to whom I would freely have given money and trust them to go to the ends of the earth and send it back to me. I have had other men who would take a delight in beating me out of that money. It comes finally back to the moral question whether those parties can depend on the men they send out. I do not see that there is any reason why immigration agents should be made the mediums for collection.

Hon. Mr. CARLING.—I would like to say that the Government in communicating with parties in the old country have offered the services of the immigration agents. We are doing that now. Now, our agents in Canada are trying to find employment for men, for farm labourers and for domestic servants. We have applications, and can place those people when they come, whether they come to Kingston, Ottawa, Toronto, Hamilton, or any of these points. In this city of Ottawa, our agent here, a very careful man, takes good care that every immigrant that arrives here is looked after a short time. If it is a servant maid, she is found a place; and farm labourer, he knows just where to place him; and, Sir, all our agencies, from Halifax to Vancouver, we make it a point that they will know that when immigrants arrive we can place them. We cannot get a sufficient number to supply the demand in all agencies. If they want to take up land and become settlers in the North-West, our agents at Winnipeg at the different points are ready to give them information and all the assistance they possibly can, and in the correspondence that has taken place with parties in the old country we have explained that fully, but we have declined to become responsible for the payment of the money advanced to them. We have offered to do everything we possibly could, and we have offered

to assist in communicating through the Department with immigrants, but we have declined to become responsible for the payment of the money.

Mr. COCHRANE.—I can see where the difficulty comes in. Of course the Minister is perfectly right in the stand he takes, but he can find places for a great deal more of the labour of the old country than he can get from the fact that the labourers of the old country cannot get here. I suppose his agents could find employment for hundreds more of males and females if he could get them here, from the fact they are unable to pay their passage, and they cannot get here. I understand there are plenty of people in the old country with means who would send those people out here, if they could only get some way of getting the money back after the immigrants had earned it. I do not want the Government to become responsible for it, but if an agent of the Department found that he wanted 25 servant girls or 50 labouring men here, and they were sent out by those who were able to send them, that the agent should receive the money and send it back for the payment of the passage. This could be easily done, I think.

Mr. PLATT.—There is a more simple way than that by which this money could be returned. I do not know whether the Department keeps track of immigrants who come out to our shores and receive situations. If they are in a position, say a month or so after their arrival, they can follow them so far as to be in communication with them, and when they earn a few dollars ahead the agent could inform them how to proceed to return the money, and many of them would do it. An instance, which I will illustrate: Not very long ago I was called to see a patient, and I got into conversation with the servant-girl recently from England. That girl told me about what was required of her. She was in duty bound to return £2 to some charitable institution or some lady in England, and she did not know how to do it. I undertook to do it for her, and got the Post Office order and directed her letter and in the course of a few days some four or five others who came out with her inturn came to me to assist them in this matter. It was a simple operation to inform the immigrants.

Mr. DAVIN.—Women will return it, but the men won't.

Mr. McNEILL.—I am only surprised so much has been done by the Department, considering the funds at their disposal are so small. I wish to read to the Committee an extract from this letter, which will give a good idea of the field that is before us if we can only reach it: "I am overwhelmed with applications from our labourers about here for assistance to help them to immigrate to Canada. I cannot afford to send them out on the chances of their repaying, but I send you a list, and perhaps you may know farmers or others who would be glad to have them, and who would either advance their passage money or undertake to stop it from their wages and remit it to me. Then something might be done for them;" and then the letters mentions several names of men who would come out, and who would make excellent settlers, and some of whom would bring their families with them; and the only question we have to consider is, what would be the best way to arrange to have the money refunded to those people, who are willing to run a certain amount of risk from purely benevolent motives, and we have to consider whether it is worth our while to meet them half way and endeavour to assist them in their benevolent purposes.

Mr. McMILLAN.—What I was going to say respecting this letter is this: I have been in the old country four summers out of five, and I have found all over the old country this state of things existing, that the farmers are rapidly seeding down land, and they do not require the amount of male or female assistance that they have had. If we can get this class of young people to come out here they would be a very desirable class. The only trouble is to get them located. I have had some of them come out, young men, who were not able to pay their passage, and they were capital hands on the farm. Perhaps, as far as the remitting of the money is concerned, the Government would have power to give some instructions to the money order offices to assist individuals of that kind to send money from their localities. If it could be done through the Government agents or through the assistance of the postmasters they should give all the assistance they possibly can. I think the agents should not

be allowed to handle any money. My own opinion is, I do not think people with families would be so much benefited for a time, because any person coming to this country with a family could not save very much for a little while to send to the old country, but the young men and the young women can. They can easily take half of their earning to pay back the money that sent them out.

Hon. MR. CARLING.—I think the existing machinery of this country could be utilized. I think the Government, through their immigration agents, through their postmasters, through their Customs and Excise officers, would lend any assistance in their power, and if the members would their assistance when called upon it would meet the wishes of my friend General Laurie. The only objection is as to our becoming responsible for the return of this money. Everything that can be done will be done to facilitate the employment of those people, and to assist them in having their remittances properly sent forward, and assist them in correspondence and everything of that kind. That would be done by the machinery which the Government has, and the members in the different localities could assist. We could ask the municipalities also to assist. This might be of very great importance and a very great assistance. In the correspondence with those parties in the old country we stated that the Government had carefully considered the matter, and while we would do everything in our power to assist them, we could not become responsible for the repayment of this money.

Gen. LAURIE.—I do not say that now; I never did. They find it no use asking any longer. At present they are under the impression that the Government will not meet them in any way. I thought it was better to bring the matter forward today, and see if we are willing to assist in the matter.

Mr. LOWE.—There is no difficulty as respects the agents of the Department. I fancy the only difficulty would be on point of the Government agents acting as collectors, and as such being considered responsible. The Government agents do now freely receive and send money for immigrants for return passages or for other purposes.

Mr. COCHRANE.—When the immigrants will take the trouble to send it to the agents.

Mr. LOWE.—Yes; that is the point. It is desirable to understand that they are not to be considered responsible as collectors. If these people could be instructed to send their moneys to the agents, by those who make the advances, the agents are now instructed to send the money forward. But the responsibility of the collection must not be understood to rest with the agents.

Mr. COCHRANE.—There is an impression that your agents do not hurt themselves a great deal about the immigrants in the country, and it would not hurt the agent to follow an immigrant who is sent out.

Mr. TAYLOR.—I think it would be very wrong to let the impression go abroad that the Government would, to a certain extent, be responsible to look after these men and see that the collection is made. There are plenty of channels through which immigrants may return their money if they are inclined to do so. They can do it through the agencies, through the members of Parliament and through the post office.

Mr. WILSON (Lennox) moved, seconded by Mr. COCHRANE, that this matter be referred to a sub-Committee for report at an early date—the Committee to be composed of Messrs. White, Gen. Laurie, McNeill, McMillan and Trow.

The CHAIRMAN.—I am afraid that is a question which must be dealt with by the Department. The agents of the Departments are not under the control of this Committee at all. We have no power to give them directions; we may make a recommendation to the Department as to the best mode in our opinion of dealing with this question; but I confess I cannot see any way of dealing with it by which those persons who advance money could be given any security whatever.

Mr. DALY.—It might be made a matter of contract between the servant and the person hiring them, whereby he would undertake to remit so much money to the agent of the Immigration Department. I do not wish to drag the Government into

the matter at all. It would be a matter entirely between the immigration agent and the persons who send these people out—the immigration agent not acting for the Government, but on behalf of these persons in England. We have a statute in force in Manitoba that any contract made with a domestic servant in Great Britain and Ireland can be enforced; it can be enforced summarily before a justice of the peace. The great difficulty we find is, that shortly after they get there they invariably become smitten by a young man and eventually get married. It is then a very difficult matter how the law applies; but so far as male servants are concerned, there is not that difficulty, although female servants are more reliable and likely to remain longer in one place. The great problem we have to solve in our country is that of female and male servants. The great trouble, is that when girls arrive they cannot speak English, and by the time you get them to understand the English language and the requirements of the place they are taken home by their parents, who need their services on the farm. As to men, it is a matter of common notoriety that the man who used to work for you two or three years ago is now on his own farm. It is of vital importance to us that we should have these young people there. I could mention the names, giving sections and township ranges, of people who came there without anything and are positively the best settlers we have there now. I suppose it is the history of Ontario repeating itself.

Mr. Trow.—We cannot place any shackles upon immigrants in this country. When they come out here they are at liberty to do as they think proper. You would only hamper our Immigration Department, and would give encouragement to American immigration agents to come here and tell these people they were in a state of slavery. We should not for a moment bind anyone.

Mr. DALY.—The man who enters into the contract that I have referred to enters it as a free agent. It is simply that, if he hires himself out, he agrees to do such and such a thing. He is not bound to sign the agreement nor to work for any particular man.

The CHAIRMAN.—There is a difficulty which has presented itself to my mind in carrying out the scheme of making the immigration agent a means of transmitting the money from these parties to the people at home. It would imply some responsibility on the part of the Department. Suppose large sums of money went into the hands of a dishonest agent and he appropriated them to his own use, what position would the Government be placed in with regard to that. There is an implied responsibility if you make your agents the means of collecting and remitting the monies to the people in the old country. It seems to me that this is a responsibility which it would be dangerous for the Government to assume.

Mr. WILSON's motion was carried.

The Committee then adjourned.

JOHN LOWE.

N.B.—Memo: I have signed this report to certify simply in so far as relates to the correctness of my own evidence. J. L.

HOUSE OF COMMONS, 20th March, 1890.

The Committee on Agriculture and Colonization met this day Mr. PETER WHITE, Chairman, presiding.

Mr. W. A. WEBSTER was present, in response to a summons from the Committee.

The CHAIRMAN.—Mr. Webster was summoned to appear before the Committee, and is here to-day. The object, I presume, of bringing him here is, that he may give us some details of the work he has been engaged in during the last year. The Committee will remember he was here last year and gave us some interesting information respecting the work he was performing under the authority of the Department of Agriculture, and I imagine that the proper way will be to let him make a

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statement as to the work he has been engaged in and what his success has been, and then it will be in order for members of the Committee to ask any questions they choose.

Q. Mr. Webster, you are employed, I believe, by the Department of Agriculture?—A. Yes, sir.

Q. For the purpose of obtained information in Dakota and elsewhere respecting immigration?—A. Yes, sir.

Q. Will you just state to the Committee what your labours have been and what you have been doing during the last year?—A. I may say that my instructions were, first to go through Ontario to ascertain to what extent, if any, immigrants were leaving Ontario for the North-Western States, and particularly Dakota and Minnesota; and secondly, to ascertain if any attempt was being made by those States through their railway agents or agents of the Government to come into Ontario and induce immigrants to leave. After that I was to go into those two States particularly, and any other of the North-Western States I chose, and to visit those localities in which Canadians were said to have settled. I was to examine those States from an agricultural point of view, and to report if I considered them as possessing any advantage over and above our own North-West. After doing that, I was directed to go into Manitoba and the North-West to examine the agricultural resources of that country and to make a comparison between it and the North-Western States, and to report the facts from time to time to the Department of Agriculture. I was instructed to report once a month to the Department, and also to make an annual report. That I had done. You now ask me as to what I have done during this particular year and as to what I am now doing. Shortly after I was before the Committee last year, which is nearly a year now, I spent some time with the immigrants who were leaving. It was in May, and that was about the time immigrants were leaving. When I say immigrants, I mean those who go with their families in cars containing settlers' effects. I spent some three weeks after leaving here in assisting those immigrants at different points between here and Belleville, because that is the portion of the Province I am best acquainted with, in a thousand and one ways by which assistance can be rendered to those who have never travelled. A great many came in 25 and 30 miles from the outlying townships, and very many of them had never travelled before. Some of them had never been outside their own township, and I was astonished to find how completely ignorant those people are, notwithstanding all that has been published in the shape of pamphlets. When it comes to making an actual move they seem entirely lost and at sea. I discovered I could give them a great deal of valuable assistance in enabling them to understand the routes, and in some cases in getting cars and in pointing out the general course to take in getting started. After they got lined out and well under way—the first batch of them having left along about the first week in May—I started for Manitoba, so as to be there about the time they arrived, and to meet them. The course I took was this: We always knew in Winnipeg when trains were coming with these settlers' cars. I generally ran down to Rat Portage, about 150 miles east, and during the hundred miles nearing Winnipeg there was an opportunity of becoming acquainted with them and of ascertaining to what particular parts of Manitoba they were anxious to go. I would gather them in knots as they came to Winnipeg, that is those who had decided to go to Southern Manitoba, and took charge of the largest party and went out into those sections to help them select their land and make them acquainted with the farmers in the locality they were going into. I am acquainted now with the great bulk of farmers in Southern Manitoba, and also in Central Manitoba, to some extent. I spent until about the middle of July in performing this work, and then, obeying my instructions, I went on to Dakota. On my way I met four different parties, on two or three different occasions, who had come up. One party was from south-western Minnesota; they had come up in the capacity of delegates. They had been sent up by their neighbours, who had heard of Manitoba. I think probably I had spread a great deal of literature during the two preceding years while visiting those States, and these parties had come up to examine for themselves



in the capacity of delegates. I took charge of these four parties and went to Southern Manitoba with them, and I think they were pretty well convinced before I got through with them that it was a pretty good country. In Southern Manitoba, as we all know, it was pretty dry last year—said to be the driest in fifty years. In each case, both these men said they were astonished at the growth of this country. Those men returned to their several localities, each saying that they would do what they could to lay that information which they had collected, and which I had assisted them somewhat to collect, before their neighbours in the townships in which they lived. After getting through with that I started down through Dakota to spend as much time as I could. Dakota is a very big country, and anything that I say in connection with it must be very condensed. I went from Gretna, I think it was the last week in July, I went down through Pembina County and examined northern Dakota—that is, that portion that is worth examining. There is a great deal of the western part of it that, as far as I can see, is no use as an agricultural country, and is not settled; but those nineteen counties in northern Dakota that have been settled somewhat, I travelled through each and every one of them. I first examined Pembina County, that lies south of the boundary line. It is possibly one of the best counties in Dakota. There, notwithstanding the drought, that county produced close on to half a crop. I may say, in connection with that, that half a crop there does not mean what it does in Manitoba. It means about 5 bushels to the acre. Our people in Manitoba call half a crop about 15 bushels to the acre. However, I think that Pembina county did a little better than 5 bushels. I think it is one of the best counties in the State of Dakota. Then I went over into the next county south of that, that is Walsh county. Grafton is the county town. I hurried on to get there on that particular day, because they had announced that there was a large meeting to be held there for the purpose of discussing some measures of relief for the settlers on the western side of that county. I dropped in and was one of the spectators at that meeting. It was composed of delegates who had been called by the local papers of two or three counties, and by posters distributed broadcast through the country. These delegates were present from each town and township. There were about 500 present, and the substance of their discussion was this: There were at least 500 families in the western part of Walsh county that if assistance was not given to them immediately they would starve. They went on to give details.

Mr. HESSON.—What time of the year was that?

Mr. WEBSTER.—That was in the latter part of July. The reason they gave was, that the year previous the entire crop was frozen. It had succeeded not a very good year, and last year that the crop was not frozen was from the simple fact that it never grew, on account of the extreme and successive drought. There was little or no snow in the winter and no moisture in the spring to germinate the grain, and just about the time it was expected that the grain would germinate there came a few days fierce winds, and it blew a great deal of the grain entirely out of the land. It blew much of the land into heaps, which resembled very much the waves of a pond. The result of that meeting was that they decided that at least 500 families would starve—the word they used was starve—if assistance was not immediately given. They decided that the county should stand a little more bonding, but not much. While that was the true state of affairs in the west of the county, on the east side it was not so bad, from the simple fact that it borders the Red River, and the counties in Dakota bordering along the Red River have fairly good land, and they decided that that county should adopt the bonded system. They had to bond the county as far as it would bear to assist these 500 families they described as being in destitute circumstances. From that county I went into Nelson, the next western county; all I can say is, that that county is very much worse. It was excessively bad. The crops last year were not good, and the year before. They were bad—I have no language to describe it. I visited Lacota, their county town, three years ago, and it was a flourishing town. This year the town has about vanished. In fact, the hotels had reduced down to one—the Palace Hotel—and I was the only guest

at that hotel for forty-eight hours. The history of that hotel would fill a book if there was some one able to write it. I think Goldsmith's "Deserted Village" would compare favourably with the county town, Lacota. I examined the county carefully, and it is not possible to imagine more destitution in an agricultural county than in the county of Nelson in northern Dakota. That county, three years ago, was spoken of as the banner county of Dakota. Then I went into Ramsay county and into Devil's Lake, which also borders on Manitoba. The south part of the county was a total desert and the northern part was not so bad; near Langdon, that part would produce somewhere about half a crop. I went then into Ramsey county with Devil's Lake, the county town. What I said in regard to Nelson would apply exactly to Ramsey. I went into Roulette, county which also borders on Manitoba. The southern part was about as bad as Ramsey and the people as poor. The northern part was not so bad. It was heavier soil. These counties are composed almost entirely of sandy light soil, and when dry it is impossible to produce a crop because the grain will not germinate. I spent an hour examining an attempt to get water there three years ago. They bonded Devil's Lake in their endeavour to get water, and they exhausted the bonds of the town, and then they bonded the county, and when I was there this year they had exhausted these bonds, and they were down 1,700 feet. They had not struck good water, but they had struck some substance which was coming up, and they could not clearly make out what was coming up. I tried it for drinking purposes, but had I had no use for it.

Mr. COCHRANE.—What do you mean by bonding the town?

Mr. WEBSTER.—They sold bonds on the credit of the county and they were bought at about 40 cents on the dollar.

Mr. COCHRANE.—They pay their bonds by direct taxation?

Mr. WEBSTER.—Yes; by direct taxation, and they are paying for the whistle now, and they told me that their taxes were equal to renting a farm in Manitoba. That is a quarter section growing nothing but the average taxes would be taxed \$30 to \$35. Over on our side, in very many cases it would be about from \$7 to \$12. That is, about the difference in taxes. After sizing up Devil's Lake and Ramsey county I then crossed the lake, which is a large lake. Devil's Lake, they told me, measured around the margin about 80 miles. It is a peculiar shape, and of course has a good deal of margin for the size of the lake. I was astonished to find that that large lake during the three years I had been acquainted with the place had reduced down to about half its size. When I was there three years ago—nearly three years ago—it was near the town, and this year it came within half to three quarters of a mile of it. I crossed the lake and went over to Fort Totten, about 20 miles from Devil's Lake, I think in Benson county. There is a large Indian reserve there and the Government had attempted to grow wheat. They had seeded a crop, assuming that it would produce \$100,000 worth, and when I was there the estimate was that they would get 1,000 bushels. I myself could not see where they could get 100 off it. If there came a shower or two, they might get 1,000 bushels. I myself could not see where they could get 100 off it. If there came a shower or two they might get 1,000 about bushels. I spent the day about Fort Totten and the second day with the farmers, and I made inquiries regarding the stock interest. I tried to ascertain if the farmers could make a living in the absence of grain, and ascertain if it were possible to live by stock growing, and without being told I could see myself that it was not intended to be a grass-growing country, because being so dry there was no grass there. Then, as to the river bottoms—they are very little streams like the Cheyenne, and Forest River bottoms—are very narrow, and it is not a first rate grass-growing country even on the bottoms. They told me likewise there were no prices for their stock. I spent half an hour talking to a man; he was a butcher, and he gave me a list of prices, and he told me about the stock and the prices for three year old steers and oxen, and I was astonished at the prices they were compelled to take for their cattle. That is what they were principally living on then. They were selling out the balance of their stock.

*By Mr. McNeill :*

Q. What would a yoke of oxen be worth?—A. They told me that the highest price they had been able to obtain that year was about \$60. From there I got on the overland route and went in a south-westerly direction. I then crossed Benson county most of the way, and aimed to strike the head waters of James River. I had been west of James River on a previous occasion, but I had never visited James River, because I always heard it described as a regular garden of Eden. I thought it was necessary for me to go into it. I heard different accounts this year, and I was determined to go and prospect James River fully. I struck its head waters at about 30 miles from Fort Totten. I examined James valley for 150 miles in a south-easterly direction as carefully as it was possible for me to do. I struck a branch of the Northern Railway at a point called Oberon. I am drawing on my memory to some extent. That road is heading up with a view of getting up into our country. It is a branch of the Northern. I examined that valley for about 150 or 160 miles carefully. At about half of the distance you strike Jamestown. The course I adopted was to call at every county town, and to stop off and see as many people as I could in and about the town, and as far as I had time to walk out into the country two or three or four or six miles east and the same distance north and south; to meet the farmers and to go into their houses and talk with them. I was particularly anxious to meet the farmers' wives. I always felt they were going to tell me the truth, anyway. I say that if ever I was astonished or disappointed in a country, judging by the accounts I had heard, it was the James River valley. Between Oberon and Jimtown, as they call it—Jamestown—it would average about 6 miles each way, and travelling down the valley you can see what is growing. There was little or practically nothing growing. I stopped a day in Jamestown; that is on the Northern Railway. That is where I first struck the Northern. There is a town of some little size, as you could understand, in a railway centre. While I was there and while I had been going through northern Dakota there was held what is known as a "Constitutional Convention." It was in Bismarck. It was in session, and travelling about continually I fell in more or less with the delegates, and had a good opportunity of speaking with them. They were in most cases farmers—representative men in their several localities. I had a splendid opportunity of gathering information from them. I had intended to go from Jamestown to Bismarck, but after the description I got of the country between Jamestown and Bismarck I thought it was entirely useless to go. They said there was simply nothing in that region of country between Jamestown and Bismarck. Two or three were pointed out to me as substantial farmer delegates, and I asked them whether Bismarck was a wheat-growing country, and I think they told me there were three or four elevators there, but one would have been quite sufficient. That is the way those representative men described Bismarck, and the country between there and Bismarck is of a rolling character, with some little streams interspersed. From Jamestown I decided to go further down. I heard that southern Dakota was in a terrible plight. I met parties in Jamestown, discussing northern Dakota and describing it to them, as I am trying to describe it before this Committee, they told me that southern Dakota was worse than that. They said: "You had better go down there." I had a little time left, and I utilized it in proceeding down James River—that is, the valley, following the banks of the river.

Mr. TROW.—Are we going to send out settlers to that country? What object have we in getting a descriptive history of a country we have no connection with?

Mr. SPROULE.—For the purpose of comparing it with our own country.

Mr. WILSON (Elgin).—I think the point is well taken. It is evident that the witness thought he was acting in the direction of inducing our own citizens to return; but he is giving a gloomy description of a, no doubt, gloomy place. We are interested in our North West, and therefore we want a description of the North-West. We do not want to hear about any part of the United States. We can read it up. If that is what the witness came here for, I think it is a waste of time.

Mr. SPROULE.—I think entirely different. I believe Mr. Webster is not only here to give his personal experience, but a comparative statement of the two coun-

tries for agricultural purposes; and if he is to act as an immigration agent in any capacity, either in that country or in this, his personal experience would have greater weight than anything which could be read from pamphlet. We have had such glowing accounts of the agricultural capabilities of that particular State, and I think it is decidedly in the right direction we should get information from men in whose integrity we have confidence.

Mr. Trow.—That is perfectly correct, if he would confine his comparisons to northern Dakota; but along the James River the land is arid and sandy, and is the worst part of Dakota, unless you go across the river at Bismarek and run into the bad lands of western Dakota. It is a portion of Dakota that is sparsely inhabited, and it is not expected you will get crops there. Let him describe the other portions, the northern or southern portions.

Mr. HESSON.—I think it would be important for us to know whether Mr. Webster, in his tramps through that country, found Canadians who were induced to go there in consequence of the bright pictures painted of that country.

Mr. PATTERSON.—There are no Canadian settlers there, are there?

Mr. HESSON.—We have been told there are some there, and possibly this information may prevent others from going, and afterwards to petition their friends in this country for relief.

Mr. WILSON (Elgin).—I certainly do not wish to in any way interfere with the giving of any information which the witness has in his possession in the interest and for the prosperity of our great North-West. If he can give any information as the result of his perambulations through Dakota whereby the settlement of our North-West would be furthered, it is a different thing; but from the time I came in up to the present he has done very little but wander from one point to another. We should have some connection between his description and the object he has in view.

The CHAIRMAN.—Perhaps I might be permitted to point out to the Committee this fact: That a motion was made a few days ago in the Chamber below, setting out the great exodus from Canada, and asking for a committee to inquire into it and to inquire into the best means of preventing that exodus from Canada. I think the information we are getting from Mr. Webster will have a tendency to prevent Canadians from going from this country into that country, where it is alleged they have been going and settling for a great many years, and if that can be accomplished I think we have accomplished a good deal.

Mr. TROW.—If Mr. Webster will confine his operation, to Dakota and portions within 100 miles of our borders, but if he wanted to cross that ridge where nobody inhabits, it is just a loss of time.

The CHAIRMAN.—I think Mr. Webster's statement is not at all irrelevant.

Mr. WEBSTER.—Mr. Chairman, I have been describing county after county. I have taken no particular line; I have taken county after county all over 19 counties, and in a few moments more I will come to deal with the people. I was just describing the country and its capacity for agriculture, and then I will refer for a short time to the people—those whom I met—and tell you what they told me. I will only describe, if you say so, what I saw myself. After leaving Jamestown I proceeded south down the valley to Lamoore, between the boundary of southern and northern Dakota. The description of the northern end of the valley will apply to the southern end from Jamestown to Lamoore. There was practically no crop.

Mr. HESSON.—What distance is that?

Mr. WEBSTER.—Seventy-five or eighty miles, and the valley averages from six to eight miles between the heights on each side.

Mr. McNEILL.—Is this considered a good portion of Dakota?

Mr. WEBSTER.—It had always been reported as the very garden of Dakota. In their literature, which I have studied, they describe it as one of the best portions of Dakota, of either northern or southern Dakota—the James River valley. It has always been described in the literature as that. Always as I travelled on these local roads down the valley and I met many farmers travelling down, and I had discus-

sions with these men. I could not help noticing the homesteads as I passed along, and I asked them many questions—if there had been any prosperity in times gone by; and I saw that that prosperity, if there had been any, had departed now. When I got to Grand Rapids, which had been reported to me as quite a town, I made arrangements to stop there for a day. It was reported that they proposed to have a large manufacturing establishment there, and I expected to find quite a centre. I expected to stop for a day and travel over the country on each side, but when I got there the train stopped long enough for me to size up the town. There was no place to stop, and the falls appeared to me to be about two feet deep, and a very small amount of water was passing over the falls then. There was a boy on the station platform, and he told me there was no hotel, but there used to be one two or three years ago, but there was none there now. He said there was no boarding house, or no place he knew of, so I got back on the train and went down to Lamooore county, to the county town of Lamooore. It was from Lamooore that one of those delegates I mentioned as having met in Southern Manitoba came. He asked me to come down and see the destitution of the people in that portion of the State. Now, in Lamooore I met with some Canadians. Possibly I might as well deal with the people there. I met some Canadians, but generally they were men holding some small office or keeping a small store. There were only a few of them. I did not meet any farmers in that country who were Canadians; there were one or two Canadians who were machine agents, and who were dealing in a small commission business or other. They all seemed to have some little office. I met none of them as farmers there. From Lamoor I struck across the country. I was anxious to strike Cheyenne, which was a good portion of the country. I crossed there into Ransom county and worked across to Lisbon. The parts I have been describing includes nearly all the counties in northern Dakota at all settled. In each of these counties I met some Canadians, and, in every instance, I discussed with them, first the reason why they came, and in every instance when I met a Canadian who was a farmer, these men had these little offices such as constable, &c.; they seemed to have a different story to tell from the Canadian farmer. The Canadian farmer said the country was no good. I asked them the reasons why they came to get into this State, and a great many of them said that when they left Ontario and the old Provinces that they intended to go to the North-West. We had no railways then of our own and they went by Chicago, and from the time they got into Chicago the trains were boarded by these emigration agents—the Dakota and Minnesota agents—and they filled them up with literature and talked up Minnesota and Dakota until they imagined it was the best spot on earth, and they were diverted from their original intention, very many of them. A number of them told me it was owing to the literature having been distributed and placed in their hands before they left the Provinces here, and it was owing to that information that they were induced to go. Very many of them told me originally they intended to go round by Chicago and the American roads and strike Manitoba at Gretna, and they were met by agents in Chicago and others at Minneapolis and St. Paul. Mr. Chairman, I have a large number of letters. I have kept up a continual correspondence with Dakota farmers for the last two or three years, and I have 200 correspondents there. I have men working there for me continuously during the last year distributing literature, and I have here a few samples of them. I have friends there who come from our own county of Leeds and Grenville, and they have been up there and tested that place, and they universally gave me the same reasons as to why they were there in place of going to their own country. I have letters from those men now, which I had at that same work for me there, and they are representative men of that particular class, and they tell me in these letters that they are going to get out of the high taxes, bad municipal law, total failure of crops, and it is impossible to stay there any longer, for starvation is staring them in the face, and they are anxious, after having read my literature, to leave the country. I have distributed half a ton of literature in Dakota, some of which was prepared by the Department of Agriculture here. I distributed a large amount of literature prepared by the Manitoban

Government and the Canadian Pacific Railway, giving these farmers letters compiled in these pamphlets. I am satisfied that that literature has had a very decided effect upon those people in making up their minds that they must leave there and go somewhere, and they have made up their minds that that somewhere is Manitoba and the North-West. I only wish the time would permit me to read some of these letters. There are some gentlemen on this Committee who know some of these men who wrote these letters. They knew these men previously to their going to Dakota; there is one here which will not take over a moment or two to read. It is dated from Grand Forks county, one of the good counties. It is written by a friend, Timothy Curtin; another Canadian who went up there some years ago. The letter reads as follows:—

“INKSTER, GRAND FORKS CO., NORTH DAKOTA, 12th Jan., 1890.

“DEAR SIR,—By way of introduction, I am a friend of Timothy Curtin. I heard him read the letters you sent him. On the strength of your statements I am going to Manitoba in the spring. I have some fine brood mares and colts, 12 head in all, and cows and young stock, and farming implements, of which I would like to take a load. I would drive through with waggons. I would strike the line 30 or 40 miles west of Pembina. Please let me know about the duty? I intend to go and make my home there. I have been bucking the tiger a long time in Dakota, and am getting poorer every year. Last year I had in 400 acres of crop, had nothing, and cannot pay my debts. I am bound to leave here in the spring. Now I want to go far enough west to get out of the cold belt, and where I can raise stock and grains. How far would it be? Please let me know all the particulars. I am also a plough-maker by trade, and I think I can do something at that over there. There are several others going with me. Please let me know all about the duty and quarantine? I think that is the country for me.

“Yours, &c.,

“S. J. WOODWARD.”

“WM. A. WEBSTER,

“Immigration Agent.

Now I have just one other letter here that makes some reference to that. It is from this man Curtin.

Mr. Trow.—That man must have done pretty well when he has ten or twelve horses.

WITNESS.—He does not own them, though. We will see what this man says. He says:—

“There are several leaving here in the spring for your country. The man that you and I called on in the evening when you were here is going, and he wants you to let him know how he can take his stock without paying duty.”

I may just say how ignorant they are of our laws. They have been so impressed with the idea that they cannot cross over into Manitoba with their farm stock and horses without paying duty that they cannot get it out of their heads. He goes on to describe this man's capabilities as an engineer and plough-maker. He says:—

“He would be a useful man there. He is a blacksmith, plough-maker and engineer. Don't say anything about his leaving for a little while, as the bank here has undertaken to rob him. As fine a fellow as could be. He will write you soon for maps and directions, as he intends going west out of the cold belt. There are two other parties going to write you.”

I may say that all those men who asked me where to get a mild climate I invariably advised them to go to Alberta, and those who wanted to go into mixed farming, I told them that Manitoba was the best place in the world.

Mr. Trow.—Have you ever been in Alberta?

WITNESS.—No.

Mr. Trow.—Why do you recommend it, then?

WITNESS.—I have gathered a great deal of information about that country. I went in and asked Mr. Davis last night to describe to me honestly what Alberta was

like. What he told me was just as good as if I had been there. This letter continues:—

“There are two other parties going to write you, as they intend starting a sheep ranche. One is H. J. Holbrook, of Park River, and the other is J. A. Taylor, of Inkster.”

That man has been farming there, and is a railway contractor. The letter goes on:—

“There will be lots leave here in the spring for your country, as this country is a failure. If I can possibly rent my place I will go with Wood. You remember Wood. One crop in four years. There are lots here that are not able to leave that would if they could. If I could get my money out of this place I would say good bye John. I could not sell now as times are awful. Send me maps and pamphlets and I will shake them around here in good shape. Twelve per cent. per month and bonus has killed the farmers here. I think the worst laws on earth are here. I could find two emigrants here to one in Ontario. I know you could settle up a large tract with them. Please write soon.”

“Yours respectfully,

“TIMOTHY CURTIN.”

Mr. Taylor, the member for South Leeds, knows Mr. Curtin well. He used to be one of his constituents. These are samples of the letters, and I have hundreds of them at home.

*By Mr. Cochrane :*

Q. How far is this from the boundary line?—A. 150 miles.

*By Mr. Semple :*

Q. Did you visit the eastern portion of Dakota?—A. Yes, sir.

Q. I understand that there are a number of Canadians doing well there?—A. No; I was down in Macpherson county, that is the part where they sent a petition from to Toronto the other day. I told them they were starving, and they admit it now, and have petitioned the Toronto Board of Trade, saying they are going to starve. Having appealed in vain for aid they now ask Canada to help them.

*By Mr. McNeill :*

Q. Is that a good part of Dakota?—A. Macpherson county! Judging by the literature it was considered one of the best parts.

Q. I was impressed with the fairness of the question that Mr. Trow asked, when he called attention to the fact that that part which you were describing was not considered the best part?—A. I simply commenced on the map, and never missed a county. I took Pembina, at the Red River, Cavalier, Fournier, Walsh, Ramsay, Battinar, and so I took them tier after tier. I have been over county after county.

*By Mr. Trow :*

Q. All along the boundary?—A. From the boundary down to Larimore, which is the boundary between southern and northern Dakota. I have travelled over 19 counties in northern Dakota, which have been settled up and possess any value as an agricultural country.

*By Mr. Hesson :*

Q. You heard the statements made by Mr. Trow, that there were tens of thousands of Canadians there. Did you meet many of them?—A. Yes, I met a good many Canadians.

Q. Did you meet anyone that was doing well?—A. There is no one doing well there now.

*By Mr. McMillan :*

Q. Will you give an explanation of what this 12 per cent. per month and bounty means?—A. Yes; I will give it as they gave it to me. I stopped a night at Larimore. That is where the famous Elk Valley Farm is. I stopped at that town over night. I arrived there in the evening, and although it was midsummer it was very cold. I spent the evening in walking around the town and in seeing how its prosperity looked compared with the two previous occasions. I saw that two-thirds of the houses by actual count were tenantless, the doors were simply flying and win-

dows open, and no one paid any attention to them. Now then, just back of the hotel where I stopped there was quite a large lot, a sort of piazza, and there they had gathered in ten or fifteen waggons. There were oxen tied around the waggons. They were poor enough; I never knew what a poor ox was until I saw them there. In some cases there would be a cow tied to the waggon wheel. There was a great collection of agricultural implements, binders, mowers and other implements, and it looked to me as if they were going to have a fair, and I asked the parties at the hotel why these animals and implements were all gathered in, whether it was the farmers in from a distance doing business, and at the hotel they said that the sheriff had gathered these all in, and they were going to be sold, and that night I spent a couple of hours talking with these farmers, and I wish I had time to repeat the statements they made to me. It made my heart ache. They told me of the the high rates of interest they had been paying for the last three years and in some cases it amounted to as much as 160 per cent. for their money. There were a dozen men round the room, and they did not know I was an immigration agent. They imagined I was a farmer, living away in one of the southern counties, and they were repeating their woes to me. So, under the circumstances I got from their own mouths an exact description. They said these things had been brought by the sheriff. I went to one of their old hotels, the great three-story frame hotel that had been built at the time of the boom, and there were eight or nine families of women and children of these farmers there. There was no fire in the building at this time. When I was there three years ago it looked to be nearly a new hotel. These women and children were there simply in a sort of perishing condition, and I never saw such a dejected looking lot of people in my life. We are not as bad in Canada as that. There is the description of that town, Mr. Chairman, and the surrounding townships.

Mr. TROW.—Did you wait for the sheriff's sale?

Mr. WEBSTER.—No, sir; I left next morning. I said, What will this stock sell for? They said, It won't sell for enough to pay the sheriff for levying it and selling it here. Then they described the villainy of their men. They said they had no confidence in any of their officials, and they told me the taxes were \$35. The public schools were closed, most of them in Ramsey county and Nelson county. Two years ago they paid their teachers with scrip. This year the brokers and bankers would not pay 5 cents on the dollar for scrip. I passed some of the school-houses all vacant and nobody there. Those men told me to go outside and I would see four caretakers watching the stock, and you would see four men on guard watching oxen tied to a waggon wheel, and they said they paid those fellows a couple of dollars a day; then there is the deputy constable and the sheriff, and the goods won't sell for enough to pay these officials, let alone paying anything on the debt. That is a fair description. The letters I have read are just about a fair sample of 200 letters I could have brought here and laid on this table. They are fair samples, and a fair statement of the case, because I knew one of the men, who went to school with me.

Mr. TROW.—Would you recommend the Government to charter a train and take them all over to our own country?

Mr. WEBSTER.—I think my recommendation would not be worth much to the Government in a matter of that kind; but I tell you on leaving Dakota, if I had been as rich as Vanderbilt, out of my own money I would have brought 5,000 people out of Dakota and planted them in the North-West. My heart ached for those men, particularly when I saw very many of them were Canadians, and they all repented their lot; and a great many of them I spoke to as Canadians regretted they were there. The man I drove with from Devil's Lake to Fort Totten was from Senator Perley's country. He had managed to get hold of a little stage route. The Government subsidized some money to establish the route. He asked me when I came home to send him everything in the shape of literature I could, and he would distribute it round the two counties, and I have delivered lots of literature to him.

Mr. LABROSSE.—Did you notice any French Canadians?



Mr. WEBSTER.—Very few. There are some along the Red River. I am not speaking much about the Red River, because that little portion of the country is a fairly good country.

Mr. PATERSON (Brant).—Was that the general condition of all farmers in that country, or were these the unfortunate ones? Were there no farmers there making a good living?

Mr. WEBSTER.—No, sir. It was impossible. The crops would not grow. Three years ago the crop was frozen; two years ago it was an absolute failure, and this year it never grew.

Mr. WILSON (Elgin).—It is getting worse every year?

Mr. WEBSTER.—Yes; it is getting worse every year.

Mr. PATERSON.—What is to become of these poor families? Is there any system of relief?

Mr. WEBSTER.—Yes, sir. They bonded the counties two years ago for about all they would bear, under the territorial law. They were limited in the amount for which they could bond the counties, and that amount has all been exhausted. This year the great bulk of the counties would stand no more bonding, and a few of them along the Red River stood a little more pressure of bonds, and now the Governors have applied to Washington, and their report is worse than the report I am laying before the Committee here. The Governor of Dakota made an appeal to the whole world for charity. I only wish I was rich. There are in that country many women and children suffering. I saw them. I have read of poverty in the agricultural districts in Cork, Ireland, when I was a boy, but I never thought it could possibly exist in a new agricultural country until I saw it there.

Mr. SEMPLE.—Did you learn if there were any poor-houses or houses of industry there?

Mr. WEBSTER.—It was all a house of industry. Well, Mr. Chairman, I understood I was asked to give, to some extent, a report, when I was in the employ of the Department, to give some idea of the services I had been performing during the year. That is what I understood you to ask me, Mr. Chairman, when you addressed the Committee. Now I have arrived at about the time of the year when I left Dakota. I left there a number of men whom I felt were Canadians at heart, who were sorry they ever went there and who would be glad to get away. They were just as much Canadian in sentiment as I am. Another thing I was glad to find: In most of the cases they asked what they would have to do. They said they had not taken the oath of naturalization, and they had only declared their intentions. I think they would only have to go back to Manitoba and they would get rich. Then after this, I thought I should go down to Ontario. The crop was harvested in Manitoba and I went through there to see the progress of the new settlers, and I found the farmers there encouraged and happy. Many of them had nice little houses built, which were nicely situated, and some of them had 20 to 35 acres broken. I may describe the various farmers who went up to Manitoba from Ontario this spring.

Mr. PATERSON.—Before we leave the subject of Dakota, I would like to ask, How long had those farmers been there on an average.

Mr. WEBSTER.—Possibly 5 years, on an average. In Grand Forks, and on the east side of Walsh county, they had been there for ten years taking the average, and the other counties they had been there six years. They had tried to grow six crops.

Mr. PATERSON.—What I wanted to find out was, whether you had ascertained any cause of these three unfortunate years—whether it may be a thing to look forward to regularly.

Mr. WEBSTER.—Well, Mr. Paterson, I went into that thing very fully. First, from my own observation, I think I could see the cause. It is a very high, dry region—one vast plain—very much of it growing little or no grass at all. I watched all the excavations made by the railways and I saw it was not very deep soil. After going down 8 or 10 inches they struck a sort of white gravel. It was absolutely poor, without any fertility whatever. I could see, and I told them three years ago, when they had some little crop, that they could never live there.

Q. You satisfied yourself that it was not simply that the rain had been withheld one year but it is a thing that they might expect?—A. Yes, and they have come to that conclusion. A gentleman I met at Devil's Lake one Sunday afternoon after church, said he would interest himself to get a copy of the report, the first report that was ever made to the Government about that section of Dakota. Many years ago the Government at Washington sent out an engineer into the Dokotas to examine and report if they were fit for agricultural purposes. This gentleman said he had seen the report time and time again, and that the report was that the land was entirely unfit for cultivation. There was no vegetation, and it never could be an agricultural country.

Q. That is not the whole of Dakota? That is a certain territory?—A. Yes.

Q. Take another portion, where it is fair land, and give a description of that, and say how that would compare?—A. Take the Red Valley, in Dakota, and I am satisfied it is quite as good as the Red River Valley in Manitoba; but after it passes the boundry about 20 miles it is very narrow. The proof is, that east of that—that is the east side of Walsh county—this year grew somewhere about five bushels to the acre, while the west side grew hardly nothing.

Q. Would that be a fair crop?—A. That is, perhaps, as good a county as you could go to. It is as good as you could go to in Dakota. That brings it out into the light land. As near as I could average, there is about twenty miles in width of good land. It has a very limited area. That is where the Canadians, who went up before our road was built, largely settled. The American road ran through that country. That looked to be a good country, and was largely settled by Canadians. Many of those men made good progress during the first three years, but during the last three years they have about lost it.

*By Mr. Hesson :*

Q. Are there any immigrants going in there at present?—A. None.

Q. None from Ontario?—A. None; practically none from Ontario. I have watched that as carefully as it was possible to watch it for the last three years. I have seen attempts made to bring some, but they have utterly failed in each case. They have attempted it in the the western part of the Province. Mr. McMillan and I have made a kind of arrangement that he would look after the west and I would look after the east. He is the agent of the Manitoba Government. I invited him to come down here and help me lecture, and got him on my bills, and made up a plan of campaign. He got sick, however, and did not get down. He said that a Dakota agent came right into his meeting and attacked him there; but I see that he did not get any immigrants. I do not think that one has gone from the section that I am keeping watch over.

*By Mr. Labrosse :*

Q. With respect to the Canadians from Ontario in that territory, what chance would there be to get them back in our territory, and would the Government be prepared to take them back into our country free of duty?—A. Yes, sir; I have corresponded with the Department. Mr. Lowe wrote me, and I immediately sent copies of his letter to these men I am working through in Dakota, that there was no duty, but a restriction regarding quarantine. In regard to northern Dakota, where there is no sickness among the cattle, there would only be a stop of half an hour at the boundary for inspection and to get a clean bill of health. I sent them our land laws and sent th m everything which I thought would enable them to start off.

Q. How many Canadians do you think there are in those territories?—A. Through those nineteen counties, I am satisfied that in those particular localities of which I was an eye witness that there was possibly one-quarter Canadians.

Q. Where did the others come from?—A. Some were Norwegians. I noticed this, that if there was any little good spot the Canadian had always pounced upon that, and the Norweigan was stuck on the side of a sand hill. There were a few Swedes and a good many Norwegians. I noticed there was a very small proportion of Americans outside of the towns. They were running banks and railway agencies, but the Americans would not go out on the farms. Then, as it is getting late, I may

say that I came back into Manitoba and ran through for about two weeks amongst those immigrants that I had assisted in settling in Southern Manitoba in the spring. I have some of their letters which they wrote this winter. Their prayer is to "get our friends to come up here. We are satisfied that it is a good country." They like the winter. That is the only thing that some of them dreaded. They were satisfied with the soil and crops and all that. I collected a large exhibit of the products of Manitoba, notwithstanding the dry year, and aimed to get down to Ontario to meet the fairs. I think there is no fairer way to present the agricultural capacity of a country than by the products of the soil. I went to a great deal of labour, and it is terrible hard work. I would go to a fair and talk all day, then pack up, go to the next town and set up this exhibit in the hall before going to bed, get up in the morning and talk all day, distributing pamphlets and describing the exhibit. I spent as long as the fairs lasted in doing that kind of work, and then resorted to the plan of getting people together and talking it up to them.

*By Mr. Paterson (Brant).*

Q. That is, fairs in Manitoba?—A. No; Ontario, because my instruction was special from the Department to do all I could to prevent immigrants going from Ontario into those Western States. Having gone through those States I saw that many had gone, and I thought that possibly some might feel like going yet; so I came down to the fairs and described what I have told you here, and where I had this exhibit set up they could see the character of the Manitoba grains and grasses. After the fairs were ended I delivered lectures during the winter, excepting a portion of the time when I was sick and had to knock off. I produce here a sample of my bills. I always invite the members of the riding to be present, so as to see if they would endorse the work I was doing and the way I was doing it. There is one bill where the local member and the member of the House of Commons were present at my meeting. They fully endorsed the work I was doing and the way I was doing it. My description of Minnesota and Dakota at those meetings were just as I have given it here—only this, I am bashful before this Committee. Out amongst the farmers I can talk splendidly.

Mr. TROW.—Was this exhibition of grain, hay, &c., and roots—was it at the expense of this Government?

Mr. WEBSTER.—It did not cost this Government one cent.

Mr. TROW.—Was it at your own expense?

Mr. WEBSTER.—It was at the expense of the Canadian Pacific Railway and the Local Government, and the municipalities there who got the exhibition up for me.

Mr. TROW.—Did not the Greenway Government send down parties here to exhibit these grains?

Mr. WEBSTER.—They were running a show on their own hook. I am speaking of my own matter. The way I got the exhibits collected was through the farmers I was acquainted with there, and through the municipalities. The first year I collected from Mr. Harrison, then Minister of Agriculture, and he interested himself very much. The Canadian Pacific Railway sent it down free, and I did all this working nights and travelling this country, and I have never billed this Government one cent.

Mr. TROW.—Did you hold meetings in Haldimand?

Mr. WEBSTER.—Yes; I was in Haldimand. There is the list of some 25 or 30 meetings on that bill.

Mr. LIVINGSTONE.—Can you give the names of the other counties you visited?

Mr. WEBSTER.—Leeds and Grenville, Northumberland, Haldimand and Hastings. That is all I have in my memory. There would be 20 meetings in a county. I generally aimed to have one in every township.

Mr. PATERSON.—In giving that description of Dakota, you did seem, I believe, to draw attention to a part that was not so bad. With reference to our own country now: There are spots more favourable than others, I suppose. Did you find any poverty equal to that in any part of Manitoba, or any place where there had been a failure:

Mr. WEBSTER.—Yes, sir, there was a portion of Manitoba that was quite a failure this year.

Mr. PATERSON.—You would consider it an exceptional year?

Mr. WEBSTER.—Yes, they told me it was the worst year in 55 years. There are the records for it there. Then, while the grain crop was quite a failure there was an abundance of grass, and the stock was fat, and the cattle that were brought from Ontario in the spring were skin poor, and on the 1st of August, before I left the Province, they were rolling in fat, notwithstanding the extreme drought. The moisture in the spring germinating the grass, which grew well.

Mr. PATERSON.—Would you recommend immigrants going into Manitoba and the North-West Territories without giving any particular localities? You would not feel there was any danger in settling on any such land or getting in the bad condition you have mentioned?

Mr. WEBSTER.—Yes; I would not be afraid, because the portions not good there are easily seen. There are river ridges which no practical farmer, of course, would go for.

Mr. McNEILL.—Did you find any poverty in Manitoba comparable with Dakota?

Mr. WEBSTER.—Not the slightest. I found things when I got back into Manitoba in good shape. To make a comparison was part of my duty. I spoke of schools in Ramsey and Nelson counties and in portions of Benson county in northern Dakota. In Manitoba where they were farming they were raising funds to build school houses, and getting the furniture from Ontario, and I never saw as good school houses built in any new country as I saw this summer in the new sections, and I asked the trustees, some of whom were personal friends of mine—I said: “How do you raise the funds to build school houses?” And he said: “We issued the debenture the same as we used to in Ontario,” and they told me they issued bonds on this section for \$650; and I asked, “Where do you sell your bonds,” and he said: “We do not even print bills, and scatter a lot of hand bills, but we tack up a couple of notices on the corners of cross-roads, and they were only there a few days when a farmer came and bought the debentures. He bought them at the face value, drawing 6 per cent. interest. That farmer came there from Ontario seven years ago, when he had less than \$2,000. Last year he had \$12,000 worth of grain. I tried to make a fair, honest comparison to the best of my ability, and I have been making a fair honest, comparison.

Mr. DALY.—About the debentures—in relation to the manner in which they build schools. It is true they build the schools on debentures issued by the school trustees, but the Government limit the amount at which the school trustees can issue the debentures, which bear the usual 6 per cent. per annum interest, and a by-law which is prescribed by the School Act has to be passed. In the first place, a meeting is called of the people connected with the school district, by the various trustees, to raise this money, and then the by-law is submitted. It is then sent to the Secretary of the Province, and has to receive the approval of the Attorney General's Department, who authorizes the secretary of the school district to issue the debentures. These debentures are signed and they are signed, in the Provincial Secretary's office and are examined then, if correct, they are endorsed by the Provincial Government. That is the guarantee that the debentures are properly issued. The Government has taken this precaution to prevent the issue of debentures to an extravagant amount. There is no doubt about what Mr. Webster speaks of in Dakota, where they made a tremendous bond issue. That would have occurred in Manitoba if the Government had not taken hold of it five or six years ago. The ordinary cost of the schools in Manitoba is \$500 or \$600, including equipment, but it depends upon the distance they have to haul their lumber; \$650 is the total amount for the school. I think it right to explain to the Committee the safeguards with which the Government have surrounded the issue of these debentures.

Mr. PATERSON (Brant).—When you speak about the Government endorsing, you do not mean endorsing the bonds? You mean endorse them as being within a legal limit.

Mr. DALY.—No; they guarantee the payment, that is the reason they sell at par. More than that: there are land companies that will pay a commission of 1 per cent. to get these debentures. Mr. Paterson asked you if you saw the same amount of poverty in Manitoba as in Dakota?

WITNESS.—No sir.

Mr. DALY.—I do not want the committee to run away with the idea that we have not our trouble in Manitoba.

*By Mr. Hesson:*

Q. Did you get out a circular like this one of 1887 referring to the crop of 1889?—A. No, sir. It is a big job to get out that circular. I use that more particularly in the old Provinces, to give the names and addresses of the farmers there referred to. That bill is merely to give a record of what those farmers had done in the particular year. The crop bulletins are issued by the Local Government every year and have the official endorsement of the Government.

Q. Could you not have issued such a bill this year and given the result? I do not suppose the return would have been as satisfactory?—A. No; it would not have been as large. I found it took a long time to get this information and then get it printed.

*By Mr. Paterson (Brant):*

Q. You will see there is some force in these remarks. When these bills are noticed to be for the year 1887 and then it is seen in the newspapers that the crops in that portion of the country have not been so bountiful, it will be said that you are giving a one-sided statement. It will arouse a little suspicion?—A. In writing it at the bottom "a line dropped to any of the farmers will get information," this was to give an opportunity to farmers to write to some one there and to ascertain what he has been doing.

Mr. PATERSON.—Nothing would please the members of this Committee more than to know that the year 1887 was a fair year for Manitoba.

Mr. DALY.—Did you circulate the crop bulletin?

WITNESS.—In immense quantities.

Mr. DALY.—You say the crop bulletins give information for 1888 and 1889.

WITNESS.—Yes.

Mr. PATERSON.—What was the estimated surplus in this crop bulletin last year?

Mr. DALY.—It was considerably under that. I think it is a very unfortunate thing for the idea to go abroad that everything is smooth there. I want everything to be square and fair and above board, and that so far as Manitoba is concerned a man cannot make anything unless he works for it. He will not find everything smooth there, and must go prepared to put up with good years and bad years, the same as in any other Province in Canada. You will find this all over Manitoba, and particularly in the lower parts. You will see men coming in almost without capital. They move with everything they have in a settler's car, and arrive with possibly \$200 or \$300. That is pretty well exhausted when they get on their location. They are practically beginning life again in a new country. We all know what that means. They are invariably poor, until they work up year after year. The first year they have a yoke of oxen and a walking plough. The next year they have a pair of horses, and so they go on progressing. I find some farmers in Manitoba of very little account and never will be worth anything. They won't work; but I never found an instance of a farmer in Manitoba—in that part of the Province that I am acquainted with—who were energetic, pushing men here, but told me they could make twice the money there they could here.

*By Mr. Taylor:*

Q. You have given us a detailed statement of the work you have done. I would like to know what has been your average monthly expenses to the Government for the work you have been doing.—say of six months, from the 1st of May to the 1st of September?—A. Travelling expenses?

Q. Yes?—A. Of course the salary was laid before the Committee last year. I can give you an answer to your question in a few words. Between the 30th of last April and until the 30th of October, during which I was travelling as I have described, I travelled, as nearly as I could reckon, 11,000 miles—9,000 miles by rail, 1,000 by water and 1,000 by land. For that I billed the Department for something less than \$90.

*By the Chairman :*

Q. Did you have a living allowance in addition to that?—A. Yes, sir; that was simply my travelling expenses.

*By Mr. Paterson (Brant) :*

Q. Even then you must have travelled a great deal of the time free?—A. I managed to have enough influence with certain corporations to float me along without their exacting money from me.

*By Mr. Labrosse :*

Q. I see by this circular that you spoke only of Ontario. I think some inducement should be given to the other Provinces as well as Ontario. Of course, Ontario is nearer to Manitoba, but I think some of the lower Provinces should have some information, and I think the Government should spend a few thousand dollars in giving facilities and inducements to prevent emigration from Quebec generally to the United States.

Mr. WEBSTER.—Mr. Chairman, my duties are confined entirely to Ontario. However, I felt that I was allowed some margin a year ago last winter, and I ran down into Quebec for a few weeks, and I did that largely at the instance of some French friends I have about Winnipeg, and who have progressed up there. I discussed that matter with them, as to why many of their people did not come up there and settle on these fine lands in Manitoba, and they said: "Why do you not go down there?" and I said: "I cannot speak French." They said there are some English speaking sections down there; and I discovered on going down, that unless you understood the French language you could not do very much. In a number of houses I visited in Quebec I found there was one member of the family who could speak English all right. I described the matter to them as well as I could, and I found they had all heard about Manitoba, and they thought it was a good place all right enough. They had friends up there, and were in communication with these friends. To do work there, and to do it in a way effectual, it would be necessary to understand the French language.

Mr. TROW.—Are you still travelling in Ontario?

Mr. WEBSTER.—Yes.

Mr. TROW.—Where were you in February?

Mr. WEBSTER.—I had the "Grippe," and I was not in the employ of the Government. I was sick in the first part of the month, and I thought I would simply strike out a month.

Mr. TROW.—How many days did you put in in Haldimand?

Mr. WEBSTER.—During that month I was not in the employ of the Government. A year ago last fall I delivered a few lectures in Haldimand, and a number went up there on the strength of the statements I made to them. I met them up in that Province. They were farmers, looking for land for their sons. I met quite a number of them.

Mr. LIVINGSTONE.—When you visited Dakota did you meet any Canadians who had gone in there recently—the last year or two?

Mr. WEBSTER.—No, sir; not one. I may say that of a few who were from New Brunswick, I met one particularly who drove a stage. I asked him as to why he came there in preference to going into the North-West. He said it was the result of the immigration agents who had spread literature in New Brunswick. "They had men there with literature" he said, "that is why I am here." He asked me to send him a lot of literature—descriptive of our North-West, that he was making nothing but a bare living, even with the stage business.

Mr. LABROSSE.—Have you any other instructions to go back again into Dakota for the same purpose?

Mr. WEBSTER.—The instructions I received were, just to go in, and I report the monthly to the Department.

Mr. LABROSSE.—I think in cases where there is no more immigration than within past two years, I do not see the necessity of visiting Dakota any more.

Mr. HESSON.—My friend has overlooked the fact that attention has been drawn to the fact by Mr. Webster that in depopulating the old Provinces. If there are Canadians anxious to leave that country and go to the North-West I do not see the use of having other Canadians sent up there. I think their attention should be drawn to the North-West. I think Mr. Webster is doing a good work; and his attention has been directed to Dakota as the place where he can do the best work.

Mr. TAYLOR.—Are you finding any fruits of your labour in Dakota, by the people going over to the North-West?

Mr. WEBSTER.—Yes, sir. I have read these letters as an illustration of samples of 200 letters which I can bring here. There are large numbers leaving in the spring for the North-West. One man cautions me not to let them know he is getting out of Dakota, because he has made up his mind to skip.

Mr. TROW.—Have you any opposition on the part of the American officials or agents.

Mr. WEBSTER.—Of course, the first year I passed myself off for a farmer. They thought I looked like one. Last year there were places I did not care about staying very long in; many of them gave me a very sour look. Some of the officials talked to me a little cross this year.

*By Mr. McMillan:*

Q. You went through Dakota three years ago. Did you meet any settlers who were actually induced to go to Manitoba?—A. Yes; I cannot give you from memory the names, but I have met some. Three years ago I visited a family just below Battenau. When first married they had settled as man and wife in Manitoba. He had been farming before being married, and went over to settle in Dakota. I knew some of his friends in Manitoba, and went to ascertain what progress he was making and why he left. I told him: "I know you cannot farm on this desert." This year I realized that my statement was true. He is over in Miama, settled down. I also know of several others in Bossivain; they have come over and settled down there.

*By Mr. Trow:*

Q. Do you know of any that have gone over and settled in Dakota during this last year?—A. None; I have not met one. I do not know of one.

Q. I believe there are thousands that have gone in?—A. I am just speaking from observation. I could name a number who have come back from Dakota and are in Ontario now—those who left ten years ago and went to Dakota. There are two in Athens, and a couple up in Dr. Sproule's riding. I came down with four last fall. I have been keeping my eyes open. There are six who came back at that one time,—and they say that every able-bodied man is worth a thousand dollars to the country, so there is \$6,000.

WM. A. WEBSTER.

*Dominion Emigration Agent, Kingston, Ont.*

HOUSE OF COMMONS, 3rd April, 1890.

The Committee met this day, Mr. PETER WHITE, Chairman, presiding.

*By Mr. White:*

Q. Now will you tell us, Mr. McMillan, please, what your occupation is?—A. In answer to your question, I may say I am an immigration agent of the Manitoba Government, and my duty is to try and promote emigration from the Eastern Provinces of Canada to Manitoba; or, rather, to induce those who are thinking of emigrating and making new homes to go to Manitoba or the North-West in preference to the western States of America. I have been in Ontario since May, 1888, and during

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that time have been working principally in this Province, although I have been doing a little in Quebec and the Maritime Provinces. Prior to that, I made two trips to the old country, and had some little experience in connection with the immigration there. The first year I went over I went simply on a private visit, and gave a few lectures near my own home, which were productive of considerable good. As one result, at any rate, about 150 people came out with me, of whom 50 remained in Ontario and the remainder went on to Manitoba. The next year—that is the winter of 1887–88—I was sent over to the old country to deliver a number of lectures.

Q. Sent by the Manitoba Government?—A. I went over under the joint auspices of the Manitoba and the Dominion Government, and the Hudson Bay Company, and the Manitoba North-Western Railway, and the Canada North-West Land Company. I was not connected with the Canadian Pacific Railway. I gave, when I was over there, 41 lectures; 29 were in England—different parts of England—and 12 in the north of Scotland. I did not, for various reasons, bring out a party with me on that occasion, but advised the people to purchase their tickets in the ordinary way, from the steamship agents and come out when they could. That, in a brief way, just states what I have been doing up to the present time.

Q. What has been the result of your labours?—A. As to what has been the result of my labour in the old country, it is difficult, of course, to tell what the actual results are, because probably a great many have come out two or three years after I was there. They may have come out as the result of my work, but that, of course, I am unable to trace. With regard to my work in Ontario, it will, perhaps, be interesting to this Committee to know the methods we pursue. I can state at the present time, that I am employed by the Manitoba Government, and it may be of interest to know, in a general way, how we carry on our work in this Province. If so, I can give you a rough idea of what we are doing. We have an office in Toronto, in a very conspicuous position near the Union station, where we keep a large supply of grains, timber and grasses, and show the people what the country will produce. That is open permanently, and a man is in the office all the time. We have a large number of people calling in there, not only Ontario people, but people from Great Britain and the United States, who, when passing through the country, drop in, and of course we give them as good an idea as we can of the possibilities of the country. We have the products there. Then, one part of my work during the past two years has been to give lectures in different parts of Ontario, and attend Farmers' Institutes. I have attended quite a number of those meetings. I have, of course, recognized in attending those meetings that they are held more particularly to discuss matters of local interest, but I find that I am generally quite welcome to speak, and though I do not take up a great length of time, I have sufficient to draw attention to the capabilities of our country. I think that is a very useful way of working. We have had an exhibit sent down here, each year since I have been in Ontario, and we send it round to a number of fall fairs. Last year we sent our exhibit to 53 fairs in different parts of the Province, and I might say that the interest manifested was so great that we had to refuse a large number of applications for it. We had applications even from the United States, Quebec and the Maritime Provinces. We have, as I have mentioned before, called meetings and held lectures in different parts of the country, and we have, of course, a large amount of correspondence from all parts, not only of this country, but all parts of the continent. One thing that struck me particularly in connection with this work is this—the large number of old country people that call in at our office for information about that country—men from the old country who have been out here for two or three years and found that they would like to go to the west. As to results which we have achieved, I wish again to say that I should not for a minute think of claiming credit for all the results that have been seen in Manitoba for the last two or three years. No doubt, our work has had a good deal to do with the large influx of population there. We do not keep actual figures, as to what particular part of the Provinces the people come from, though I have figures that I consider approximate as to the numbers going to Manitoba. We send an agent through during the summer months. During the spring



months, we run ten settlers' trains or parties from Ontario to Manitoba. Six hundred people left the night before last from Toronto on one of these excursions. We send an agent through on those trains.

*By Mr. Hesson :*

Q. Then they are not going as immigrants?—A. It is not correct to call them excursion trains. They are colonists' trains, and we send a man through. Last year we sent a man through to Winnipeg with each train, to look after the people and give them such information as they needed on the road. This year, we sent a man through part of the way, and we have another man meet them this side of Winnipeg.

*By Mr. Bain :*

Q. Had any of these people return tickets?—A. No; all one-way tickets—\$21 from any one point in Ontario west of Brockville; from Quebec and places further east the fare is a little higher.

*By Mr. Cochrane :*

Q. Who takes charge of them when they get to Winnipeg?—A. When they get to Winnipeg they all have to change cars, as a large number of them is destined to points on the seven or eight railroads that converge there. The different immigration agents of the Dominion Government, the Manitoba Government and the Canadian Pacific Railway look after them when they get to Winnipeg, and start them on their journey to different points. There is another point, I did not mention in connection with our work, and that is, during the summer farmers' excursions are arranged from Ontario to Manitoba at \$28 for the round trip, to give farmers who wish to go up there an opportunity to look at the country and acquaint themselves with its capabilities. We find that a large number of those who go up on those trains, purchase land and go up again in the spring. Last year there were three farmers' excursions in June, and about 1,200 went up altogether in that way. These were round-trip tickets for land-seekers. In addition to that, there were three excursions in August and September, and about 400 went up on those excursions, and a very large number of these purchased land. As to the number of people who settled in the Province of Manitoba last year, from the eastern Provinces, I have only approximate figures; but I have the exact figures as to the number of carloads of settlers' effects, and I find there were 887 carloads of settlers' effects went into Manitoba and the North-West. Of these, 159 went to points in the North-West, leaving 728, or about 83 per cent., for the Province of Manitoba.

*By Mr. Paterson :*

Q. How many people would that represent? A. I think that last year we had probably from 13,000 to 15,000 settlers in the Province of Manitoba.

*By Dr. Sproule :*

Q. Your figures are only approximate?—A. The figures as to the number of settlers are approximate, but the figures with respect to effects that were taken in, are actual figures.

*By Mr. Paterson :*

Q. Your figures have reference only to Canadians?—A. When I say that 14,000 to 15,000 persons settled in the Province, I mean altogether. I am speaking now of the Province of Manitoba.

Q. Would that not include those who went to the Territories?—A. No; 83 per cent. of the carloads of effects were for Manitoba.

*By the Chairman :*

Q. Perhaps Mr. McMillan will tell us on what his estimate is based. Is it based on figures collected by the Manitoba Government?—A. It is not based on any figures collected by the Manitoba Government, and I wish to state here that I do not consider these figures are to be taken as actually correct figures. They are approximate, of course; but last year I endeavoured to get an idea of how many people went out on the trains leaving Toronto for the North-West, going as actual settlers, and I based that estimate upon the figures I collected last year in that way.

Q. How did you get your information as to the number from the older countries? You speak of 15,000 being the total number?—A. I formed my ideas as to the total number from what I have heard from the immigration agents and from what I gathered from the newspapers and persons whom I think in a position to judge, when I have been in the west, two or three times during the past year.

Q. But if Mr. McGovern says that by actual count a certain number went into Manitoba and the North-West Territories, you would not pretend to say that he is not correct?—A. No; but with regard to that count I wish to point out that I have been through on many of those trains when the count has been made, and while I believe the officials are anxious to give correct statements, I believe they are unable to do it. A man gets on the train at Port Arthur and travels through to Fort William, which is only a short distance, and during that time he goes through the train and asks people whether they are new settlers or whether they have been in the country before. I have always heard that question asked; but there is not time between Fort William and Port Arthur for a man to take an actual count of the people on the train, and I know that on several occasions he has not been able to get over the whole train, but has been forced to approximate the number in the other cars, from the number in the cars he has gone through.

*By Mr. Hesson:*

Q. That could be remedied?—A. Yes, by the man going further on; but at Fort William there is a large dining hall, and the trains stop there for 25 to 30 minutes for refreshments, and unless a man has made his count before he gets there it is impossible to finish it correctly, and he would be obliged to go over the train again.

*By Hon. Mr. Carling:*

Q. Are you aware that when Mr. McGovern is telegraphed that a large party is arriving he goes a considerable distance east to meet the train?—A. Of course, if they do that there is plenty of time to get the information that is required. If Mr. McGovern says he does that, I do not for a moment wish to dispute his statement. I have only given what I have observed myself when travelling through.

*By Mr. McNeill:*

Q. How many do you say of migrants and immigrants have gone into Manitoba and the North-West Territories?—A. In the Province of Manitoba I estimate that during the last year there were about 15,000 actual settlers. That is the net immigration.

*By Mr. Gordon:*

Q. Do you include those settled in town and cities?—A. I include all who have gone into the country with the intention of staying there as actual settlers.

*By the Chairman:*

Q. I see by the report of the Minister of Agriculture that it includes the figures relating to Manitoba and the North-West; but I also see that the number reported as going into Manitoba was 16,242. Would that be correct?—A. I think it might be.

*By Mr. Cochrane:*

Q. You said that on your first visit to the old country quite a large number of people came out with you?—A. Yes.

Q. And on the second trip you did not bring anybody out—that you had some reason for not doing that?—A. Well, such trouble as there was, was principally with the steamship people in England. They said they objected to me coming out in charge of a party of immigrants. To do that I would have to state a certain day, and recommend all these people to come with me on that date. The steamship people objected to it. They preferred to let them come out when they chose, because when a large party came together there was a crush. I believe it would have been better, of course, to have organized a party and come out in charge of it. I am a great believer in personally-conducted parties, because the settlers require a great deal of useful information on the road.

Q. It will be your opinion that an agent can accomplish more good by going to the old country and bring out parties who are willing to come with him to a place of destination?—A. Yes; I think there could be a good deal of good in that way.

Q. You also stated that there were several agents in Winnipeg to take charge of immigrants when they got there?—A. Yes.

Q. Why is that, that you should have an immigration agent at these railways?—A. When the settlers arrive at Winnipeg they require a great deal of information. A large number of them have not made up their minds to what part of the country they will go, and they require information, and a great many of the farmers of the country write asking for labourers.

*By Mr. Hesson:*

Q. Since you returned from Europe and Great Britain, did you have many inquiries made by parties in sections of the country where you had been operating?—A. Yes.

Q. What has been your experience since?—A. I have had quite a number of letters from people who heard me lecture, and I know from these lectures a great number have come out. I know, near my own home, one of the steamship agents has organized an annual party of people to come out to Canada. The steamship agent is now trying to send out a party from that particular district.

*By Mr. Cochrane:*

Q. You also stated that it was your business to divert immigration from the Western States to Manitoba where the people were seeking new homes. What information have you in reference to the Western States, as to compare our own country with the Western States? Do you make a comparison, or do you tell the people the inducements in the North-West?—A. When I am lecturing I never go out of my way to attack any country, because I think it is a fallacious policy. It is simply advertising the other country. Of course, when a man appeals to me, I sometimes have to make comparisons of the results likely to be achieved between the two countries, and therefore I have no hesitation in demonstrating that our country is superior to Minnesota, Kansas, Nebraska, Dakota, or any one of those western countries.

*By Dr. Sproule:*

Q. You simply confined your operations to these eastern Provinces. You do not visit the United States as an immigration agent?—A. No; I have not done anything in that way yet.

Q. Have you any knowledge of others operating on the same lines as yourself?—A. In Ontario, do you mean?

Q. In Ontario and in the States, or in any of these localities?—A. Do you mean working for Canada?

Q. Yes?—A. We have. The Manitoba Government have an agent in the old country, who is travelling about giving some lectures there.

Q. Do you know Mr. Webster, who is travelling?—A. Yes.

Q. Do you know what portion of the country he has been operating in for the last year?—A. He has been in different parts of Ontario; I have met him occasionally, and I believe he has been in the Western States—he told me so.

*By Mr. Bain:*

Q. Do you remember when you met him in Ontario?—A. He frequently calls at my office in Toronto, and we compare notes, and see what is going on in the country. We had arranged for a series of lectures north of Kingston twelve months ago, and intended to hold joint meetings, but I was taken ill and could not go.

*By Dr. Sproule:*

Q. Have you any knowledge of any considerable number of people coming from the Western States to settle in Manitoba and the North-West?—A. I believe quite a number are beginning to come in from the United States. At present we are having quite a large number of inquiries from Wisconsin and Michigan, and I frequently have letters from people in Kansas and Nebraska—Kansas especially. I have had quite a number from people there. I might say that we advertised in the papers, and that is, probably, how they get the address.

Q. Do you consider Mr. Webster a reliable man?—A. I consider him a good immigration agent.

Q. If he was operating in Dakota and Manitoba it would not be unreasonable for him to compare the two countries, if he was talking to the people to induce them to come to Manitoba and the North-West?—A. I should, if I was working there, tell them about Manitoba.

Q. You would not consider it unreasonable to draw comparisons?—A. Addressing a meeting, one would have to make comparisons occasionally.

Q. You think Mr. Webster is reliable?—A. I think Mr. Webster is a useful immigration agent. I think he has done a good deal of useful work.

Q. Do you consider Mr. Webster a reliable man?

Dr. WILSON.—I think that is placing Mr. Webster in a false position.

Dr. SPROULE.—I think the question is a straightforward one, and I am entitled to a straightforward answer.

Mr. WATSON.—Dr. Sproule is addressing Mr. McMillan. He is asking him to give his honest opinion of Webster. He says he thinks Webster is a good immigration agent. That ought to be satisfactory.

Mr. McMILLAN.—I might say that I object to discuss in detail the character of any immigration agent—for this reason, that my work necessarily brings me into contact with nearly all of them; and if I undertook to make comparisons between one and another, and jealousy was aroused, it would impair my work as an immigration agent.

Dr. SPROULE.—That is not making a comparison between one man and another. There has been an effort made to discredit what Mr. Webster said in regard to immigration, and I think this is a question pertinent, so that the Committee might know whether he is a reliable man.

Mr. BAIN.—In short, you are trying to boom Mr. Webster?

Mr. WATSON.—At present, Dr. Sproule is attempting to get Mr. McMillan to state that Webster makes exaggerated statements.

Dr. SPROULE.—I want to find out whether he can be relied upon when he makes statements or not.

The CHAIRMAN.—Mr. McMillan may be asked whether the representations made by Webster respecting Manitoba and the North-West, are, so far as he knows, correct?

Mr. McMILLAN.—I believe they are, Mr. Chairman.

*By Mr. Hesson :*

Q. I was going to ask you if you have met with any active American agents in connection with your work, operating in Canada and trying to induce people to go to their country?—A. I have met with several. At some meetings I attended in Western Ontario, about six weeks ago, I met at an agent working for the St. Paul, Minneapolis and Manitoba Railway. I met him in Clinton and London.

Q. Have you met others?—A. I have met a good many passenger agents of other lines.

Q. Is that work still going on?—A. Yes.

Q. They were attending farmers' meetings?—A. I do not think they attend very many meetings; I have not met them at many of those meetings. In fact, I may say I have not met one, except at this meeting at Clinton.

*By Mr. Bain (Wentworth) :*

Q. Was he a land agent?—A. Yes; he was sent down specially this winter in the interest of the St. Paul, Minneapolis and Manitoba Railway (now the Great Northern), in connection with the land department. He was booming some large tract of land in the neighbourhood of Minneapolis. He lived in Dakota himself, and does, to some extent, recommend that State. I asked him why he did not speak more of Dakota, and he said he wished to refer specially to Minnesota—for good reasons, I believe.

*By Mr. McNeill :*

Q. You said that you consider the advantages of our North-West superior to Dakota. Will you state your reasons for that conclusion?—A. We have better soil, and we certainly have a much better climate.

*By Mr. Bain (Wentworth):*

Q. Has your Government any agents in the Western States?—A. Not at present.

*By Mr. Hesson:*

Q. Do you know anything as to the rate of taxation in Dakota?—A. I have no actual figures of the taxation in the Western States, or even in Manitoba, but it is an important matter. I have reason to believe that in Dakota—I am not sure about Minnesota—there is a tax on personal property, even the watch you carry in your pocket. There is nothing of that kind in Manitoba, as you all know. I have been told that, by people who live in Dakota. That is a very important thing, for it is a very objectionable tax.

*By Dr. Sproule:*

Q. You say the Manitoba Government has no agents in the States promoting emigration?—A. Not at present. We are considering the propriety of taking up other work, but we are not certain whether it will be in the States or in the old country.

*By Mr. Hesson:*

Q. I do not think there would be so much of a disposition to go to the States if our people got thoroughly imbued with the advantages of Manitoba and the North-West. Would it not be a good move to have active agents in the States?—A. I think the seed has got to be sown in the United States at some time. I always feel this, that in from five to ten years from to-day our largest immigration will be from the United States. I do not think we need look for any large immigration for some time to come, because I think it is premature; but in a little while, the lands in the Western States will all be taken up and young men will emigrate to Canada. The ideas with regard to our country are very erroneous in the United States, and the seed has to be sown some day, of letting those people know what sort of a country we have. The sooner we begin the sooner we may expect to see results. If work is done there, members ought not to be dissatisfied if there are only small apparent results for several years after the work is commenced. In the United States you have to fight against a good deal of prejudice, both on the part of the people and the newspapers.

*By Mr. Watson:*

Q. What sort of success did this agent of the St. Paul, Minneapolis and Manitoba road have at Clinton?—A. Out of about one hundred people at that meeting, I think two decided to go to Dakota, and one of those had a return ticket.

*By Dr. Sproule:*

Q. You are aware that Mr. Webster has been operating in Minnesota and Dakota?—A. I have been told that he has been there.

Q. Do you think the kind of work Mr. Webster is doing there is in the right direction?—A. I think it is a good work.

*By Mr. Cochrane:*

Q. What is your opinion about an industrious man going to Manitoba to carve out a home without capital and only his own muscle and brain?—A. I know of a great many men there who began life with all the way from nothing to \$500, and who to-day are wealthy—large numbers of them. I might say that, as a rule, the people of Manitoba who are best off are those who went in with little or nothing. The explanation I give of that is this: When a man has a lot of money, he is anxious to invest it at once, and in doing that he often makes mistakes which it takes him years to rectify. The man who has no money has to work for someone else until he gets some, and while doing that he gets experience. I always give this advice: If a young man is going out to Manitoba to invest, I recommend him to put his money in the bank, and go and work for somebody for six months or a year. If a man is going up with a family, I recommend him to rent a farm for one year, and whilst his crop is growing he can look around and purchase a farm to his liking.

*By Mr. McNeill :*

Q. With reference to those who go in without anything, the Canadian would have the advantage as against those from outside of Canada?—A. I think on the whole the Canadian makes our best settler—in fact, I am sure he does.

Q. Do you know of any who have come out total strangers to this continent and who have done well?—A. I know quite a number.

Q. So that, if a poor man came over from the mother country with little or nothing you think he would do well in the North-West?—A. I should have no hesitation in recommending any man who has strength and health, and who is prepared to take hold of any work he can get, to go to Manitoba. We can welcome all such men as that.

*By Mr. Watson :*

Q. You do not find it necessary that a man should be an experienced farmer to go out there and do well?—A. No; not at all. I think such a man has an advantage, but a very large number of our successful farmers are men who were not farmers at all until they came there—tradesmen, ministers, lawyers and doctors.

*By Mr. McMillan (Huron) :*

Q. You mentioned that out of 100 at Clinton, only 2 went to Dakota. Were the other 98 all going to emigrate?—A. I thought I mentioned that. There were about 100 at the meeting, and out of that number, I was told by the Grand Trunk Agent, 2 were for Dakota. About 55 went to Manitoba. They left last Tuesday week.

*By Mr. Hesson :—*

Q. In your experience, do you find, what you would call a large exodus from Canada to the United States?—A. I do not think that at the present time there is any large emigration from Ontario of farmers and their families to the United States. There are a considerable number of young men, and especially those engaged in commercial pursuits, who are constantly going over to the other side, because they wish employment in the large cities, which we have not here. That is what I believe. I was sent down last year by the Manitoba Government to visit the Maritime Provinces, to find out whether there was any chance of doing useful work there, and I made a report on my observations. I came to the conclusion that there are few of the farmers and their families who are emigrating from the Maritime Provinces to the United States, but a great many young men and young women are doing so. If you think it would be of interest, I could give you one or two short extracts from that report. I will not trouble you with the whole report, but I will give you some extracts, which I think will be interesting. I might say, that I set out for Montreal and went down to McAdam Junction and branched off to Woodstock, Fredericton, and Pietou, and visited quite a number of the principal towns in the Provinces. In the Woodstock district I found that some few young men left this part of the country for the Western States, especially California and Washington Territory, attracted there, no doubt, by the fact that there is a good deal of timber in those States. A great many of the farmers' sons worked in the lumber camps of New Brunswick and Maine, in the winter season, returning home again in the summer months, though not infrequently by meeting others in the camps, from distant parts of the continent, they ultimately leave their own Province to seek their fortunes elsewhere. In St. John I saw a great many men, amongst whom were Messrs. Heath and Fairweather, respectively, general passenger and traffic managers of the New Brunswick Railway. From these gentlemen I learned that most of those who go west go to California, Washington Territory, Idaho and Colorado, attracted, no doubt, principally by the lumber and mining interests of those States. From St. John, I proceeded to Nova Scotia, visiting Digby and the Annapolis valley, one of the finest farming sections in the Province. From inquiries made here, I gather that very few families move out, as most of the farmers are prosperous, but that a large number of young men go away to look for work as labourers, and young women in large numbers leave for Boston and other towns in the Eastern States, seeking employment as domestics. The editor of the Digby paper, assured me that the labourers who left were compelled to do so

by scarcity of employment at home, though the majority would prefer to remain in Canada if they could get work. After these men had worked a few months in the Eastern States and earned some ready cash, they frequently drifted further west. I was informed by the railway agents in Halifax that during the last two or three years, very few families of settlers had moved from that section of the country. Some seven or eight years since, there was a large immigration from that part to Manitoba and the North-West, but there has not been much of late years, and they told me that the majority of the movable portion of the farm population had already moved out. From farmers of whom I made inquiries I found that in many parts of the Maritime Provinces, there is a very poor market for produce; one farmer whom I met in Pictou told me he frequently had to take his produce home again, because he could not find a buyer for it. He said a farmer could not make much progress, and he seriously contemplated going to Manitoba next spring. He would do so if he could sell his farm. During my somewhat short visit I made the fullest inquiries, and I am of opinion: (1) That farmers with their families are not in the habit of moving from the Maritime Provinces in any considerable numbers. (2) That a large number of young men and women, many of them farmers' sons and daughters, do leave every year; that the majority go to the Eastern States, to obtain employment in the cities and towns there, the young men as mechanics or at any other calling which gives them some cash payment for labour, and the young women to work in the factories or as domestic servants, especially the latter; and that in many cases, these young men and women, after they have been a few months, or two or three years in the Eastern States drift, westwards. With regard to these young men and women, if we had them in Manitoba they would make the very best of settlers, but the difficulty of getting them, it seems to me, lies principally in the fact that the rates to Boston, which may be taken as the chief centre of distribution in the Eastern States, are so much lower than to Winnipeg, our principal distributing point. Charlottetown is, perhaps, for the Maritime Provinces, an average distance from Boston, and I find that the rate from that point to Boston is \$6.50, while from Charlottetown to Winnipeg it is \$32.50. This difference in railway fare, most effectually operates against Winnipeg and Manitoba in the case of those young people, who would make the very best of settlers, but are starting out in life with very little cash.

*By the Chairman:*

Q. Have you attempted to do anything in the Province of Quebec?—A. We had an agent, who was working for us in Quebec, and he reported to me a little while ago. He is the Rev. C. A. Beaudry, who was, I believe, examined here a short time since. He says: "During the month of July my field of operation was the Canadian centres of the New England States. I spent July in visiting the French colonies of Manitoba, to gather some good statements from the country for my paper, *La Colonisateur Canadien*, in regard to the Canadians from the United States who settled in Manitoba some years ago. August and September were employed in giving some lectures on Manitoba in the district of St. Hyacinthe and visiting parties intending to settle there next year."

And he says: "I send you the following report of those who left for Manitoba during the past year. You may rely on these figures—732 men, 381 women and 519 children. Total, 1,632."

*By Mr. Hesson:*

Q. He did not report an exodus to the United States, did he?—A. Mr. Beaudry has been working largely in the United States.

*By Mr. Sprouie:*

Q. Does he say what success attended his efforts in working in the Eastern States?—A. He does not say what success has attended his efforts in one district more than another.

*By Mr. Watson:*

Q. You, no doubt, are interested in this immigration and have had some experience in regard to immigration from Great Britain. Can you give us any suggestions

whereby we may induce a larger number of immigrants to come from Great Britain to Manitoba. What means might be adopted?—that is, if you are aware of a good number of immigrants that have never left Great Britain?—A. I had prepared a statement which I thought would be useful to this Committee, as to the actual number of people who emigrated from Great Britain and Ireland to all parts of the world, and also an analysis of that statement as to the number of those who emigrated to Canada, and the classes of the people, and I also obtained a lot of information as to the inducements held out by the other colonies, which I consider to be our principal competitors. This would show what we have to face in Europe in trying to get immigrants. I consider that the countries in Europe from which we may look for the chief immigration, or the most likely fields for us to labour in, are, first Great Britain, second Germany, and next to that Norway and Sweden. Of course, there is a large number of French, Italians, and people from the other parts of Europe, but very few of them are in the habit of going to countries of the same climate as we have in Canada. I think Great Britain and Germany, and Norway and Sweden are the fields where we should look for our chief immigration. Would it be interesting to this Committee to have a statement of the total immigration from Great Britain, or is that outside your field of inquiry?

THE CHAIRMAN.—Yes; go on.

I may say that I base my figures upon returns supplied by the statistical department of the Board of Trade of England, and I consider those the most reliable that can be obtained, because their statements are made up from returns supplied to them by the different steamship companies operating under the Passenger Act in Great Britain. As I wanted to analyze the report somewhat, and not having the figures for 1889 complete, I have taken the figures for 1888, and I think we can get a very accurate idea of what we have to do in Europe. The gross immigration from Great Britain and Ireland, of people of British and Irish origin only, was 279,928 in the year 1888. Of these, 170,822 were English, or 61 per cent.; of Scotch, 35,873, or 13 per cent.; of Irish, 73,233, or 26 per cent. Of this total of 279,000 there were 195,000 who went to the United States—that is, about 70 per cent.; there were 34,852, or about 13 per cent., who went to Canada, and 31,127, or about 11 per cent., went to the Australian Colonies; 6,466 went to the Cape and different parts of South Africa; 4,699 went to Central and South America; and 6,797 to other places. With regard to those emigrants to South Africa, I may say there is a very large return emigration, so that the net immigration of those places is very small, and I do not think we need consider that South America or South Africa are very serious competitors with us for immigration. I mention that point, because I know a great deal has been written and spoken about the Argentine Republic, but I believe they draw their supplies largely from southern Europe, which are not the people that come to this country in large numbers.

*By Mr. Bain (Wentworth):*

Q. Have you the returns of United States as well as of Canada?—A. The emigration from the United States to Great Britain was 95,474, which leaves a net immigration of 197,613. The emigration from Canada was 9,104, leaving a net immigration of 40,003. The Board of Trade gives some information as to the occupations of these people. I have the table here, but I think it is hardly necessary to read it to this Committee. I find, however, that the number of farmers is very small in relation to the total immigration. There are a large number of domestic servants, and labourers. There are only 1,585 returned as farmers coming out to this country; and only about 4,500, or threetimes as many, to the United States.

*By Mr. Cochrane:*

Q. I suppose a man who would be a practical farmer here, would be put down in that return as a labourer?—A. Agricultural labourers are kept distinct from general labourers. There were 3,146 agricultural labourers.

*By Mr. Bain (Wentworth):*

Q. Do you think there is more emigration from cities than rural districts?—A. I suppose from their occupations it does indicate that.



By Mr. Hesson:

Q. Have you any information as to the operations of active agents in Great Britain representing those colonies you have reference to, or the American Government?—A. The American Government, so far as I am aware, are not doing anything in Great Britain; but the American railway companies and steamship companies operate there. The Australian Governments are doing a great deal, although not as much as members are in the habit of supposing. I wrote a little while ago to the different Agents-General, in London, of the various colonies, and asked them what they were doing. If you think it would be interesting I would be happy to read letters received from those gentlemen. I thought that information might be useful as indicating what we have to meet. The letters are as follows:—

“QUEENSLAND GOVERNMENT OFFICE,

“WESTMINSTER CHAMBERS, 1 VICTORIA STREET,

“LONDON, S. W., 20th February, 1890.

“SIR,—I am directed to acknowledge receipt of your letter of 27th January last and inform you that the amount voted by the Queensland Government for emigration purposes in 1887-88 was £179,824 15s. 2d. and in 1888-89 £129,640 19s. 6d.

“Assisted passages are granted to single men, *bonâ fide* farm labourers, and to those who have always worked on the land in Great Britain or Ireland, and free passages to single women,—domestic servants.

“Single men assisted passengers have to pay £9 each for passage and ship kit.

“By book-post, some pamphlets are sent which will supply you with particulars.

“I am, &c.,

(Sgd.) “CHAS. S. DICKEN,

“Secretary.

A. J. McMILLAN, Esq.,

Manitoba Emigration Office, 30 York street, Toronto.”

“NEW SOUTH WALES GOVERNMENT,

“5 WESTMINSTER CHAMBERS,

“WESTMINSTER, S. W., 12th February, 1890.

“SIR,—I am desired by the Agent-General for New South Wales to acknowledge the receipt of your letter, dated 27th ultimo, in which you ask to be furnished with information respecting assisted emigration from England, under the regulations of the New South Wales Government.

“In reply I am to state that, practically emigration to the colony, under the regulations above referred to, has ceased for the last *three years*. Since the suspension, the only persons assisted with New South Wales funds have been the wives and families of men resident in the colony, who have been granted the privilege of nominating their wives and families at the following rates: £2 for women under 40 years of age; £1 for each child between 1 year and 14 years of age.

“As to the amount voted by the Parliament of New South Wales for emigration purposes, the amount voted for 1889 was £8,000 and for 1890, £6,000.

“For your information and acceptance, I am to forward, under separate cover, “New South Wales, Her Commerce and Resources,” by G. W. Griffin.

“I am, &c.,

(Sgd.) “S. YARDLEY,

Secretary, &c., &c.

“A. J. McMILLAN, Esq., &c., &c.”

Agent-General for Victoria, Australia.

"VICTORIA OFFICE, 8 VICTORIA CHAMBERS,  
"WESTMINSTER, S.W., 20th February, 1890.

"SIR,—I am directed by the Agent-General for Victoria to acknowledge the receipt of your letter of the 27th ultimo, and in reply to state that no assistance to immigrants has been given by the Government of the colony since 1873, in which year the vote for that purpose was discontinued.

"I am, &c., &c.,  
(Sgd.) "J. CASHEL HOEY.

"A. J. McMILLAN, Esq., &c., &c."  
Agent-General for New Zealand.

"WESTMINSTER CHAMBERS, 13 VICTORIA STREET,  
"LONDON, S.W., 12th February, 1890.

"SIR,—In reply to your letter of the 28th ultimo, I beg to state, for the last two years the New Zealand Government have discontinued granting assisted passages, except in a few cases of women and children whose husbands and fathers had preceded them to the colony.

"Previous to that, assisted passages were granted, (1) to small capitalists and (2) to persons nominated by their friends in New Zealand, subject to the conditions given in the enclosed paper.

"I am, &c., &c.,  
(Sgd.) "WALTER KENNAWAY,  
"Secretary, Agent-General's Department.

"A. J. McMILLAN, Esq., &c., &c."

*By Mr. Bain (Wentworth):*

Q. Before you leave the agency question, I suppose the most active operations carried on there are the operations of agents representing American railway and steamship companies. They are working for commissions and passengers?—A. Yes; that is the general system adopted for working there.

*By Mr. Watson:*

Q. Are you acquainted with the system adopted by our Government in the old country?—A. I am aware of the different offices in Great Britain: London, Liverpool, Belfast, Glasgow, Dublin and Bristol.

Q. Are you acquainted with the method under which they are operated?—A. It is two years since I was there, but I believe that their work at present consists principally in attending to correspondence. I do not think there is any very active outside work done.

*By Dr. Sproule:*

Q. Do you think it would be feasible to employ agents for outside work and to keep up those offices?—A. I consider that the first necessary thing is to get a much larger appropriation than we have if any successful work is to be done over there. With a larger appropriation, I think the next necessary thing is to remodel the whole system and work it on a different plan.

Q. What plan would you suggest?—A. For the appropriation we have at present, I think we have too much machinery in Great Britain. We have to keep up those offices, and they necessarily entail a considerable expenditure, and my idea is, that the machinery we have is out of all proportion to the grant we have for immigration purposes.

Q. Could we do without those offices?—A. I think the number of offices could be cut down with advantage.

Q. Provided there was a sufficient grant, do you think it would be wise to keep up the offices?—A. I believe in having offices in the different parts of the country.

*By Mr. Watson :*

Q. What system do you consider would be most successful for inducing people to come to this country? With the limited means we have, or with a larger vote—which you suggest we should have—what do you consider the best method of operation?—A. I believe, under present circumstances, and with the present vote, it would be a good plan to reduce the number of offices. We have to have, perhaps, two—one at Liverpool and the other at some other point. I think, instead of London being the headquarters for immigration work, Liverpool should be made the headquarters, and I believe it would be a good plan to dissociate the immigration work entirely from the High Commissioner's office, and put at the head of immigration work some good, practical man, who will be responsible directly to the Minister of Agriculture alone, and not to anyone else. I believe the great secret of success in immigration work is organization, and I do not think we have a very good organization over there at present. I think it would be a good plan if Great Britain and Ireland were divided into eight or ten distinct districts for our immigration work, with a permanent staff of eight or ten travelling agents, whose business would be to go through those districts and see that the steamship agents were well supplied with literature containing the best information about this country. I found the steamship agents, who practically control the immigration of to-day, know little or nothing about the country, not as much, very often, as the people who go to them for information. If one man was appointed to each particular district, it should be part of his business to go round and keep the agents supplied with literature as to the capabilities and requirements of Canada, and let him hold meetings throughout the districts at stated times, throughout the year, once or twice a week, or even more frequently than that. That would be for permanent organization, with headquarters at Liverpool, and a good man should be at the head—call him whatever you like; but he shall be directly responsible to the Minister of Agriculture.

*By Dr. Sproule :*

Q. You are speaking now with reference to Great Britain and Ireland?—A. Yes. Now I believe, too, in the policy of sending back men to the old country who have been out in Canada and who have been successful men; but there is this to be borne in mind in connection with that: that if a man goes home and addresses meetings for three or four months, and then comes back to Canada again, you must keep up the work which he has commenced, or really it will be, to a large extent, wasted effort. I would, in connection with this system of laying out Great Britain in districts, have a permanent agent in each district, and, if thought well, get some settler to go home and give lectures in the district in which he formerly lived, in conjunction with that resident agent, and in that way we can get Great Britain thoroughly organized, and we will get larger results than we do at present. I think that can be done with an appropriation, very little larger than the appropriation you have to-day.

*By Hon. Mr. Carling :*

Q. How many districts would you suggest that Great Britain and Ireland should be divided into?—A. That, of course, again depends upon the amount of money at the disposal of the Government.

Q. Supposing you had the amount of money you thought necessary?—A. Well, I think eight or ten districts, or ten or twelve districts.

Q. And permanent agents?—A. Permanent agents travelling in the districts the whole year round, holding meetings in that district, from time to time, and especially keeping steamship agents properly posted as to the capabilities of this country.

Q. Are you aware that those agents in Great Britain and Ireland do furnish steamship companies with literature regarding Canada, pamphlets and maps by thousands and hundreds of thousands?—A. I know that. But I think, in addition to that, it is necessary that those steamship agents should be seen personally from time to time by the district agents which I propose. The agents—the district agents—could combine with their duties of holding meetings and lecturing, duties somewhat simi-

lar to the duties of travelling passenger agents in this country. They could keep the steamship agents thoroughly posted from time to time, and keep themselves posted as to what is going on in their respective districts.

*By Mr. Bain (Wentworth):*

Q. Have you any light to throw on continental emigration? You have no personal contact with that work?—A. No; I have not been there. I think it would be advisable to do something in that. I had a letter from a gentleman in Norway, and he says that during 1889, from Norway and Sweden and Denmark 80,000 people emigrated and, of course, we only got a small proportion of them.

*By Dr. Sproule:*

Q. Speaking of steamship agents, of course we presume they would have some interest in getting immigrants to come to the country. Do you think it would be in the interest of immigration to offer them any inducement for the passengers they bring out?—A. I think the principle of putting a bonus of so much per head on immigrants, has a tendency to bring out a class of people we frequently do not want. Of course, the steamship agents get a commission from the company they represent anyway, but I think it would be a good plan to give absolutely free passages to domestic servants, under certain restrictions, of course. We are never able to get anything like an adequate supply, and I think the same may be said as to the other parts of the Dominion.

Q. What about labourers?—A. My impression is that this is liable to be abused, and I think the supply of labourers can, as a rule, be made equal to the demand without any help from the Government.

*By Hon. Mr. Carling:*

Q. That is, agricultural labourers or ordinary labourers?—A. If assistance were given to agricultural labourers it should be done under a system of colonization, and not under a system of immigration.

*By Dr. Sproule:*

Q. They would hardly be looked upon as labourers if they were ready to come out with families. Do you not think the inducements would be equally as great if it was provided that the steamship companies could be bonused?—A. It is a matter of commission, anyway, the whole thing.

*By Mr. Cochrane:*

Q. I understand you to say that the labouring man—the steady, industrious man, who is willing to work and make a living, and carve out a good, prosperous home in the North-West, that they should not be assisted. Supposing you were an agent in Great Britain, and you found a man of this sort, a man who was a good, practical farmer, have you considered the scheme whereby we might get these men, who have not the means to come to this country themselves—farm labourers? I look upon a farm labourer, who is a practical farmer, as being as good a farmer as is employed?—A. When I was in England I found large numbers of labourers with families could be induced to come out here if we were in a position to say: Here is £10 or £20 towards your passage. I remember one man in particular, a man whom I have known for years. He has a wife and 9 children, a really good, hard-working agricultural labourer. He said: "How much will it take to take me to Winnipeg?" I said: "You had better not start unless you can raise £25," and he said; "I might as well have told him to raise £25,000." One was just as possible as the other.

*By Dr. Sproule:*

Q. Would he have been a useful man if he was here?—A. I have no hesitation in saying he would be a useful man.

*By Mr. Trow:*

Q. What security would you have that he would remain in the country?—A. We would have no security, I suppose. The scheme I would suggest would be a large scheme of colonization, of advancing from £100 to £120 to them, to enable them to start. I would not give them the money; I would give them the effects. I believe a scheme such as that propounded in Great Britain by the Society for the Promotion of State-aided Colonization, would be desirable.

*By Mr. Cochrane :*

Q. Do you not think it would be better to give a smaller appropriation of land, with a little house on the land for them to go into?—A. I believe 160 acres is little enough to give a man. If you bring a man out under a scheme of colonization you ought to have a house and ten or fifteen acres of land ready for him, so that he can go to work at once; and a yoke of cattle and a waggon and plough.

*By Hon. Mr. Carling :*

Q. Referring to continental immigration and steamboat agents, you are aware that the Government pay no assistance to immigrants coming out. All that we pay is \$5 to the steamboat agents for each immigrant that arrives at Winnipeg. He, as the agent, ascertains who are coming to America—and no one would attempt to come without some means—and it would be his object to persuade the emigrant to go to Canada, instead of the United States. If he comes, he has to purchase his ticket in Sweden or Germany, or wherever it may be, to Winnipeg, for himself and family, and the object of the steamboat agent is to persuade him to come to Canada instead of the United States. If he come to Canada and arrive at Winnipeg, then the steamboat agent gets his bonus. I think you said that they persuaded inferior people to come. Now, a man on the continent who has sufficient means to bring himself and family to Winnipeg, must be a man of some character. He gets no assistance from the steamboat company or the Government, and we simply pay the steamboat agent to use his persuasive powers in the interest of Canada?—A. I understand what Mr. Carling means, and I may say that I was referring to continental work, and said I thought it would be better not to give assisted passages. I may give a case that came under my notice when I was in England. Of course, I know assisted passages are not in vogue to-day, and it is only in answer to the question that I am making this statement. I went into a steamship office one day and saw thirty or forty of the affidavits which had to be filled up by intending immigrants, lying on the table. "Are these all assisted passages?" I asked. He said: "Yes." I said: "What do you know about these people?" A man, before he could get an assisted passage, was required to be certified to be a *bonâ fide* agricultural labourer, by a local minister or magistrate. He said: "I do not know or care anything about them. There is a magistrate round the corner—a friend of mine—who fills these forms up for me. I take them round forty to fifty at a time."

Q. Have they not to be certified to by the steamboat agent?—A. The form has to be sent up to London.

Q. No; to Mr. Dyke?—A. Mr. Dyke is in Liverpool, and this happened in the south of England, and he could not have any personal knowledge of these particular men. If Mr. Dyke receives a form signed by a magistrate or minister, saying that he knows who the man is, I presume that Mr. Dyke has to accept that statement.

Q. He is supposed to know something about the magistrate?—A. In England it is generally assumed that a man being a magistrate is a man of honour.

*By Mr. McNeill :*

Q. Where was this magistrate who was prepared to sign these statements?—A. I would rather not say.

Q. In what part of England did he live?—A. Oxfordshire.

*By Mr. Cochrane :*

Q. You said that a great many went to the United States from the Maritime Provinces, because they get there cheaper—that they get there for less money?—A. Yes.

Q. Do you think if they could get to Manitoba for the same amount of money it would be any inducement to them?—A. I think a large portion of them would go.

*By Hon. Mr. Carling :*

Q. Why do they go to Boston?—A. To get some ready cash.

Q. If they went to Dakota would it not cost them as much as to Manitoba?—A. More. A great many of them are sons of small farmers, who have to leave home to earn money. In many cases it would be difficult for them to raise money to go to our own North-West, and when there is such a great difference between the fare in going to the two distributing points they naturally go to Boston.

*By Mr. Cochrane :*

Q. I infer that these sons of small farmers go to the United States because they get there cheaper, and to earn some money to take them further west?—A. I understand that after they have been in the Eastern States for two or three years, they drift further west.

Q. Do you think if they could get to Winnipeg as cheaply as to Boston many would go to the North-West?—A. I think many of them would. I think it would be a good thing to give domestic servants a free passage.

*By Mr. McNeill :*

Q. What about labourers?—A. I would let them pay their own passage.

Q. We are told that there are great numbers of men in the North-West who have come out without anything, and who have been able to do well, and you tell us there are great numbers of people in the old country who cannot get out, but would if they were helped. Do you not think it would be well to help them out?—A. I do not think it would be well to help them come as immigrants. I would help them under a colonization scheme; but that would entail a grant of from £100 to £120 for each family. I would not recommend the giving of assisted passages to single men, but I believe that colonization properly carried out would be a good thing.

Q. Why would you not recommend assisted passages to single men?—A. I think a single man, as a rule, can for himself get the money or amongst his friends can raise funds to take him from Liverpool to Winnipeg. More than that; after you get a single man to Winnipeg you have no particular hold on him.

Mr. HESSON.—It usually ensures a better class of men? It shows energy and thrift?—A. If you bring a man out with a family, and he gets his horses, cattle, &c., and you put him on 160 acres of land, with the necessary precautions, it is hardly likely he would leave the country.

*By Mr. McNeill :*

Q. More than that: it would be better to bring out families. Still, you have an enormous population in England of workingmen who are unable to pay their passage out here, and who could only manage to make enough money to live, let alone the money to come out here. Now, do you think it would be better for us if we could get those people here?—A. I think they would certainly be a great acquisition to the country; but I always feel that there is this difficulty in advancing money to single men to come out. They would land at Winnipeg or Toronto, or wherever they are booked for, and then you would lose all control over them.

Q. They might drift away more rapidly than a married man would?—A. Yes.

Q. If the inducements of our country are so good as we understand them to be, if there was a proper supervision kept over them, do you think the men would not be more than likely to remain?—A. With our present population in Manitoba we can only assimilate a certain amount of labour each year, and I think to assist men out to that country who have nothing at all would be a fallacious policy. If arriving in large numbers, they might find difficulty in obtaining employment when they arrived there.

*By Mr. Sproule :*

Q. Do you think the same argument would apply to domestic servants? Would it apply equally to domestic servants as to labourers?—A. I think not; because the demand is so great, not only in Winnipeg, but all over Canada, that almost an unlimited number of domestic servants could find employment. With regard to the question of the severance of the Immigration Department from the High Commissioner's office, I think that this question of immigration is one of such importance that it requires the undivided attention of a first-rate man. Now, I think that Sir Charles Tupper, or the High Commissioner, whoever he may be, has other duties to attend to, and probably has not time to give that attention to the details of immigration work, which is necessary to make it a success. That is my reason for suggesting that the work be dissociated altogether from the High Commissioner's office, and should be in charge of some one especially appointed, who will have all these

other agencies working under him throughout Great Britain, and he should be responsible directly to the Minister of Agriculture. I mentioned Liverpool as the point where the headquarters should be. Liverpool is better than London, because it is nearer the centre of Great Britain, and it is the port from which five-sixths of the emigrants leaving Great Britain, sail.

Q. It was in connection with the High Commissioner's office here—I was going to ask Mr. McMillan if he was aware we had our distinct officers there, and that they only report through the High Commissioner as the representative of the country; that his duties are not to look after the details of immigration, but the report is made through him merely as the representative of the country?—A. I understood that all the agents in Great Britain were under Sir Charles Tupper's directions and instructions.

Q. They merely report their work through him, but they are distinct and separate, so far as their operations are concerned?—A. I understood they were under his instructions. What I mean to say is this: that in any method of procedure as to detail, where necessary, I suppose it would be expected that they would consult with the High Commissioner.

Q. Would it not be better to suggest to him what amendments would be advisable to the present system, and whether it would be wise to carry them out?—A. That is exactly what I did understand. I mean that the work is of such vast importance that it requires the undivided attention of some one man at the head of the whole immigration service, who should devise new schemes and keep posted as to what is going on, as well as to supervise these travelling agents.

*By Mr. Cochrane :*

Q. What I understand Mr. McMillan to say is this, that he would suggest that the official who had charge of the immigration in the old country would be responsible to the Minister of Agriculture?—A. Direct.

Hon. Mr. CARLING.—That is the case now. Sir Charles Tupper is responsible to the Minister of Agriculture, and these agents report to him.

Q. I should be lead to infer that you think, in the interest of Canada, the Canadian High Commissioner should be the political representative at the Court of Great Britain, and should not divert his attention from that to interfere with the details of immigration—that the immigration agent should be a departmental officer, and confine his attention to that work?—A. I am not prepared so say what the High Commissioner should do, but I think the head of the Immigration Department should have nothing to distract his attention.

*By Mr. McNeill :*

Q. What would be the position of a man arriving in the North-West and having no money? Would it be possible for him to get on at all?—A. The first thing for him to do would be to get work. He could get work on a farm, or in some way. There is generally a large demand for labour up there.

Q. Could he get credit on his land?—A. Not until he had his deed.

*By Mr. Trow :*

Q. Who takes charge of these 600: who left Toronto the other day, when they arrive at Winnipeg? Are the arrangements there such that they can be located?—A. There is this difference between Ontario settlers and old country settlers: A majority is booked through to some point, and when they get to Winnipeg it is simply a matter of sending them on; but there is a certain percentage who are just generally booked to Winnipeg. As a rule, if the Canadian has bought his ticket to Winnipeg, it is with the intention of settling in Manitoba.

*By Mr. Hesson :*

Q. You spoke of the agent at Winnipeg taking charge of immigrants on their arrival. Have you heard of any neglect in that respect, and will you say what agents are operating there?—A. No; I cannot say that complaints have been brought to my notice. The Manitoba Government has an intelligence office at the station, the Canadian Pacific Railway has one and the Dominion Government has one.

Q. Are they doing their work satisfactorily?—A. I believe they are. When people are going up from Ontario, in cases where I think it necessary, I give cards of introduction to our agent at Winnipeg, so that on arrival, information may be had as regards land or labour.

Q. Do you get letters of enquiry from abroad?—A. Yes; but the great bulk of my correspondence is from Eastern Canada, especially Ontario.

*By Dr. Sproule :*

Q. Do these agents act conjointly, or is there any conflict?—A. I do not think there is any conflict. They are all interested in getting the people settled in the country in some way. A few years ago a great many of the municipalities sent down agents to get settlers, and there were frequent conflicts between those agents; but during the last year, there were very few of these agents, and I do not think there are any this year. There are simply Government and railway agents.

Q. Have they only one man to give information, or have they men to locate settlers as well?—A. We have two men in connection with our office.

Q. I mean, all these offices. The Canadian Pacific Railway has an office, the Dominion Government an office, and the Manitoba Government an office, and in connection with each of these there are men to go out and locate settlers?—A. There are.

Q. Have you any knowledge of the number in connection with our office?—A. We have two in connection with the Manitoba office.

Q. Do you know how many the Dominion Government has?—A. I know that agents constantly travel out with parties.

Q. You think it is necessary to have these locating agents?—A. Yes; I think one of the most necessary things is to make the settler comfortable.

*By Mr. Hesson :*

Q. Is Mr. Metcalfe there?—A. Yes.

Q. Is he an active man?—A. He is an active man, but I think it is unfortunate that the chief officer of the intelligence service should be away at this particular time. I believe Mr. Metcalfe is a good agent.

Q. Who is the chief officer there?—A. I understand Mr. Metcalfe.

Hon. Mr. CARLING:—No; Mr. Bennett is.

*By Mr. McNeill :*

Q. Is it your observation that when they get our people from the Maritime Provinces over in the United States that they ship them off free?—A. I have no actual information; but I should be inclined to think—in fact, I feel quite certain it is not. I should have heard of it if it were so.

*By Mr. Trow :*

Q. When you go out with those excursionists or intending settlers to Winnipeg, are your duties then performed—that is, are your duties finished when you land them in Winnipeg?—A. Yes. Of course, we turn them over to the agents up there; then we come back to Ontario and look for some more.

Q. The agents of the Manitoba Government or the agents of the Dominion?—A. Both.

Q. The Manitoba Government has no lands at its disposal?—A. No.

Q. Is there any record kept in Winnipeg of the lands for disposal as homesteads for actual settlers?—A. Yes; we keep such information in our intelligence office.

Q. They are referred to the land agencies in various parts of the North-West and Manitoba. Do they make returns to the head office in Winnipeg of the lands that have been disposed of or what are for disposal?—A. I believe they make returns every week, but I am not quite sure. They make returns every week to the Land Commissioner's office in Winnipeg.

Q. So the settler can get all requisite information in Winnipeg, without travelling to other points?—A. Yes; what I generally recommend a man to do, going up, is this: I give him an introduction to our intelligence office and then they go to the Land Commissioner's office and find out in which of these land office, districts there is the most available homestead land, and then they go direct to the local land office,



and they get the statement as to vacant homesteads, in detail. I am told by Mr. Lowe that they have that information in Mr. Bennett's office too. We keep it in our office.

*By Mr. Gordon :*

Q. The 600 leaving Toronto a few nights ago—is there any certainty that they came from the Province of Ontario, or is there any possibility that they crossed the borders, to Toronto, to attend that excursion to Winnipeg, and it appears in the public returns as 600 people from Ontario?—A. There might be some few people from the States in that 600 people who left, but I do not think that any would come from the States for the express purpose of taking that train from Toronto.

Q. Is there any system of ascertaining that fact?—A. None, except the system of asking people at Port Arthur. We sent an agent from our office in charge of that train. The other night we only had an agent on the passenger train. We took a statement of the people on that train where they came from, and where they were going to, but that only embraced one train, as against five or six that went out. The other trains were mixed colonist trains, composed of 12 or 13 car-loads of settlers' effects, and one passenger car attached to the end of each train for the convenience of people who had the stock. There were from 350 to 400 travelling on the passenger train, and 200 travelling on the other five trains.

Q. The reason I asked the question is this—that there is a possibility of immigrants coming over from Europe or from the United States who had recently gathered in and about Toronto; and when it was reported that 600 people had left, it would necessarily be considered that they were from Ontario, unless there were some means of determining the fact that some of these were emigrants from other countries?—A. Of course, we had, as I mentioned some time ago, a considerable number of old country people who had been out here two or three months, and who had been in Ontario, and who thought they could do better in the North-West, and made up their minds to go there.

*By Mr. Hesson :*

Q. I think Mr. McMillan has given a great amount of valuable information, and I do not suppose it is desirable to worry him altogether; and I have very much pleasure in moving that a vote of thanks be tendered him for his presence here to-day.

*By Mr. Trow :*

Q. I would like to ask Mr. McMillan if he has visited the London office?—A. Yes; I have been there.

Q. Do you think there is reckless extravagance exhibited there, in the appearance of the establishment and everything in connection with it?—A. No; I should not say that at all. I think with our present appropriation there is too much machinery in connection with immigration.

*By Mr. Watson :*

Q. You have visited those agents in the old country?—A. The Dominion Government agents?

Q. Yes?—A. Yes.

Q. Did you find that a person going to this office and asking for information—supposing an immigrant was coming out to Canada—is there any person in this office who can give practical, reliable information with regard to any of the different Provinces, more particularly the North-West?—A. Well, with regard to them being able to give information about the Eastern Provinces, I am not able to say whether the agents there are or not; but I think there is a lack of men over there who are able to give useful information regarding the North-West—that is, of a practical nature.

Hon. Mr. CARLING.—I might say that Mr. Dyke is a very energetic and intelligent man. Mr. Graham, of Glasgow, was for some years a representative of West York in the Local Legislature, and Mr. Connelly was a member of the Legislature for some time, and reports are furnished to the Department from time to time. All the literature that is printed by the Department with the land regulations and reports of the Interior, maps of the Province of Manitoba, maps of the North-West

Territories, with all reports with regard to the mineral or agricultural interests, are given to the people of Great Britain. I think Mr. McMillan will say that these gentlemen are obliging and intelligent men, and furnish the people with all the information they want.

*By Mr. Watson:*

Q. I wish to have Mr. McMillan's opinion?—A. In answer to Mr. Watson's question, I may repeat what I said a minute or two since, that I believe there is a great scarcity of men in the Dominion Government offices in Great Britain who can give practical information about the North-West. I take a great interest in this question of immigration, and I am trying to bring before you to-day points which I think will be of use to you in carrying on immigration work. I think that is a very weak part of our Dominion service in Great Britain. I am speaking now with regard to information respecting Manitoba and the North-West, towards which I infer the principal part of immigration from Great Britain is directed. I think, perhaps, the weakest part of our whole system over there, is that we have too much machinery—too many offices for the appropriation we have at our disposal. I think it would be better to divide the country up into districts, and have permanent travelling agents, to be answerable to some permanent head in Great Britain, who in turn should be responsible to the Minister of Agriculture, and that this Department of Immigration should be separated from the High Commissioner's office. I would also suggest that, annually, men be sent over to each of these districts to give lectures—men who had previously lived in that district, and had succeeded in the North-West. Many a man is glad to go over for the sake of some assistance to his passage. He should act in conjunction with the resident agent of that district.

*By Hon. Mr. Carling:*

Q. Would you have any particular place where the agent should be found?—A. Yes; some office. I do not mean to go to the expense of establishing such an office as you have in Liverpool.

*By Mr. Davin:*

Q. Why dissociate it from the High Commissioner's office?—A. For reasons I have pointed out—that I think the immigration question is of such importance that it requires some good practical man at the head of it, who can devote his whole time to that work.

A. J. McMILLAN,  
*Emigration Commissioner.*

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